

TOQUERVILLE CITY

ORDINANCE # 2021.25

AN ORDINANCE AMENDING TOQUERVILLE CITY'S OFFICIAL ZONING MAP BY RE-ZONING APPROXIMATELY 249.765 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY THE MOST SOUTHWEST BORDER OF TOQUERVILLE'S CITY JURSDICTION.

RECITALS

WHEREAS, Toquerville City ("City") is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the City is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land within the City's municipal boundaries;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Toquerville City Council ("City Council") is designated as the governing body of the City.

WHEREAS, pursuant to Utah Code Annotated Title 10, Chapter 9a, Sections 502 thru 505, the City Council may only amend the City's Official Zoning Map to rezone properties within the City after the proper notice is given compliance with Utah Code Annotated Title 10, Chapter 9a, Section 205 and an ordinance on the subject receives a recommendation from the City's Planning Commission "Planning Commission" after a public hearing is held.

WHEREAS, the City has received a request submitted by an authorized agent of the Subject Property (which is described and/or depicted more fully in Exhibit "A" attached hereto and incorporated herein by this reference) requesting that it be re-zoned from its current zoning designation of Multiple Use (MU-20) to the Single Family Residential (R-1-20) zoning designation and that the City's Official Zoning Map be amended accordingly ("Zone Change Request").

WHEREAS, the Planning Commission has reviewed and made a recommendation to the City Council regarding the Zone Change Request and a draft of this Ordinance effectuating the same after providing proper notice and conducting a public hearing wherein public input was taken in compliance with Utah law and Title 10, Chapter 8 of the Toquerville City Code.

WHEREAS, after reviewing the recommendation from the Planning Commission, the City Council finds it to be in the best interest of the health, safety and general welfare of the City that the Zone Change Request be granted.

ORDINANCE

NOW THEREFORE be it ordained by Toquerville City, Washington County, State of Utah, acting by and through the City Council:

1. Zone Change. The Subject Property located at approximately the most southwest corner of Toquerville City, Washington County, State of Utah, previously zoned Multiple Use (MU-20) as shown on the City's Official Zoning Map is hereby re-classified and re-zoned to Single Family Residential R-1-20 .

2. Amendment of City's Official Zoning Map. The City's Official Zoning Map is hereby amended and restated/redrawn to reflect the Zone Change set forth in Section 1, above.

3. Severability. If any Section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

4. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

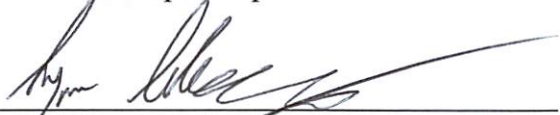
5. Effective Date. This Ordinance shall become effective immediately upon adoption by the City Council and execution by the Toquerville City Mayor.

ADOPTED AND APPROVED BY THE CITY COUNCIL this 15th day of December, 2021 based upon the following vote:

Council Member:

Justin Sip	AYE <u>x</u>	NAE <u> </u>	ABSENT <u> </u>
Keen Ellsworth	AYE <u>x</u>	NAE <u> </u>	ABSENT <u> </u>
Ty Bringhurst	AYE <u>x</u>	NAE <u> </u>	ABSENT <u> </u>
Gary Chaves	AYE <u>x</u>	NAE <u> </u>	ABSENT <u> </u>
Charles "Chuck" Williams	AYE <u>x</u>	NAE <u> </u>	ABSENT <u> </u>

TOQUERVILLE CITY
a Utah municipal corporation



Lynn Chamberlain, Toquerville City Mayor



ATTEST:



Dana M. McKim, Toquerville City Recorder

Exhibit A

Beginning at the Southwest Corner of Section 3, Township 40 South, Range 13 West, Salt Lake Base & Meridian, and running;

thence North 00°12'11" West 2,655.97 feet along the section line to the west quarter corner of said section 3;

thence North 00°06'28" East 1,279.85 feet along the section line;

thence South 88°18'17" East 3,301.72 feet;

thence South 88°19'31" East 147.84 feet;

thence South 88°19'43" East 538.30 feet;

thence South 00°45'05" West 1,358.25 feet;

thence South 49°58'39" East 1,594.12 feet;

thence North 00°00'24" East 46.87 feet;

thence South 49°58'36" East 309.15 feet;

thence South 30°31'36" East 123.59 feet;

thence South 61°29'18" East 145.49 feet;

thence South 88°54'43" East 322.66 feet;

thence North 01°05'15" East 14.98 feet;

thence North 01°54'41" West 471.03 feet;

thence North 14°23'43" West 338.00 feet;

thence North 02°05'17" East 84.00 feet;

thence North 81°05'17" East 263.65 feet;

thence South 20°04'15" West 53.59 feet;

thence South 80°10'54" West 107.06 feet;

thence South 10°04'46" East 682.84 feet;

thence South 57°25'24" East 67.04 feet;

thence South 11°55'45" East 153.81 feet;

thence North 88°55'47" West 43.38 feet;

thence South 34°39'48" East 610.78 feet;

thence South 34°39'48" East 50.00 feet;

thence South 34°39'23" East 142.46 feet;

thence South 70°36'02" West 637.00 feet;

thence South 49°56'02" West 210.00 feet;

thence South 71°37'02" West 243.00 feet;

thence South 25°03'58" East 180.00 feet to the section line;

thence South 81°15'34" West 377.96 feet along the section line to the southeast corner of said section 3;

thence North 87°55'22" West 990.00 feet along the section line;

thence South 00°54'52" West 2,670.25 feet to the center section line of section 10, Township 40 South, Range 13 West, Salt Lake Base & Meridian;

thence South 87°48'17" East 993.01 feet along said center section line to the east quarter corner of said section 10;

thence North 00°51'04" East 411.34 feet along the section line;

thence North 81°43'03" East 243.98 feet;

thence South 00°21'26" East 46.70 feet;

thence North 88°33'19" East 60.01 feet;

thence North 00°21'26" West 44.76 feet;

thence South 89°02'33" East 851.45 feet;

thence South 14°17'27" East 7.90 feet;
thence South 25°00'29" East 126.24 feet;
thence South 43°37'11" East 55.85 feet;
thence South 45°20'53" East 96.46 feet;
thence South 00°15'11" East 37.51 feet;
thence North 67°52'00" East 4.58 feet;
thence South 00°56'24" West 2,843.55 feet to and along the westerly line of Almond Heights Subdivision to the northwest corner of the northeast quarter of the northwest quarter of section 14, Township 40 South, Range 13 West, Salt Lake Base & Meridian;
thence South 00°52'06" West 2539.80 feet along and beyond said westerly line of Almond Heights Subdivision to the northeast corner of the northwest quarter of the southwest quarter of said section 14;
thence North 88°17'28" West 1,318.26 feet along the 1/16th line to the southwest corner of the northwest quarter of the southwest quarter of said section 14;
thence North 89°04'32" West 1,937.32 feet along the 1/16th line;
thence South 00°15'31" West 1,321.50 feet to the section line;
thence South 89°07'52" East 641.10 feet along the section line to the northeast corner of the northwest quarter of the northeast quarter of section 22 Township 40 South, Range 13 West, Salt Lake Base & Meridian;
thence South 01°00'50" West 2,642.24 feet along the 1/16th line;
thence North 88°34'10" West 1,289.45 feet to the center section line;
thence South 01°10'16" West 3,040.89 feet along said center section line to the south quarter corner of section 22, Township 40 South, Range 13 West, Salt Lake Base & Meridian ;
thence North 89°03'18" West 1,309.35 feet along the section line to the southwest corner of the southeast quarter of the southwest quarter of said section 22;
thence North 00°56'24" East 2,636.14 feet along the 1/16th line to the northwest corner of the northeast quarter of the southwest quarter of said section 22;
thence North 00°56'10" East 3,038.77 feet along the 1/16th line to the southwest corner of the southeast quarter of the southwest quarter of section 15, Township 40 South, Range 13 West, Salt Lake Base & Meridian;
thence North 00°14'33" East 1,319.84 feet along the 1/16th line to the northwest corner of the southeast quarter of the southeast quarter of said section 15;
thence South 88°56'56" East 1,327.98 feet along the 1/16th line to the southeast corner of the northeast quarter of the southwest quarter of said section 15;
thence North 00°03'01" East 3,897.37 feet along the center section line to the south quarter corner of said section 10;
thence North 00°42'01" East 1,330.70 feet along the center section line to the northeast corner of the southeast quarter of the southwest quarter of said section 10;
thence North 87°44'11" West 1,318.73 feet along the 1/16th line to the northwest corner of the southeast quarter of the southwest quarter of said section 10;
thence South 00°35'51" West 1,326.44 feet along the 1/16th line to the southwest corner of the southeast quarter of the southwest quarter of said section 10;
thence North 87°32'29" West 1,315.39 feet along the section line to the southwest corner of said section 10;
thence North 00°28'15" East 2,644.09 feet along the section line to the west quarter corner of said section 10;
thence North 00°27'36" East 2,661.99 feet along the section line to the Point of Beginning.

Containing 76,194,347 square feet or 1,749.18 acres.



July 30, 2021