

**WILLARD CITY CORPORATION
ORDINANCE NO. 2021-11**

AN ORDINANCE APPROVING A REZONE REQUEST FOR HERITAGE LAND HOLDINGS, LLC FOR THE PROPERTY LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST, PARCEL NOS. 02-051-0004, 02-051-0085, 02-051-0087, 02-051-0251, 02-051-0252, 02-054-0005, 02-054-0007, 02-054-0008, 02-054-0009, 02-054-0010, 02-054-0011, 02-054-0012, 02-054-0013, AND 02-054-0017 FROM A5 TO R1/2

WHEREAS, the City of Willard (hereafter referred to as the “City”) is an incorporated municipality duly existing under the laws of the state of Utah.

WHEREAS, *Utah Code Annotated* §10-9A-101(1), 1953, as amended, grants municipalities broad authority to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state’s agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values; and

WHEREAS, *Utah Code Annotated* §10-9A-102, 1953, as amended, grants municipalities broad authority to enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner’s private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law; and

WHEREAS, HERITAGE LAND HOLDINGS, LLC has completed the rezone application, paid all associated fees; and

WHEREAS, The Willard City Planning Commission has reviewed the request for compliance with the Willard City General Plan, Willard City Land Use Ordinances, and the approval does not place the city in a negative financial condition and documents that all utilities and access have been obtained and recommends approval by the Willard City Council; and

WHEREAS, the residents within 1/4 mile were notified and the required Public Hearing was held on September 16, 2021.

NOW, THEREFORE, be it ordained by the City Council of Willard that:

Section 1: **Repealer.** Any word, sentence, paragraph, or phrase in the municipal code that is inconsistent with the Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Adoption.** Ordinance 2021-11 be adopted approving the rezone of the property located at approximately 300 South 200 West, Parcel Nos. 02-051-0004, 02-051-0085, 02-051-

0087, 02-051-0251, 02-051-0252, 02-054-0005, 02-054-0007, 02-054-0008, 02-054-0009, 02-054-0010, 02-054-0011, 02-054-0012, 02-054-0013, and 02-054-0017, to change the zoning from A5 to R1/2.

Section 3: **Severability.** If any section, paragraph, sentence, clause, or phrase of the 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.

Section 4: **Effective Date.** This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this 23rd day of September 2021.


KENNETH BRAEGGER, MAYOR

ATTEST:


MICHELLE VEST SNARR,
City Recorder



CERTIFICATION OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Willard, Utah, hereby certify that Ordinance No. 2021-11 was duly passed and published on the Utah Public Notice Website the 27th day of September, 2021, and posted on the Willard City Website.

Michelle K. Snow DATE: 9/27/21
City Recorder

