ORDINANCE NO. 2012-15

AN ORDINANCE REZONING APPROXIMATELY 1.01 ACRES OF PROPERTY ON TWO CONTIGUOUS ACRES LOCATED AT APPROXIMATELY 8645-8665 SOUTH HARRISON STREET (PARCEL # 27-01-201-003 and 27-01-201-002) FROM SF-1 (SINGLE FAMILY-1 RESIDENTIAL) AND RC (REGIONAL COMMERCIAL) ZONE DISTRICT TO CI (CLEAN INDUSTRIAL) WITH THE JORDAN BLUFF’S OVERLAY ZONE DISTRICT AND AMENDING THE GENERAL LAND USE MAP FROM COMMERCIAL TO INDUSTRIAL AREA; 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 Annotated 1953 as amended 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 and amendment to the General Plan on the property described in Exhibit A; and

WHEREAS, the Planning Commission held a public hearing on July 25, 2012, which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, on July 11, 2012, to review the request for rezoning and an amendment to the General Plan and has made a recommendation thereon to the City Council; and

WHEREAS, the City Council of Midvale City, Utah held a public hearing on August 28, 2012 which meeting was preceded by notice of publication in the Salt Lake Tribune and Deseret News, on August 14, 2012, and has taken 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; and

WHEREAS, the City Council found the rezoning and General Plan Amendment of said property to be appropriate, in that it is in accordance with the Midvale City General Plan, it will promote the health and general welfare of the City, it will be compatible with the best interests of the particular neighborhood involved, and it will be sensitive to 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 (Parcel No. 27-01-201-003 and 27-01-201-002) described in Exhibit A attached hereto and by this reference made a part hereof, which property is located at 8645-8665 South Harrison Street, Midvale, Utah, and is currently zoned Single-Family Residential (SF-1) and Regional Commercial shall be zoned Clean Industrial (CI) with
the Jordan Bluffs Overlay (JBO) and amend the General Land Use map from Commercial to Industrial.

ZONING PRIOR TO EFFECTIVE DATE OF THIS ORDINANCE:

Single-Family Residential (SF-1) and Regional Commercial (RC)

ZONING AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Clean Industrial (CI) with the Jordan Bluffs Overlay (JBO)

GENERAL PLAN DESIGNATION TO EFFECTIVE DATE OF THIS ORDINANCE:

Commercial

GENERAL PLAN DESIGNATION AFTER EFFECTIVE DATE OF THIS ORDINANCE:

Industrial

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 28th day of August, 2012.

JoAnn B. Seghini, Mayor

ATTEST: 

Roni Andreaon
City Recorder
Date of first publication: Sept. 4, 2012

<table>
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<th>Voting by City Council</th>
<th>“Aye”</th>
<th>“Nay”</th>
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<tbody>
<tr>
<td>Colleen Costello</td>
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<tr>
<td>Paul Glover</td>
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<td>Robert Hale</td>
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<td>Brent Moore</td>
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<tr>
<td>Wayne Sharp</td>
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LEGAL DESCRIPTIONS:

Parcel #: 27-01-201-002 and 27-01-201-003

Exhibit "A" (Legal Description)

Commencing 364.9 feet South and 24.75 feet East from the North one quarter Corner of Section 1, Township 3 South, Range 1 West, Salt Lake Meridian; thence North 89°59'27"; thence East 221.15 feet; thence North 0°05'30" West 100 feet; thence South 89°59'27" West 221.15 feet; thence South 0°05'30" East 100 feet to the Beginning.

The following is shown for information purposes only: 27-01-201-002

8645 S Harrison St. Midvale UT 84040

TOTAL ACRES

REAL ESTATE

BUILDINGS

TOTAL VALUE

0.50

100100

99500

199600

PROPERTY DESCRIPTION FOR TAXATION PURPOSES ONLY

06/27/2012

COM 364.9 FT S & 24.75 FT E FR N 1/4 COR SEC 1, T 35, R 1W, SL MER. N 89°59'27" E 221.15 FT; S 98.4 FT M OR L; S 89°59'27" W 221.15 FT; N 98.4 FT TO BEG. 0.5 AC. 5565-0701 7694-0763 8128-2082 9423-1157 9626-7829 9899-6541 9936-3401

PFKEYS: 1=RXPH 4=VTAN 6=EXT 7=RTRN VTAS 8=RXMU 10=RXBK 11=RXPN 12=PREV

8645 S Harrison St. Midvale UT 84040
**PROOF OF PUBLICATION**

<table>
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<tr>
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<td>9001344979</td>
<td>9/7/2012</td>
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<tr>
<td>655 W CENTER ST.</td>
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<tr>
<td>MIDVALE UT 84047</td>
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**ACCOUNT NAME**

MIDVALE CITY,

**TELEPHONE**

8015677207

**AD ORDER# / INVOICE NUMBER**

0000820873 /

**SCHEDULE**

Start 09/06/2012  
End 09/06/2012

**CUST, REF, NO.**

Legal Notice

**CAPTION**

MIDVALE CITY PUBLIC NOTICE Notice is hereby given that during a City Council meeting on.

<table>
<thead>
<tr>
<th>SIZE</th>
<th>29</th>
<th>Lines</th>
<th>1.00</th>
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**TIMES**

4

**RATES**

4

**MISC. CHARGES**

AD CHARGES

**TOTAL COST**

53.72

**AFFIDAVIT OF PUBLICATION**

AS NEWSPAPER AGENCY COMPANY, LLC dba MEDIAONE OF UTAH LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF MIDVALE CITY PUBLIC NOTICE Notice is hereby given that during a City Council meeting on August 28, 2012, the Midvale City Council adopted Ordinance No. 2012-15. An Ordinance rezoning approximately 1.01 acres of property on two contiguous acres located at approximately 8645-8665 South Harrison Street (Parcel #27-01-201-003 and #27-01-201-002) from SF-1 (Single Family-1 Residential) and RC (Regional Commercial) zone district to C1 (Clean Industrial) with the Jordan Bluff's Overlay zone district and amending the General Land Use Map from Commercial to Industrial area.

Published: September 6, 2012

Rori L. Andreason, MMC
City Recorder

<table>
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<th>PUBLISHED ON</th>
<th>Start 09/06/2012</th>
<th>End 09/06/2012</th>
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**SIGNATURE**

[Signature]

**DATE**

9/7/2012

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION" PLEASE PAY FROM BILLING STATEMENT