

MILLCREEK, UTAH
ORDINANCE NO. 22-35

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 3209 SOUTH ORCHARD STREET FROM R-1-8 (RESIDENTIAL
SINGLE FAMILY) TO R-1-6 (RESIDENTIAL SINGLE FAMILY)**

WHEREAS, the Millcreek Council (“Council”) met in regular session on July 26, 2022, to consider among other things, an ordinance rezoning certain property located at approximately 3209 South Orchard Street from R-1-8 (Residential Single Family on 8,000 square foot lot) to R-1-6 (Residential Single Family on 6,000 square foot lot); 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 May 2, 2022, the required notice was published; and

WHEREAS, on June 15, 2022, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on June 15, 2022, the planning commission held the required public hearing with respect to this rezone; and

WHEREAS, at the June 15, 2022, 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 July 20, 2022, the Council caused the required notice to be given; and

WHEREAS, on July 26, 2022, the Council considered the rezone during a public meeting; and

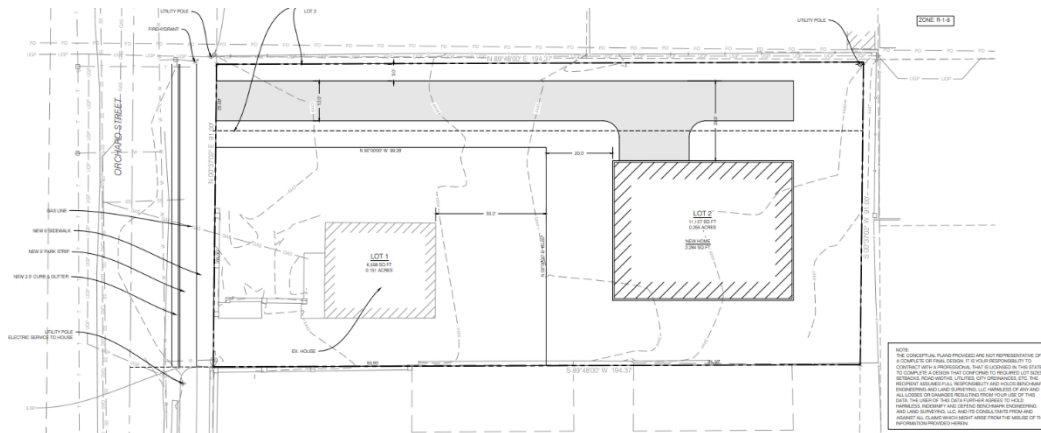
WHEREAS, Section 19.06.020 of the Millcreek Code of Ordinances provides that each of the sections of the City which are amended or zoned be shown on the maps on file with Millcreek City.

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-22-008 filed by Jon O’Neal located at 3209 South Orchard Street is hereby rezoned/reclassified from R-1-8 (Residential Single Family) to R-1-6 (Residential Single Family) such property being more particularly described as follows:

Legal Description

COM 1535.82 FT W & 1568.6 FT N FR S 1/4 COR SEC 28 T 1S R 1ESL MER N 91 FT E 194.37 FT S 91 FT W 194.37 FT TO BEG 0.4 AC5896-0283.



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. 22-35, shall take immediate effect as soon as it shall be published or posted as required by law as soon as it is determined by the Millcreek Planning Director that a subdivision plat has been recorded for the properties located at approximately 3209 South Orchard Street, and as soon as it is deposited and recorded in the office of the City’s recorder.

PASSED AND APPROVED this 26th day of July, 2022.

MILLCREEK COUNCIL

By: _____
Cheri Jackson, Mayor Pro Tempore Designee

ATTEST:

Elyse Sullivan, City Recorder

Roll Call Vote:

Silvestrini	Yes	No
Catten	Yes	No
DeSirant	Yes	No
Jackson	Yes	No
Uipi	Yes	No

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 22-35: AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT APPROXIMATELY 3209 SOUTH ORCHARD STREET FROM R-1-8 (RESIDENTIAL SINGLE FAMILY) TO R-1-6 (RESIDENTIAL SINGLE FAMILY)
was passed and adopted the 26th day of July 2022 and certifies that copies of the foregoing Ordinance 22-35 were posted in the following locations within the municipality this ____ day of July, 2022.

1. Millcreek City Office, 3330 S. 1300 E., Millcreek, UT 84106
2. Millcreek Community Center, 2266 E. Evergreen Ave., Millcreek, UT 84109
3. Holladay Lions Recreation Center, 1661 E. Murray Holladay Rd., Millcreek, UT 84117

Elyse Sullivan, City Recorder