COTTONWOOD HEIGHTS

ORDINANCE NO. 367

AN ORDINANCE APPROVING THE RE-ZONE OF REAL PROPERTY LOCATED AT 7725 SOUTH WASATCH BLVD. AND 7828 SOUTH PROSPECTOR DRIVE FROM RM (RESIDENTIAL MULTI-FAMILY) AND R-1-8 (RESIDENTIAL SINGLE FAMILY) TO PF (PUBLIC FACILITY) 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 4 August 2021 the City's planning commission (the "*Planning Commission*") held a public hearing on a City-initiated request to re-zone two parcels of real property containing about 6.27 acres located at 7725 South Wasatch Blvd. and 7828 South Prospector Drive (the "*Property*") from RM (Residential Multi-Family) and R-1-8 (Residential Single Family) to PF (Public Facility), 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 4 August 2021, 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 17 August 2021 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 PF***. The Council hereby re-zones the Property from RM (Residential Multi-Family) and R-1-8 (Residential Single Family) to PF (Public Facility).

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. 367, 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 17th day of August 2021.

ATTEST:

By: _____
Paula Melgar, Recorder

COTTONWOOD HEIGHTS CITY COUNCIL

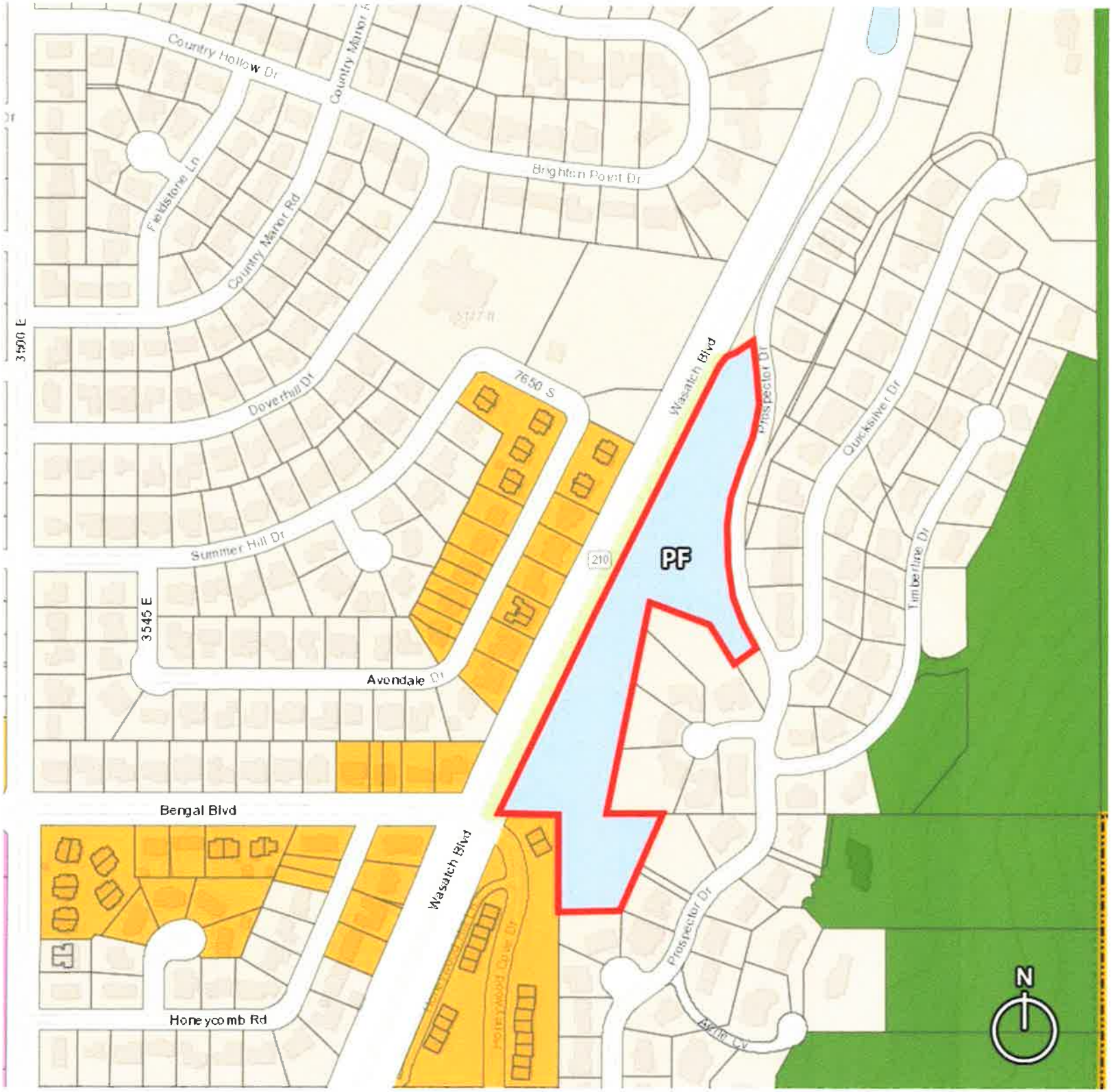
By _____
Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson	Yea ✓	Nay ___
Douglas Petersen	Yea ✓	Nay ___
J. Scott Bracken	Yea ✓	Nay ___
Tali C. Bruce	Yea ✓	Nay ___
Christine Watson Mikell	Yea ✓	Nay ___

DEPOSITED in the Recorder's office this 17th day of August 2021.

POSTED this 19 day of August 2021.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3500 E
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Summer Hill Dr
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Honeycomb Rd
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