

ORDINANCE NO. 28-2024

**AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING CERTAIN
PROPERTY WITHIN ITS BOUNDARIES FROM AGRICULTURAL A-2, TO
RESIDENTIAL LOW-MODERATE DENSITY R-2, AMENDING THE ZONING MAP
OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

Section 1 - Recitals:

WHEREAS, the City Council finds that the planning commission has caused to be prepared and has recommended to the City Council a proposed zoning ordinance and general plan; and,

WHEREAS, the City Council finds that the full text of the zoning ordinance and its associated and related maps, representing the commission's recommendations for zoning all or any part of the area within the municipality have been subjected to the required public hearing prior to its adoption; and,

WHEREAS, the City Council finds that the City Council lawfully adopted the zoning ordinance as proposed with all later amendments thereto; and,

WHEREAS, the City Council finds that Utah Code ("UC") §10-9a-503 provides that the legislative body may amend the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provision of the zoning ordinance; and,

WHEREAS, the City Council finds that the City Council may make no amendment to the City's zoning ordinance or zoning maps unless the amendment was proposed by the planning commission or is first submitted to the planning commission for its approval, disapproval, or recommendations; and,

WHEREAS, the City Council finds that West Haven City desires to comply with the procedure specified in UC §10-9a-502 in preparing and adopting an amendment to the zoning ordinance or the zoning map; and,

WHEREAS, upon petition to West Haven City, and after having been reviewed by the West Haven City Planning Commission, the City Council determines it to be in the best interest of the City to change the existing zone of certain parcels in the City from Agricultural A-2, to Residential Low-Moderate Density R-2 as outlined herein; and,

WHEREAS, the City Council finds that such a change follows the City's General Plan; and,

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health and welfare is at issue and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF WEST HAVEN, UTAH that the City Zoning Ordinance is changed and amended as follows:

Zoning Changes:

These described lands and premises within the boundaries of the City are re-zoned from Agricultural A-2 to Residential R-2: Parcel 080290054 & 080290053

08-029-0054

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING SOUTH OF THE TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT: PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U S SURVEY: BEGINNING SOUTH 00D49'50" WEST 532.82 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 3 TO THE POINT OF BEGINNING, RUNNING THENCE SOUTH 00D49'50" WEST 283.93 FEET; THENCE NORTH 89D13'42" WEST 452.09 FEET, THENCE NORTH 58D39'42" EAST 534.08 FEET TO THE POINT OF BEGINNING. [NOTE: THIS DIVISION DOES NOT COMPLY WITH UTAH CODE SECTION 10-9A-605(3) (E# 2353150)] [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THIS OFFICE FOR TAX PURPOSES.]

08-029-0053

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING NORTH OF THE TAYLOR WEST WEBER WATER IMPROVEMENT DISTRICT: PART OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, U S SURVEY, BEGINNING SOUTH 00D49'50" WEST 532.82 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 3 TO THE POINT OF BEGINNING, RUNNING THENCE SOUTH 00D49'50" WEST 283.93 FEET; THENCE NORTH 89D13'42" WEST 452.09 FEET; THENCE NORTH 58D39'42" EAST 534.08 FEET TO THE POINT OF BEGINNING. [NOTE: BECAUSE THE DESCRIPTION OF RECORD DID NOT CONTAIN AN AREA FOR THIS PARCEL THE AREA FOR THIS PARCEL WAS CALCULATED BY THIS OFFICE FOR TAX PURPOSES.]

Enactments:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part, repealed.

Section 3 - Prior Ordinances and Resolutions:

The body and substance of all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance be held or deemed or be invalid, inoperative, or unenforceable, such reason will render no other provision or provisions invalid, inoperative or

unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of West Haven City.

Section 5 - Date of Effect

BE IT FURTHER ORDAINED this Ordinance will become effective on the 21st day of August, 2024

DATED this 21st day of August, 2024.

WEST HAVEN, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and recorded

Emily Green, City Recorder

Mayor Rob Vanderwood	Yes _____	No _____
Councilmember Carrie Call	Yes _____	No _____
Councilmember Kim Dixon	Yes _____	No _____
Councilmember Nina Morse	Yes _____	No _____
Councilmember Ryan Saunders	Yes _____	No _____
Councilmember Ryan Swapp	Yes _____	No _____

RECORDER'S CERTIFICATION

STATE OF UTAH)
 : ss.
County of Weber)

I, EMILY GREEN, the City Recorder of West Haven, Utah, in compliance with UCA §10-3-713 and UCA §10-3-714 do hereby certify that the above and foregoing is a full and correct copy of **Ordinance No. 28-2024, entitled “AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING CERTAIN PROPERTY WITHIN ITS BOUNDARIES FROM AGRICULTURAL A-2, TO RESIDENTIAL LOW-MODERATE DENSITY R-2.”** adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof on “August 21, 2024 which appears of record in my office, with the date of posting or publication being August 21, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 21st day of August 2024.

Emily Green
City Recorder