

ORDINANCE NO. 2014-O-05

AN ORDINANCE REZONING APPROXIMATELY 0.5 ACRES OF PROPERTY LOCATED AT 7804 SOUTH MAIN STREET FROM REGIONAL COMMERCIAL (RC) TO A MULTI-FAMILY RESIDENTIAL – HIGH DENSITY ZONE (RM-25); ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, pursuant to Sections 10-9a-501 through 10-9a-503 Utah Code, the City has authority to make and amend a zoning plan which divides the City into zoning districts and within those districts to regulate the erection, construction, reconstruction, alteration, and uses of buildings and structures and the uses of land; and

WHEREAS, a request has been made for a change of zoning on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on March 12, 2014, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, on February 26, 2014, to review the request for rezone; and

WHEREAS, the Planning Commission held a public meeting on March 12, 2014, to review the requested information and written public comments, and, after considering all of the information received, made a recommendation thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on April 15, 2014, which meeting was preceded by notice by publication in the Salt Lake Tribune and Deseret News, on April 1, 2014; and

WHEREAS, after taking into consideration citizen testimony, planning and demographic data, the desires of the owners of the property and the Planning Commission's recommendation as part of its deliberations, the City Council determined the rezoning of said property is appropriate, is consistent with the Midvale City General Plan, promotes the health and general welfare of the City, is compatible with the surrounding neighborhood, and fulfills the needs of the City as a whole.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah as follows:

Section 1. The zoning ordinance which sets forth the zone districts within Midvale City which portion of the said zoning ordinance is established by a zoning map, is hereby amended as follows:

The property's (Parcel No. 21-35-227-019) described in Exhibit A attached hereto and by this reference made a part hereof, which property is located at approximately 7804 South Main Street, Midvale, Utah, and is currently zoned Regional Commercial (RC) shall be zoned Multi-family Residential-High Density (RM-25).

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Regional Commercial (RC)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Multifamily Residential-Medium to High Density (RM-25)

Section 2. If any part of this ordinance or the applications thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall be effective upon publication of a summary thereof.

PASSED AND APPROVED this 15th day of April, 2014.



JoAnn B. Seghini
JoAnn B. Seghini, Mayor

ATTEST:

Rori Andreason
Rori Andreason, MMC
City Recorder

Date of first publication: April 20, 2014

Voting by City Council	"Aye"	"Nay"
Stephen Brown	<input checked="" type="checkbox"/>	_____
Paul Glover	<input checked="" type="checkbox"/>	_____
Robert Hale	<input checked="" type="checkbox"/>	_____
Paul Hunt	<input checked="" type="checkbox"/>	_____
Wayne Sharp	<input checked="" type="checkbox"/>	_____

“EXHIBIT A”
(Ordinance No. 2014-O-05)

REZONE APPROXIMATELY 0.5 ACRES OF PROPERTY FROM REGIONAL COMMERCIAL (RC) TO MULTIFAMILY RESIDENTIAL MEDIUM TO HIGH DENSITY ZONE (RM-25):

Legal Description

COM 63.25 FT S FR NE COR SEC 35 T2S R1W SL MER W 242 FT S 126.5 FT E 100 FT N 60 FT E 142 FT N 66.5 FT TO BEG 0.5 AC

