

ORDINANCE NO. 10-2026

**AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING
CERTAIN PROPERTY WITHIN THE CITY FROM M-1 TO R-3, AMENDING
THE ZONING MAP OF THE CITY; AND PROVIDING FOR AN EFFECTIVE
DATE.**

Section 1 - Recitals:

WHEREAS, West Haven City (herein “City”) is a municipal corporation duly organized and existing under the laws of the State of Utah; and,

WHEREAS, in conformance with UCA § 10-3-707, the governing body of the City may revise, codify and compile from time to time and to publish in book, pamphlet, or loose leaf form all ordinances of the municipality of a general and permanent character and to make such changes, alterations, modifications, additions, and substitutions as it may deem best; and,

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 Planning Commission's recommendations for zoning all or any part of the area within the municipality, have been subjected to the required public hearing before its adoption; and,

WHEREAS, the City Council may lawfully adopt the zoning ordinance as proposed and with all later amendments thereto; and,

WHEREAS, the City Council finds that Utah Code (“UC”) §10-20-505 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 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 recommended approval or disapproval; and,

WHEREAS, upon petition to the West Haven City, after the Planning Commission held a public hearing on April 28, 2026, and made a favorable recommendation with certain conditions, the City Council determines it to be in the best interest of the City to

change the existing zone of particular properties from M-1 to R-3 under the Ordinances of the City; and,

WHEREAS, the City Council finds that R-3 is appropriate when considering the General Plan, citizens' comments, the surrounding development and land uses, and other factors (§157.715 (A)(3)); and

WHEREAS, the City Council finds that the public convenience and necessity, public safety, health, and welfare are at issue and require 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:

1. These described lands and premises within the boundaries of the City are re-zoned from **M-1 to R-3**, and the Zoning Map is amended to indicate:

Owners: ELB PROPERTIES LC
Parcel #: 080060075

Total Acreage Approx: 7.05 acres

LEGAL DESCRIPTION

PART OF THE SOUTH HALF NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY: BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER AND RUNNING NORTH 450.00 FEET ALONG THE QUARTER SECTION LINE, THENCE EAST 1060 FEET MORE OR LESS TO THE WEST LINE OF THE RIO GRANDE WESTERN RAILWAY RIGHT OF WAY THENCE SOUTHWESTERLY ALONG SAID WEST LINE TO A POINT 85 FEET NORTHEASTERLY FROM THE QUARTER SECTION LINE, THENCE NORTHWESTERLY 100 FEET THENCE SOUTHWESTERLY 160 FEET, TO THE QUARTER SECTION LINE, THENCE WEST 680 FEET MORE OR LESS ALONG SAID QUARTER SECTION LINE TO THE POINT OF BEGINNING. SUBJECT TO A ROAD RIGHT-OF-WAY ACROSS THE WEST 16.5 FEET THEREOF. CONTAINING 9.12 ACRES, M/L. EXCEPT: PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER AND RUNNING THENCE NORTH 00D36'14" EAST 20.00 FEET, THENCE SOUTH 89D56'44" EAST 574.04 FEET, THENCE NORTH 35D41'55" EAST 329.71 FEET, THENCE SOUTH 54D02'56" EAST 165.16 FEET TO THE WESTERN RIGHT OF WAY OF THE RIO GRANDE WESTERN RAILWAY, THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 34D21'30" WEST 150.06 FEET, THENCE LEAVING SAID RIGHT OF WAY NORTH 54D02'56" WEST 98.67 FEET, THENCE SOUTH 35D41'55" WEST

153.81 FEET, THENCE NORTH 89D56'44" WEST 646.03 FEET TO THE POINT OF BEGINNING. (E# 2543791) LESS AND EXCEPTING: PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE SALT LAKE BASE & MERIDIAN, BEGINNING AT THE INTERSECTION OF THE GRANTOR'S NORTH PROPERTY LINE AND THE WESTERLY RIGHT OF WAY LINE OF RIOGRANDE WESTERN RAILWAY BEING LOCATED NORTH 00D36'14" EAST 450.00 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER AND SOUTH 89D56'46" EAST 1072.49 FEET FROM THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER RUNNING THENCE ALONG SAID RIGHT OF WAY LINE SOUTH 34D21'30" WEST 313.43 FEET THENCE NORTH 54D02'56" WEST 165.16 FEET, THENCE NORTH 35D41'55" EAST 199.44 FEET, THENCE SOUTH 89D56'46" EAST 194.21 FEET TO THE POINT OF BEGINNING.

2. The proposed concept plan has been adopted as part of this rezone petition in accordance with § 157.709. Before any development occurs, the property owner must submit a complete site plan that complies with West Haven standards. Development of the site shall materially follow the proposals outlined in the adopted plan.
3. An official notice of UDOT approval of the plan set and the proposed accesses is provided with an application for preliminary subdivision or preliminary site plan review.
4. An official notice of Taylor West Weber Water District's approval of the plan set is provided with an application for preliminary subdivision or preliminary site plan review.
5. The trail system that crosses the site is maintained as depicted in the attached concept plan or in a way that results in the same continuity of the system.
6. That as part of any site development of the property, the property owner constructs a sidewalk along the frontage of Hinkley to the West of the project to connect to the sidewalk on Midland. The sidewalk shall be built to UDOT Standards.

Section 2 - Repealer of Conflicting 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 otherwise not 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 5th day of August 2026 and after publication or posting as required by law.

DATED 5th day of August 2026.

WEST HAVEN, a municipal corporation

by: _____
Pro Tem Ryan Saunders

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. 10-2026, entitled **“AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING CERTAIN PROPERTY WITHIN THE CITY FROM M-1 TO R-3, AMENDING THE ZONING MAP OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE”** adopted and passed by the City Council of West Haven, Utah, at a regular meeting thereof of August 5, 2026 which appears of record in my office, with the date of posting or publication being August 5, 2026.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City this 5th day of August 2026.

Emily Green
City Recorder