

MILLCREEK, UTAH
ORDINANCE NO. 24-43

**AN ORDINANCE REZONING THE NORTHERN PORTION OF TWO PARCELS
GENERALLY LOCATED AT 640 & 650 WEST 4100 SOUTH FROM THE
AGRICULTURAL (A-1 & A-2) ZONE TO THE MANUFACTURING (M) ZONE**

WHEREAS, the Millcreek Council (“Council”) met in regular session on September 9, 2024, to consider, among other things, an ordinance rezoning a certain portion of property generally located at 640 and 650 West 4100 South from the Agricultural (A-1/A-2) Zone to the Manufacturing (M) 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 June 26, 2024, the required public hearing notice was published; and

WHEREAS, on July 17, 2024, the planning commission held a public hearing to discuss the rezone proposal; and

WHEREAS, at the 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 September 4, 2024, the Council caused the required notice to be given; and

WHEREAS, on August 26, 2024, the Council discussed the rezone application, and on September 9th, 2024, 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.

NOW THEREFORE, BE IT ORDAINED by the Council that the property described in File #ZM-24-008 filed by Jason Boal, with Snell & Wilmer, as the applicant acting on behalf of the property located at 640 West and 650 West 4100 South is hereby rezoned/reclassified from the Agricultural (A-1/A-2) Zone to the Manufacturing (M) Zone, such property being described within **Exhibit A** and as depicted within **Exhibit B**.

BE IT FURTHER ORDAINED, 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 no. 24-43, 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.

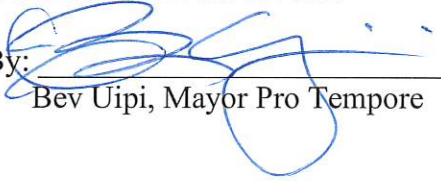
PASSED AND APPROVED this 9th day of September 2024.



ATTEST:


Elyse Sullivan, City Recorder

MILLCREEK COUNCIL

By: 
Bev Uipi, Mayor Pro Tempore

Roll Call Vote:

Silvestrini	Yes	No
Catten	<u>Yes</u>	No
DeSirant	<u>Yes</u>	No
Jackson	<u>Yes</u>	No
Uipi	<u>Yes</u>	No

excused

CERTIFICATE OF POSTING

I, the duly appointed recorder for Millcreek, hereby certify that:
ORDINANCE 24-43: AN ORDINANCE REZONING THE NORTHERN PORTION OF TWO PARCELS GENERALLY LOCATED AT 640 & 650 WEST 4100 SOUTH FROM THE AGRICULTURAL (A-1 & A-2) ZONE TO THE MANUFACTURING (M) ZONE was adopted the 9th day of September 2024 and that a copy of the foregoing Ordinance 24-43 was posted in accordance with Utah Code 10-3-711 this 10 day of September 2024.


Elyse Sullivan, City Recorder

Exhibit A

DESCRIPTION OF PROPERTY AFTER VACATION AND DEDICATION:

A PARCEL OF LAND LOCATED WITHIN THE SOUTHWEST QUARTER OF SECTION 36 AND THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 1 SOUTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN, MILLCREEK CITY, SALT LAKE COUNTY, UTAH; SAID PARCEL OF LAND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT BEING NORTH 00°10'00" WEST 22.06 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 36; SAID SOUTHWEST CORNER OF SECTION 36 BEING SOUTH 89°57'26" WEST 1372.52 FEET FROM A WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET; SAID WITNESS CORNER ALONG THE CENTERLINE OF 500 WEST STREET BEING SOUTH 00°08'27" EAST 1754.44 FEET FROM A MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET; SAID MONUMENT AT THE INTERSECTION OF 500 WEST AND 3900 SOUTH STREET BEING SOUTH 89°54'15" EAST 1575.39 FEET FROM A MONUMENT AT THE INTERSECTION OF 700 WEST AND 3900 SOUTH STREET;

THENCE WEST 238.14 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 04°37'20" WEST 94.007 FEET; THENCE NORTH 00°34'48" EAST 95.906 FEET TO THE BEGINNING OF A 670 FOOT RADIUS CURVE TO THE RIGHT; THENCE ALONG SAID CURVE 210.08 FEET (CHORD: NORTH 09°33'45" EAST 209.22 FEET); THENCE NORTH 18°32'42" EAST 36.03 FEET; THENCE NORTH 18°32'42" EAST 2.70 FEET TO THE BEGINNING OF A 62.14 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 47.69 FEET (CHORD: NORTH 31°29'30" EAST 46.53 FEET); THENCE NORTH 00°02'30" WEST 171.17 FEET TO THE SOUTHWEST CORNER OF THE VALLEY WELL SUBDIVISION AS ENTRY NUMBER 11164021 IN BOOK 2011P AT PAGE 41 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE ALONG SAID SOUTHERLY LINE AND EXTENDING THE FOLLOWING TWO (2) COURSES: 1) NORTH 87°29'30" EAST 458.39 FEET; 2) THENCE SOUTH 86°20'30" EAST 130.31 FEET TO THE WESTERLY LINE OF A CERTAIN SPECIAL WARRANTY DEED AS ENTRY NUMBER 14170397 IN BOOK 11454 AT PAGE 2168 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE SOUTH 00°02'30" EAST 508.60 FEET ALONG SAID WESTERLY LINE TO THE NORTHERLY LINE OF A CERTAIN WARRANTY DEED AS ENTRY NUMBER 13229103 IN BOOK 10917 AT PAGE 5867 AT THE SALT LAKE COUNTY RECORDERS OFFICE; THENCE WEST 414.23 FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY LINE OF SAID WARRANTY DEED AS ENTRY NUMBER 13229103; THENCE SOUTH 00°02'30" EAST 2.35 FEET ALONG SAID WESTERLY LINE; THENCE SOUTH 89°57'30" WEST 0.70 FEET; THENCE SOUTH 00°02'30" EAST 1.32 FEET; THENCE NORTH 89°58'05" WEST 0.36 FEET; THENCE SOUTH 00°10'00" EAST 142.945 FEET TO THE POINT OF BEGINNING.

CONTAINS: 351,305.74 SQ. FT. OR 8.065 ACRES

EXHIBIT "B"

