

ORDINANCE 21-09

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF A PORTION OF PROPERTY LOCATED AT APPROXIMATELY 759 EAST 525 NORTH, BY CHANGING THE ZONING DESIGNATION THEREOF FROM SINGLE-FAMILY RESIDENTIAL (R-1-8) TO MULTI-FAMILY RESIDENTIAL (RM-15); PROVIDING FOR THE AMENDMENT TO THE ZONING MAP; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Morgan City has received an application for the rezone a portion of a parcel of property (Parcel No. 00-0004-3776 and Serial No. 04-322 – Containing 1.5 acres), located at approximately 759 East 525 North (hereinafter "Subject Property"). The application requests that the zoning designation of the Subject Property be changed from Single-Family Residential (R-1-8) to Multi-Family Residential (RM-15); and

WHEREAS, the Planning Commission reviewed the proposal and held a public hearing on September 21, 2021 and after its review the item was forwarded to the City Council with an favorable recommendation, but it was contingent upon developer providing access to the project; and

WHEREAS, the City Council, upon review of the Planning Commission's recommendations and a public hearing held on October 12, 2021, finds that the zoning designation on the Subject Property as Multi-Family Residential (RM-15) to be reasonable, rationally based, and consistent with the City's General Plan and is in furtherance of the health, safety, and welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MORGAN CITY:

SECTION I: REPEALER. If any ordinance, or provision of any ordinance, adopted heretofore is inconsistent herewith, it is hereby repealed.

SECTION II: ENACTMENT. The zoning designation for the following described property is hereby amended to be Multi-Family Residential (RM-15):

(See Attachment "A" – Legal Description)

SECTION III: SEVERABILITY. If any provision, paragraph, clause, phrase, section, or subsection of this Ordinance is declared, by a court of competent jurisdiction, to be unlawful, illegal, unenforceable, or unconstitutional, said portion hereof shall be severed from the Ordinance and said Ordinance shall remain in full force and effect.

SECTION IV: ZONING MAP AMENDMENT. The Official Zoning Map is hereby amended to reflect this amendment.

SECTION V: EFFECTIVE DATE. This ordinance shall go into effect at the expiration of the 20th day after publication or posting or the 30th day after final passage as noted below or whichever of said days is the most remote from the date of passage thereof.

PASSED AND ADOPTED by the City Council of Morgan, Utah, this 12th day of October, 2021.

Ray W. Little
RAY W. LITTLE, Mayor

ATTEST:

Denise Woods
DENISE WOODS, City Recorder



CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	Excused
Councilmember London	<u>X</u>	___	___
Councilmember Wardell	<u>X</u>	___	___
Councilmember Turner	___	<u>X</u>	___
Councilmember Richins	<u>X</u>	___	___
Councilmember Alexander	<u>X</u>	___	___

(In the event of a tie vote of the Council):

Mayor Little	___	___
--------------	-----	-----

ATTACHMENT "A"

LEGAL DESCRIPTION

REZONE BOUNDARY DESCRIPTION

(SINGLE-FAMILY RESIDENTIAL (R-1-8) to MULTI-FAMILY RESIDENTIAL (RM-15))

A PT OF THE NW ¼ SW ¼ OF SEC 25, T4N, R2E, SLB&M. T.M. AS B.B. BEG AT A PT WH BEARS N 47°33' W 1707.5 FT & N 40°30' E 251.45 FT FR MON "C" OF M.C.S. (SD MON. "C" IS LOC AT A PT WH BEARS N 0°15' W 460.0 FT & N 47°25' W 588.0 FT FR THE S ¼ SEC COR OF SD SEC 25) & RUN TH N 47°30' W 216.0 FT TO A CITY ST; TH ALG THE SE BDY LN OF SD CITY ST 2 COURSES AS FOLS: N 40°00' E 173.06 FT N 51°00' E 162.5 FT TO CITY ST; TH ALG THE SW BDY LN OF SD ST S 48°30' E 146.2 FT; TH S 40°30' W 116.0 FT; TH S 47°45' E 41.6 FT; TH S 40°30' W 220.5 FT TO THE POB.

CONTAINS 1.5 ACRES