

ORDINANCE 2020-02

**AN ORDINANCE OF THE SOUTH WEBER CITY COUNCIL
AMENDING THE CITY'S ZONING MAP CHANGING SOUTH WEBER TRANSITION
LOT 1 FROM HIGHWAY- COMMERCIAL (CH) TO COMMERCIAL (C)**

WHEREAS, Scott Mortensen of Morty's Car Wash applied to change a portion of South Weber Transition Subdivision (1.296 acres) at approximately 7700 S 2700 E from Highway-Commercial (CH) to Commercial (C); and

WHEREAS, the planning commission held a public hearing to consider the application on February 13, 2020 and recommended approval subject to an approved conditional use permit for the proposed car wash; and

WHEREAS, the city council discussed the possibility of the change in zoning with the applicant Scott Mortensen and property owner Dan Murray on February 25, 2020 and proposed some suggestions for changes to the site plan; and

WHEREAS, Council also stated they would prefer to see all requests for this development come forward to be considered simultaneously; and

WHEREAS, South Weber Transition Subdivision final plat along with site and improvement plans and conditional use for Morty's Car Wash have all been reviewed by the planning commission on June 3, 2020 and forwarded with recommendation of approval; and

WHEREAS, city planner Barry Burton and city engineer Brandon Jones have reviewed all related documents and also recommend approval; and

WHEREAS, Council has determined the zoning change is consistent with the city's general plan and in the best interest of the city;

NOW, THEREFORE, BE IT ORDAINED by the city council of South Weber City, state of Utah:

Section 1. Amendment: The Zoning map referenced in Section 10-5-1 of the South Weber City Code is amended as follows:

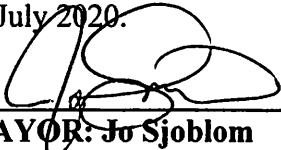
1.296 acres of real property (lot 1 of South Weber Transition Subdivision) is hereby zoned Commercial with the legal description attached as Exhibit 1. New zoning maps shall be prepared to reflect the change.

Section 2. Reversion: This parcel will revert back to the original zone of Highway-Commercial (CH) on January 1, 2022 if the proposed car wash by owner Scott Mortensen is not at that time fully operational.

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 Ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 4. Effective Date. The city council of South Weber City, state of Utah, has determined that the public health, safety, and welfare requires that this ordinance take effect immediately. Therefore, 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 21st day of July 2020.



MAYOR: Jo Sjoblom



ATTEST: City Recorder, Lisa Smith

Roll call vote is as follows:		
Council Member Alberts	<input checked="" type="radio"/>	AGAINST
Council Member Halverson	<input checked="" type="radio"/>	AGAINST
Council Member Petty	<input checked="" type="radio"/>	AGAINST
Council Member Soderquist	<input checked="" type="radio"/>	AGAINST
Council Member Winsor	<input checked="" type="radio"/>	AGAINST

CERTIFICATE OF POSTING

I hereby certify that Ordinance 2020-02 was passed and adopted the 21st day of July 2020 and that complete copies of the ordinance were posted in the following locations within the city this 22nd day of July 2020.

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



Lisa Smith, City Recorder

**EXHIBIT 1
SOUTH WEBER
TRANSITION SUBDIVISION
LOT 1 LEGAL DESCRIPTION**

Transition Subdivision Lot 1

Zone Change – CH to C

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 ON THE WESTERLY RIGHT OF WAY OF 2700 EAST, SAID POINT BEING N00°06'21"W 484.59 FEET AND N89°53'39"E 110.52 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 36; THENCE S51°56'09"W 38.22 FEET; THENCE S41°31'16"W 120.61 FEET; THENCE N89°53'07"W 186.48 FEET; THENCE N00°06'21"W 181.62 FEET; THENCE N66°05'54"E 219.38 FEET TO THE WESTERLY RIGHT OF WAY OF 2700 EAST; 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 14.66 FEET TO THE POINT OF BEGINNING.

CONTAINING 56,443 SQUARE FEET OR 1.296 ACRES MORE OR LESS.