

ORDINANCE 21-11

AN ORDINANCE AMENDING THE GENERAL PLAN FOR MORGAN CITY BY AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN, FOR THE AREA LOCATED AT APPROXIMATELY 300 EAST 400 NORTH, FROM CENTRAL BUSINESS DISTRICT TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Morgan City has received a request for an amendment to the Land Use Element of the General Plan for property located at approximately 300 East 400 North (hereinafter "Subject Property"); and

WHEREAS, the Subject Property, is designated Central Business District in the General Plan, and has the current zoning designation of C-G (General Commercial); and

WHEREAS, the residential uses remain strong on both sides of the Subject Property with zoning designations of both RM-15 (Multi-Family Residential) and C-G (General Commercial); and

WHEREAS, based on the strength of the existing residential properties surrounding the Subject Property, the multiple zoning designations in this area, and the continuity of the transition from commercial to medium density residential, an amendment to the Land Use Element of the City's General Plan from Central Business District to Medium Density Residential is reasonable; and

WHEREAS, the City Council finds that the proposed designation of Medium Density Residential is consistent with the remaining General Plan designations and is consistent with the existing uses and zoning classifications on the neighboring parcels; and,

WHEREAS, the City Council finds, at the conclusion of a public hearing and upon reviewing the recommendation from the Planning Commission, that the proposed amendment to the Land Use Element of the City's General Plan is reasonable and well founded, and is in furtherance of the health, safety, and welfare of the citizenry.

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

SECTION I: REPEALER. If any provisions of the Morgan City Municipal Code heretofore adopted are inconsistent herewith they are hereby repealed.

SECTION II: ENACTMENT. The Land Use Element of the General Plan of Morgan City is hereby amended as follows:

The following described property is removed from the Central Business District designation and now included in the Medium Density Residential designation:

(See Attachment "A" – Legal Description)

SECTION III: SEVERABILITY. If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: 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 14th day of December, 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

BOUNDARY DESCRIPTION – REZONE PORTION

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, CITY OF MORGAN, STATE OF UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT MORGAN CITY SURVEY MONUMENT "B";

THENCE NORTH 56°11'17" WEST 45.00 FEET;

THENCE SOUTH 33°48'43" WEST 241.49 FEET ALONG THE NORTHWESTERLY LINE OF 125 NORTH STREET;

THENCE NORTH 90°00'00" WEST 771.92 FEET TO THE TRUE POINT OF BEGINNING.

THENCE SOUTH 27°48'20" WEST 341.86 FEET;

THENCE NORTH 61°56'29" WEST 190.00 FEET;

THENCE NORTH 27°48'20" EAST 341.15 FEET;

THENCE SOUTH 62°09'13" EAST 190.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.49 ACRES.

THE BASIS OF BEARING IS THE CENTERLINE OF 125 NORTH STREET CALLED NORTH 33°55'13" EAST.