ORDINANCE 2020-01

AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL AMENDING THE CITY'S ZONING MAP CHANGING PARCEL# 13-034-0065, SOUTH WEBER TRANSITIONAL SUBDIVISION, LOT 1 FROM COMMERCIAL HIGHWAY (CH) TO COMMERCIAL (C)

WHEREAS, Scott Mortensen has applied to rezone parcel 13-034-0065, South Weber Transitional Subdivision, Lot 1, of 1.2 acres at approximately 7700 S 2700 E from a Commercial Highway (CH) land use zoning designation to Commercial (C); and

WHEREAS, a public hearing was held before the planning Commission on the 13th of February 2020; and

WHEREAS, after review, the Planning Commission recommends approval of this rezone request to the City Council; and

WHEREAS, the City Council has considered the information available along with the recommendation and finds rezoning of the property as described is consistent with the City's General Plan, and determines that it is in the best interest of the City to approve the rezoning;

NOW, THEREFORE, BE IT ORDAINED by the City Council of South Weber City, State of Utah as follows:

Section 1. Amendment: Finding good cause, the South Weber City Zoning Map referenced in South Weber Municipal Code section 10-1-5 is hereby amended from Commercial Highway (CH) zoning designation to Commercial (C) as to the following described property:

Property Owner: Murray Family Investments LLC
Subdivision: South Weber Transitional Subdivision, Lot 1
Property Address: approximately 7700 S 2700 E
Davis County Parcel #:13-034-0065
Area:1.2 Acres
Legal Description:

PART OF THE NORTHEAST QUARTER OF SECTION 35 AND THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING N00°06'21"W 252.43 FEET AND N89°53'28"W 186.22 FEET AND N00°06'21"W 130.51 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE N00°06'21"W 169.62 FEET; THENCE N66°05'54"E 219.38 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE FRONTAGE ROAD; THENCE ALONG SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 685.53 FEET, AN ARC LENGTH OF 170.07 FEET, A DELTA ANGLE OF 14°12'51", A CHORD BEARING OF S30°57'26"E, AND A CHORD LENGTH OF 169.63 FEET; AND (2) S38°03'51"E 2.66 FEET; THENCE S51°56'09"W 39.32 FEET; THENCE S41°31'16"W 116.29 FEET; THENCE N89°53'07"W 181.11 FEET TO THE POINT OF BEGINNING.

CONTAINING 52351 SQUARE FEET OR 1.202 ACRES MORE OR LESS

A map showing the affected property with the new land use zoning designation is attached as Exhibit A

Section 2. Reversion Clause. The zoning amendment enacted by this Ordinance is tied directly to applicant Scott Mortensen for development as a car wash. Should the property not be developed as a car wash and opened for business by December 31, 2020, the zoning designation shall revert back to Commercial Highway (CH) on January 1, 2021 without further legislative enactment of the Council.

Section 3. General Repealer. Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. This ordinance shall become effective immediately upon passage and publication as required by law.

PASSED AND ADOPTED by the City Council of South Weber, Davis County, on the day of 2020.

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MAYOR: Jo Sjoblom

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ATTEST: City Recorder, Lisa Smith

Roll call vote is as follows:		
Council Member Alberts	FOR	AGAINST
Council Member Halverson	FOR	AGAINST
Council Member Petty	FOR	AGAINST
Council Member Soderquist	FOR	AGAINST
Council Member Winsor	FOR	AGAINST

EXHIBIT A
SOUTH WEBER CITY ZONING MAP

CERTIFICATE OF POSTING

I hereby certify that complete copies of Ordinance 2020-01 were posted in the following locations within the City this 2020.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive

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Lisa Smith, City Recorder