

COTTONWOOD HEIGHTS

ORDINANCE NO. 324-A

AN ORDINANCE APPROVING THE RE-ZONE OF REAL PROPERTY LOCATED
AT 3662, 3742 AND 3804 EAST NORTH LITTLE COTTONWOOD
ROAD FROM RR-1-43 (RURAL RESIDENTIAL) TO R-1-15
(RESIDENTIAL SINGLE FAMILY) AND AMENDING THE ZONING MAP

WHEREAS, the “Municipal Land Use, Development, and Management Act,” UTAH CODE ANN. §10-9a-101 *et seq.*, as amended (the “Act”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the municipality’s planning commission shall prepare and recommend to the municipality’s legislative body, following a public hearing, a proposed land use ordinance and a zoning map, or amendments thereto, that represents the planning commission’s recommendations for zoning the area within the municipality; and

WHEREAS, the Act also provides certain procedures for the municipality’s legislative body to adopt or amend the land use ordinance and zoning map for the city; and

WHEREAS, on 14 July 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) enacted its Ordinance No. 25 adopting a land use ordinance for the City and codifying such ordinance as Title 19 of the City’s code of ordinances (the “*Code*”); and

WHEREAS, pursuant to its Ordinance No. 25, the Council also adopted a zoning map for the City (the “*Zoning Map*”); and

WHEREAS, on 3 April 2019 the City’s planning commission (the “*Planning Commission*”) held a public hearing on a zone change application by Eric Despain on behalf of Robert V. Despain Trust and ROLA V LLC requesting the re-zone of approximately 5.2 acres of real property located at 3662, 3742 and 3804 East North Little Cottonwood Road in the City (the “*Property*”) from RR-1-43 (Rural Residential) to R-1-15 (Residential Single Family), at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed re-zone; and

WHEREAS, such public hearing before the Planning Commission was preceded by all required legal notices; and

WHEREAS, on 17 April 2019, the Planning Commission recommended approval of such proposed re-zone of the Property, and forwarded such recommendation of approval to the Council for final action; and

WHEREAS, after taking additional public input, on 4 June 2019 the Council met in regular meeting to consider, among other things, such proposed re-zone of the Property; and

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed re-zone was discussed, and recommendations of City staff, the Council has determined that it is in

the best interest of the health, safety and welfare of the citizens of the City to approve re-zoning the Property as specified below;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Re-zone to R-1-15.** The Council hereby re-zones the Property from RR-1-43 (Rural Residential) to R-1-15 (Residential Single Family).

Section 2. **Adoption of Amended Zoning Map.** The Council hereby amends the City's zoning map to reflect the re-zone of the Property effected by this Ordinance and hereby adopts the amended zoning map that is attached as an exhibit hereto as the City's current zoning map for the Property.

Section 3. **Action of Officers.** All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this Ordinance, whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 4. **Severability.** All parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 5. **Repealer.** All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 6. **Effective Date.** This Ordinance, assigned no. 324-A, shall take immediate effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City's recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 4th day of June 2019.

ATTEST:

By: 
Paula Melgar, Recorder



COTTONWOOD HEIGHTS CITY COUNCIL

By: 
Michael J. Peterson, Mayor

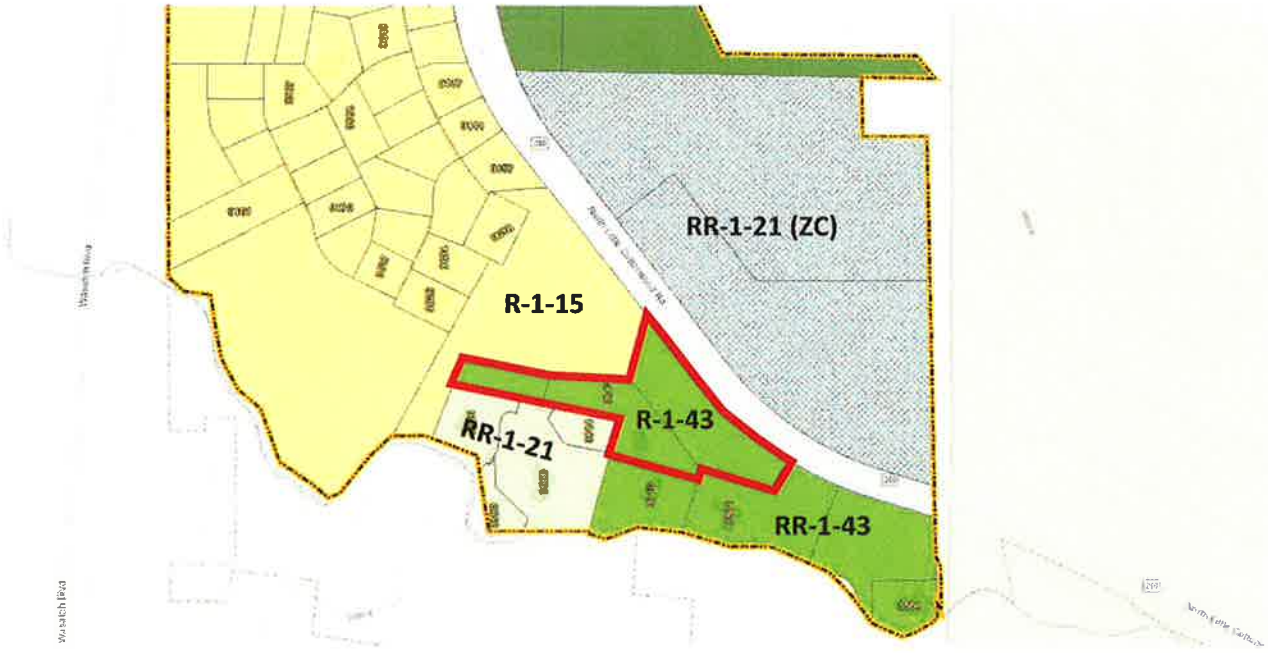
VOTING:

Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>
Christine Watson Mikell	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/>

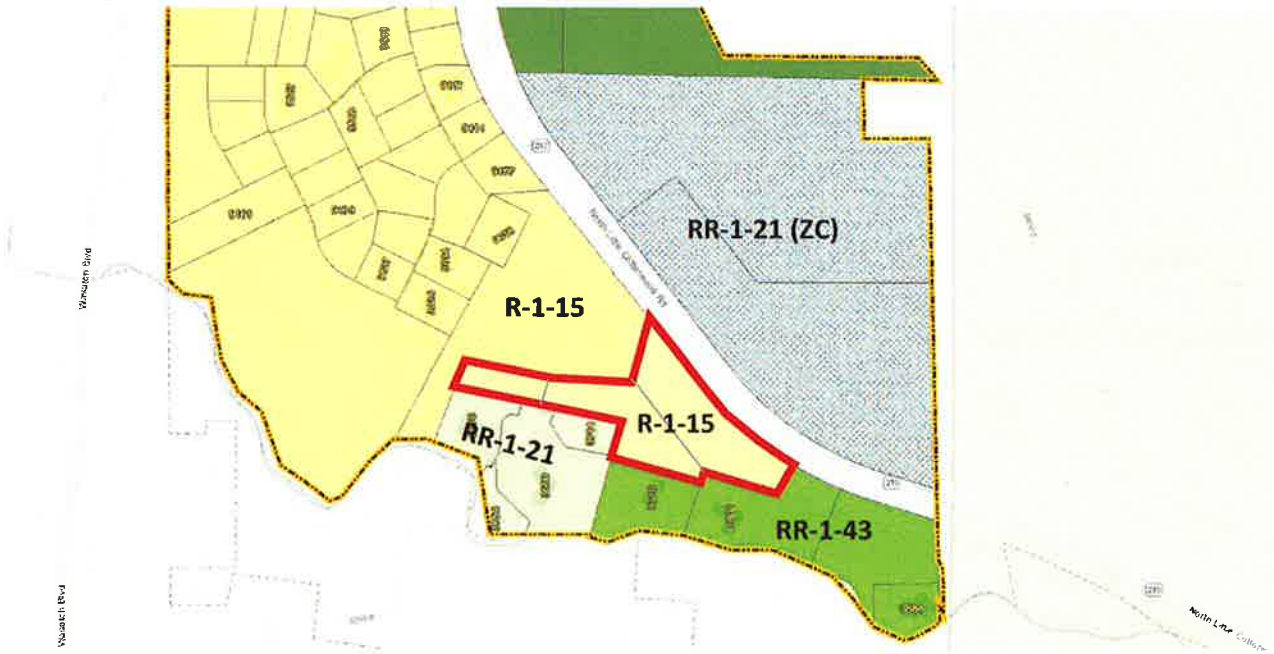
DEPOSITED in the Recorder's office this 4th day of June 2019.

POSTED this 4 day of June 2019.

Current Zoning: RR-1-43



Proposed Zoning: R-1-15



4770 S. 5600 W.
WEST VALLEY CITY, UTAH 84118
FED. TAX I.D.# 87-0217663
801-204-6910

Deseret News



The Salt Lake Tribune

PROOF OF PUBLICATION CUSTOMER'S COPY

CUSTOMER NAME AND ADDRESS

COTTONWOOD HEIGHTS,
PAULA MELGARD
2277 E BENGAL BLVD

ACCOUNT NUMBER

9001356263

DATE

COTTONWOOD HEIGHTS UT 84121

6/10/2019

ACCOUNT NAME

COTTONWOOD HEIGHTS,

TELEPHONE

8019447000

ORDER # / INVOICE NUMBER

0001257154 /

PUBLICATION SCHEDULE

START 06/09/2019 END 06/09/2019

CUSTOMER REFERENCE NUMBER

ORDINANCE 324-A

CAPTION

COTTONWOOD HEIGHTS PUBLIC NOTICE Notice is hereby given that during a City C

SIZE

23 LINES 1 COLUMN(S)

TIMES

3

TOTAL COST

43.64



AFFIDAVIT OF PUBLICATION

AS NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP LEGAL BOOKER, I CERTIFY THAT THE ATTACHED ADVERTISEMENT OF **COTTONWOOD HEIGHTS PUBLIC NOTICE Notice is hereby given that during a City Council meeting of June 4, 2019, the Cottonwood Heights City Council adopted ORDINA** FOR **COTTONWOOD HEIGHTS**, WAS PUBLISHED BY THE NEWSPAPER AGENCY COMPANY, LLC dba UTAH MEDIA GROUP, AGENT FOR DESERET NEWS AND THE SALT LAKE TRIBUNE, DAILY NEWSPAPERS PRINTED IN THE ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED IN SALT LAKE CITY, SALT LAKE COUNTY IN THE STATE OF UTAH. NOTICE IS ALSO POSTED ON UTAHLEGALS.COM ON THE SAME DAY AS THE FIRST NEWSPAPER PUBLICATION DATE AND REMAINS ON UTAHLEGALS.COM INDEFINITELY. COMPLIES WITH UTAH DIGITAL SIGNATURE ACT UTAH CODE 46-2-101; 46-3-104.

PUBLISHED ON Start 06/09/2019 End 06/09/2019

DATE 6/10/2019

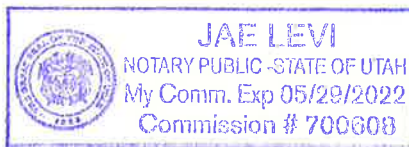
SIGNATURE _____

STATE OF UTAH)

COUNTY OF SALT LAKE)

SUBSCRIBED AND SWORN TO BEFORE ME ON THIS 9TH DAY OF JUNE IN THE YEAR 2019

BY LORAIN GUDMUNDSON.



NOTARY PUBLIC SIGNATURE



PROOF OF PUBLICATION CUSTOMER'S COPY

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