

MILLCREEK, UTAH
ORDINANCE NO. 22-30

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 4101 SOUTH HOWICK STREET FROM M-1
(MANUFACTURING) TO MD (MIXED DEVELOPMENT)**

WHEREAS, the Millcreek Council (“Council”) met in regular session on June 27, 2022, to consider among other things, an ordinance rezoning certain property located at approximately 4101 South Howick Street from M-1 (Manufacturing) to MD (Mixed Development); 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 June 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 June 22, 2022, the Council caused the required notice to be given; and

WHEREAS, on June 27, 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; and

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-22-006 filed by Todd J. Reeder at Community Development Corporation of Utah located at 4101 South Howick Street is hereby rezoned/reclassified from M-1 (Manufacturing) to MD (Mixed Development) such property being more particularly described as follows:

Parcel No. 15-36-453-055-0000

Legal Description

BEG N 89°33' E 86.82 FT & S 13°45' E 1060.87 FT & S 89°27' W 79.03 FT & S 0°43'40" W 250.07 FT FR NW COR LOT 10, BLK 10, 10 AC PLAT A BF SUR; S 0°43'40" W 378.34 FT; N 85°16'30" W 265.29 FT; N 0°33' W 353.8 FT; N 89°27' E 272.6 FT TO BEG. LESS STREET. 1.99 AC M OR L. 8316-3672 8381-7130 8381-7151 8489-9327 9449-8825 10528-3042 10528-3044

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. 22-30, 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 day of June 2022.

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 22-30: REZONING CERTAIN PROPERTY LOCATED AT
APPROXIMATELY 4101 SOUTH HOWICK STREET FROM M-1 (MANUFACTURING) TO
MD (MIXED DEVELOPMENT)**

was passed and adopted the 27th day of June 2022 and certifies that copies of the foregoing Ordinance 22-30 were posted in the following locations within the municipality this ____ day of June, 2022.

1. Millcreek City Hall, 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