

ORDINANCE NO. 11-2023

**AN ORDINANCE OF THE CITY OF WEST HAVEN, UTAH REZONING CERTAIN
PROPERTY WITHIN ITS BOUNDARIES FROM AGRICULTURAL A-1 TO
RESIDENTIAL R-2.5, AMENDING THE ZONING MAP OF THE CITY; AND
PROVIDING FOR AN EFFECTIVE DATE.**

Section 1 - Recitals:

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

WHEREAS, the City Council finds that the City Council lawfully adopted the zoning ordinance as proposed with all later amendments thereto; and,

WHEREAS, the City Council finds that Utah Code ("UC") §10-9a-503 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 finds that 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 approval, disapproval, or recommendations; and,

WHEREAS, the City Council finds that West Haven City desires to comply with the procedure specified in UC §10-9a-502 in preparing and adopting an amendment to the zoning ordinance or the zoning map; and,

WHEREAS, upon petition to West Haven City, and after having been reviewed by the West Haven City Planning Commission, the City Council determines it to be in the best interest of the City to change the existing zone of certain parcels in the City from Agricultural A-1, to Residential R-2.5 as outlined herein; and,

WHEREAS, the City Council finds that such a change follows the City's General Plan; and,

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

These described lands and premises within the boundaries of the City are re-zoned from Agricultural A-1 to Residential R-2.5: Parcel 08-028-0025, more accurately described as:

PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY: BEGINNING 1065 FEET SOUTH AND 40 FEET EAST FROM THE NORTHWEST CORNER OF THE SOUTH 1/2 OF SAID QUARTER SECTION; RUNNING THENCE EAST 215 FEET; THENCE SOUTH 255 FEET; THENCE WEST 215 FEET; THENCE NORTH 255 FEET TO BEGINNING. CONTAINING 1.25 ACRES, M/L. SUBJECT TO RIGHT-OF-WAY FOR COUNTY ROAD.

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 not otherwise 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 17th day of May, 2022

DATED this 17th day of May, 2023.

WEST HAVEN, a municipal corporation

by: _____
Mayor Rob Vanderwood

Attested and recorded

Emily Green, City Recorder