

MILLCREEK, UTAH
ORDINANCE NO. 23-24

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 3564 S 1100 E FROM THE R-1-8 ZONE TO THE R-1-5 ZONE**

WHEREAS, the Millcreek Council (“Council”) met in regular session on June 26, 2023, to consider, among other things, an ordinance rezoning certain property located at approximately 3564 S 1100 E from the R-1-8 zone to the R-1-5 zone; 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 April 21, 2023, the required public hearing notice was published; and

WHEREAS, on May 10, 2023, the proposed amendment was submitted to the planning commission for its recommendation; and

WHEREAS, on May 17, 2023, the planning commission held the required public hearing with respect to this rezone; and

WHEREAS, at the May 17, 2023 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 June 21, 2023, the Council caused the required notice to be given; and

WHEREAS, on June 26, 2023, 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 Salt Lake County planning and development services division on behalf of the 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-23-003 filed by Austin Dent, owner of the property located at 3564 S 1100 E is hereby rezoned/reclassified from the R-1-8 zone to the R-1-5 zone, such property being more particularly described as follows:

Parcel No. 16-32-206-040-0000
Address: 3564 S 1100 E

Legal Description:
LOT 2, WESTPHAL SUBDIVISION 10855-5639

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.

BE IT FURTHER ORDAINED, that pursuant to Section 19.90.060 of the Millcreek Code of Ordinances that the following condition be attached to the zoning map amendment enacted hereby:

A zone condition to certain property located at approximately 3564 S 1100 E that limits the density to a maximum of three lots.

This Ordinance assigned no. 23-24, 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 26th day of June, 2023.

MILLCREEK COUNCIL

By: _____
Jeff Silvestrini, Mayor

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 23-24: AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 3564 S 1100 E FROM THE R-1-8 ZONE TO THE R-1-5 ZONE
was adopted the 26th day of June, 2023 and that a copy of the foregoing Ordinance 23-24 was
posted in accordance with Utah Code 10-3-711 this ____ day of June, 2023.

Elyse Sullivan, City Recorder