

**MILLCREEK, UTAH**  
**ORDINANCE NO. 24-48**

**AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT  
APPROXIMATELY 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E,  
814 E WILLIAMS WAY, 739 E WILLIAMS WAY # X FROM THE C-2/ZC  
(COMMERCIAL 2 / ZONE CONDITION) ZONE TO THE C-2 (COMMERCIAL 2)  
ZONE**

**WHEREAS**, the Millcreek Council (“Council”) met in a regular meeting on October 14, 2024, to consider, among other things, an ordinance rezoning certain property located at approximately 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E, 814 E Williams Way, 739 E Williams Way # X from the C-2/zc (Commercial 2 / zone condition) to C-2 (Commercial 2); 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 August 28, 2024, the required public hearing notice was published; and

**WHEREAS**, on September 11, 2024, the proposed amendment was submitted to the planning commission for its recommendation; and

**WHEREAS**, on September 18, 2024, the planning commission held the required public hearing with respect to this rezone; and

**WHEREAS**, at the September 18, 2024, 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 October 9, 2024, the Council caused the required notice to be given; and

**WHEREAS**, on September 23, 2024, the Council discussed the rezone application, and on October 14, 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; and

**WHEREAS**, the 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-24-010 filed by Millcreek, the property located at 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E, 814 E Williams Way, 739 E Williams Way # X is hereby rezoned/reclassified from the C-2/zc zone to the new C-2 zone, such property being more particularly described as follows:

**739 E Williams Way #X - 22051540170000**

BEG N 0°05'44" E 582.17 FT & S 89°54'14" W 681.53 FT FR SE COR OF LOT 1, BLK 5, TEN ACRE PLAT A, BIG FIELD SUR; S 89°54'14" W 89 FT; S 0°09'58" W 22.03 FT; S 89°46'10" E 89 FT; N 0°09'58" E 22.54 FT TO BEG. 0.05 AC M OR L. 5758-1792, 1794, 1790

**814 E Williams Way - 22051540250000**

BEG 582.17 FT N 0°05'44" E & 641.01 FT S 89°54'15" W FR SE COR OF LOT 1, BLK 5, TEN ACRE PLAT A, BIG FIELD SUR; S 0°09'58" W 228.57 FT; S 89°54'14" W 30 FT; N 0°09'58" E 112.77 FT; S 89°54'14" W 10.01 FT; N 0°09' 58" E 115.8 FT; N89°54'14" E 40.01 FT TO BEG. 0.18 AC 5783-2081, 5789-549

**877 E 4500 S - 22053020200000**

BEG 107 FT S 89°53' W & 20 FT N 0°05'44" E FR SE COR OF LOT 1, BLK 5, TEN ACRE PLAT A, BIG FIELD SUR; S 89°53' W 120 FT; N 0°05'44" E 145 FT; N 89°53' E 120 FT; S 0°05'44" W 145 FT TO BEG. EXCEPT BEG 115 FT S 89°53' W & 30 FT N 0°05'44" E FR SE COR OF SD LOT 1; N 0°05'44" E 20 FT; S 89°53' W 6 FT; S 0°05'44" W 20 FT; N 89°53' E 6 FT TO BEG. 5822-0123 6268-371, 373 6268-0375

**851 E 4500 S - 22051770230000**

BEG N 0°05'44" E 319.75 FT & S 89°54'14" W 2.00 FT FR SE COR OF LOT 1, BLK 5, TEN ACRE PLAT A, BIG FIELD SUR; S 89°54'14" W 70.10 FT M OR L; N 0°05' 44" E 165.24 FT; N 89°54'14" E 72.1 FT; S 0°05'44" W 4.84 FT M OR L; S 89°54'16" W 3 FT; S 0°05'44" W 8 FT; N 89°54'16" E 3 FT; S 0°05'44" W 141.50 FT M OR L; S 17°11'54" W 6.80 FT; S 0°05'44" W 4.41 FT TO BEG

**4402-4410 S 900 E - 22051770180000**

BEG 304.75 FT N 0°05'44" E & 7 FT S 89°54'14" W & S 89°54'14" W 2.00 FT FR SE COR OF LOT 1, BLK 5, TEN ACRE PLATA, BIG FIELD SUR; S 89°54'14" W 128.42 FT M OR L;

S 44°59'59" W 37.19 FT; S 89°54'14" W 117.6 FT; N 0°05'46" W 221.49 FT; N 89°54'14" E 275 FT; S 0°05'44" W 15 FT; S 89°54'14" W 72.1 FT; S 0°05'44" W 165.24 FT; N 89° 54'14" E 70.1 FT M OR L; S 0°05'44" W 15 FT TO BEG.

**4430-4438 S 900 E - 22053020330000**

BEG 189.75 FT N 0°05'44" E & 7 FT S 89°54'14" W FR SE COR OF LOT 1, BLK 5, TEN ACRE PLAT A, BIG FIELD SUR; S 89°54'14" W 100 FT; S 0°05'44" W 24.79 FT; S 89°53' W 30 FT; N 0°05' 44"E 104.8 FT; N 44°59'59" E 28.33 FT; N 89°54'14" E 108 FT M OR L; S 0°05'44" W 19.59 FT; S 89°54'16" E 2 FT; S 0°05'44" W 80.40 FT M OR L TO BEG.


**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 no. 24-48, 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 14<sup>th</sup> day of October, 2024.



**ATTEST:**

  
Elyse Sullivan, City Recorder

**MILLCREEK COUNCIL**

By: 

Jeff Silvestrini, Mayor

**Roll Call Vote:**

Silvestrini	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Catten	<input checked="" type="radio"/> Yes	<input type="radio"/> No
DeSirant	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Jackson	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Uipi	<input checked="" type="radio"/> Yes	<input type="radio"/> No

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for Millcreek, hereby certify that:  
ORDINANCE 24-48: AN ORDINANCE REZONING CERTAIN PROPERTY LOCATED AT APPROXIMATELY 877 E 4500 S, 4430-4438 S 900 E, 851 E 4500 S, 4402-4410 S 900 E, 814 E WILLIAMS WAY, 739 E WILLIAMS WAY # X FROM THE C-2/ZC (COMMERCIAL 2 / ZONE CONDITION) ZONE TO THE C-2 (COMMERCIAL 2) ZONE

was adopted the 14<sup>th</sup> day of October, 2024 and that a copy of the foregoing Ordinance 24-48 was posted in accordance with Utah Code 10-3-711 this 15 day of October, 2024.

  
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Elyse Sullivan, City Recorder