



## ORDINANCE

### NUMBER 23-300

#### AN ORDINANCE OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, AMENDING THE OFFICIAL ZONING MAP OF DELTA CITY.

The City Council of the City of Delta, Utah, referred to herein as the "City Council," recites the following as the basis for enacting this Ordinance.

#### RECITALS

A. The "Municipal Land Use, Development, and Management Act," as set out in Utah Code Ann. §§ 10-9a-101 et seq., as amended (the "Act"), provides that each municipality of the State of Utah may enact land use ordinances and a zoning map establishing regulations for land use and development within the municipality;

B. Pursuant to the Act, Delta City has enacted land use ordinances set out primarily, but not limited to, Title 18 of Delta City Code, *as amended* (the "Ordinances"), and pursuant to the Ordinances, an Official Zoning Map to guide the orderly development and use of property within the City;

C. From time to time, it is necessary to review and amend the Official Zoning Map to keep pace with development within the City;

D. The proposed amendment to the Zoning Map contemplated by this Ordinance has been reviewed by the Delta City Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah State law and the Ordinances to obtain public input regarding the proposed amendment to the Zoning Map;

E. The Delta City Planning Commission has reviewed and made a positive recommendation to the City Council concerning the proposed amendment to the Official Zoning Map of Delta City. The City Council has found the proposed amendment to be consistent with the City's General Plan and the criteria/required findings of Section 18.08.010(E) of the Ordinances are satisfied; and

F. The City Council finds that a public hearing before the City Council as allowed by Section 18.08.010(D) is not necessary;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

**Section 1. Zoning Map Amendment.** The following described real properties within Delta City, Millard County, State of Utah, previously zoned M-H and shown on the Delta City Zoning Map are hereby changed to R-4:

**Legal Description:**

PART OF THE NORTHEAST QUARTER OF SECTION 7, THE SOUTHEAST QUARTER OF SECTION 6, AND THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 17 SOUTH, RANGE 6 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF DELTA ESTATES, SAID POINT BEING SOUTH 262.05 FEET AND WEST 463.82 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 7; THENCE NORTH 89°15'00" WEST 857.50 FEET ALONG THE NORTH LINE OF DELTA ESTATES; THENCE NORTH 00°19'54" EAST 1603.93 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF 750 NORTH STREET; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 5384.74 FEET, AN ARC LENGTH OF 369.47 FEET, A DELTA ANGLE OF 03°55'53", A CHORD BEARING OF SOUTH 86°39'19" EAST, AND A CHORD LENGTH OF 369.39 FEET; THENCE SOUTH 00°45'00" WEST 48.01 FEET; THENCE SOUTH 84°45'16" EAST 28.57 FEET; THENCE SOUTH 71°56'43" EAST 787.07 FEET; THENCE SOUTH 78°32'20" EAST 945.40 FEET; THENCE SOUTH 47°45'00" WEST 1652.63 FEET TO THE POINT OF BEGINNING.

CONTAINING 49.055 ACRES.

**Section 2. Severability.** To the extent that any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of the Ordinance shall be severable.

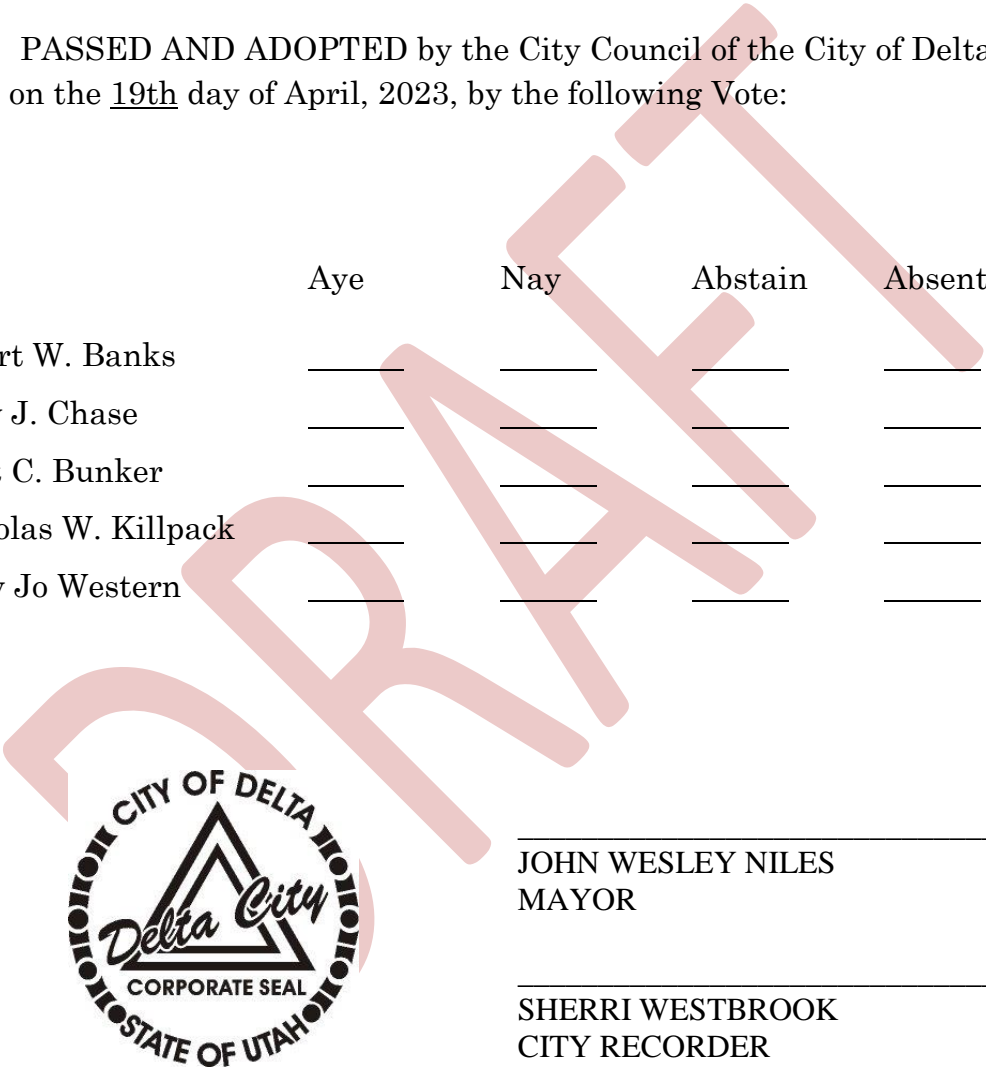
**Section 3. Repeal of Conflicting Resolutions.** To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this Ordinance, such ordinances, resolutions or policies are hereby amended to be in accordance with the provisions hereof.

**Section 4. Effective Date.** This Ordinance shall become effective upon publication.

**Section 5. Publication.** This Ordinance or a summary thereof is ordered published in the Millard County Chronicle-Progress, a newspaper having general circulation within the City of Delta, Utah.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 19th day of April, 2023, by the following Vote:

	Aye	Nay	Abstain	Absent
Robert W. Banks	_____	_____	_____	_____
Kiley J. Chase	_____	_____	_____	_____
Brett C. Bunker	_____	_____	_____	_____
Nicholas W. Killpack	_____	_____	_____	_____
Betty Jo Western	_____	_____	_____	_____



\_\_\_\_\_  
 JOHN WESLEY NILES  
 MAYOR

\_\_\_\_\_  
 SHERRI WESTBROOK  
 CITY RECORDER