

ORDINANCE NO. CO-21-04

AN ORDINANCE OF MORGAN COUNTY AMENDING A PORTION OF THE MORGAN COUNTY ZONING MAP FROM THE AGRICULTURE (A-20) ZONE AND THE HIGHWAY COMMERCIAL (CH) ZONE TO THE MULTIPLE RESIDENTIAL (RM-15) ZONE IN THE MOUNTAIN GREEN AREA.

WHEREAS, pursuant to State law, Morgan County has adopted a General Plan and a Future Land Use Map as an advisory guide to orderly development and growth within the County; and

WHEREAS, the 2010 General Plan Land Use Map designates areas of the unincorporated Morgan County within the Mountain Green area as Town Center; and

WHEREAS, a landowner, owning land in said certain area of unincorporated Morgan County, as better described in Exhibit "A", has petitioned the County for a zone change of their land to the Multiple Residential (RM-15) zone from the current Agriculture (A-20) and Highway Commercial (CH) zone; and

WHEREAS, it has been determined that the zone change is in conformance with the Morgan County General Plan and that changed or changing conditions exist to merit the request; and

WHEREAS, the Morgan County Planning Commission held public hearings, received meaningful input, and formulated a recommendation to present to the County Commission regarding the request; and

WHEREAS, all required notices have been provided and public hearings have been held in accordance with State law and County Ordinances to amend the Morgan County Zoning Map;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF MORGAN COUNTY, STATE OF UTAH, AS FOLLOWS:

Section 1. Map Amendment. The Morgan County Zoning Map is hereby amended for a nine-acre parcel in the Mountain Green area more particularly described in the attached Exhibit "A" from the Agriculture (A-20) zone and Highway Commercial (CH) zone to the Multiple Residential (RM-15) zone.

Section 2. Severability. If any section, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding or invalidity shall not affect the remainder thereof and it shall be construed to have been the legislative intent to pass this ordinance without such unconstitutional, invalid or inoperative part thereon. The remainder of this ordinance, after exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included therein.

Section 2. Effective Date. This Ordinance shall become effective after subsequent publication in accordance with State Law, but not before 15 days after its passage.


PASSED AND ADOPTED BY THE COUNTY COUNCIL OF MORGAN COUNTY, STATE OF UTAH, THIS 16th DAY OF March 2021.

ATTEST:

MORGAN COUNTY GOVERNING BODY

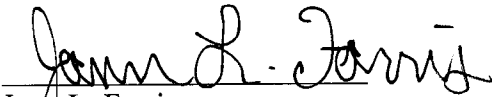


Stacy Clark
Morgan County Clerk



Robert McConnell, County Commission Chair

APPROVED AS TO FORM



Jann L. Farris
Morgan County Attorney

Commission
Members:

Voting:

AYE NAY ABSENT

Robert McConnell
Michael Newton
Jared Anderson
Blaine Fackrell
Matt Wilson

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Exhibit A**SODERBY ZONING MAP AMENDMENT LEGAL DESCRIPTION:**

Part of the Northwest Quarter of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian: Beginning at the West Quarter corner of said Section 25 and running thence East along the South line of said Northwest Quarter 1584 feet to a point 264 feet East from the Southeast Corner of the Southwest Quarter of said Northwest Quarter; thence North 2° West to a point North $85^{\circ}25'$ East 81 feet and South $80^{\circ}10'$ East 306.10 feet from a point which bears East 1184.3 feet and North 431.6 feet from said West Quarter Corner; thence North $80^{\circ}10'$ West 306.10 feet; thence South $85^{\circ}25'$ West 233.5 feet; thence South $63^{\circ}45'$ West 577.6 feet, more or less, to a point East 497 feet from the Quarter Section line; thence West 497 feet; thence South $0^{\circ}16'$ West 155.8 feet along the Quarter Section line to the point of beginning.

Excepting therefrom:

Part of the Northwest Quarter of Section 25 and part of the Northeast Quarter of Section 26, Township 5 North, Range 1 East, Salt Lake Base and Meridian, U.S. Survey: Beginning at a point North $0^{\circ}08'$ East 155.1 feet along the Section line from the East Quarter corner of Section 26; running thence North $89^{\circ}52'30''$ West 188.6 feet along the South line of the Mack Allen Kingston and Dorothy Kingston property; thence South $77^{\circ}30'$ West 457.06 feet to a point due North of a point 635 feet West from the East Quarter corner of said Section 26; thence South 56.87 feet to a point West of the East Quarter Corner of said Section 26; thence East 1117.5 feet; thence North 155.1 feet to a point which is East 482.5 feet along the South line of the aforesaid Kingston property from the point of beginning; thence West 482.5 feet to the point of beginning.

Reserving an easement for ingress and egress along the Existing Access in a width of thirty-three (33) feet. Approximate location of the East line of said right of way described as: Beginning at a point located East 1167.8 feet and North 430.3 feet and South $85^{\circ}25'$ West 136.0 feet and South $63^{\circ}45'$ West 47.6 feet from the West Quarter corner of Section 25, Township 5 North, Range 1 East, Salt Lake Base and Meridian, thence Southerly 120 feet; thence Easterly to a point 220 feet West of the East line of the above described Property; thence Southerly to the South line of said above described Property. Said Easement shall automatically terminate upon dedication of a public road stubbed to the Property Adjacent to the South in the approximate location as the Existing Access, and may or may not follow the same alignment of the Existing Access as described above.

Parcel 00-0003-3892