# ORDINANCE NO. 2022-01

## AN ORDINANCE OF IVINS CITY, UTAH, REGARDING A CONCURRENT LAND USE CHANGE & ZONE CHANGE FROM MDR-RE-12.5 TO MDR-R-1-10

**WHEREAS** the Ivins City Planning Commission held a Public Hearing on December 14, 2021, regarding the applicant's proposed concurrent land use & zone change from MDR (Medium Density Residential) to HDR (High Density Residential) and RE-12.5 (Residential Estates, minimum lot size 11,500 sq. ft.) to R-TH (Residential Townhomes), on approximately .90 acres located at approximately 145 West and 100 South (the "Property"); and

**WHEREAS** the Ivins City Planning Commission voted on December 14, 2021, to recommend not changing the land use but recommended a zone change from RE-12.5 to R-1-10 (Residential, minimum lot size 10,000 sq. ft.); and

**WHEREAS** on January 6,2022, the Ivins City Council held a public hearing on the Planning Commission's recommendation; and

**WHEREAS** on January 6, 2022, the Ivins City Council voted to approve the Planning Commission's recommendation not changing the land use but recommended a zone change from RE-12.5 to R-1-10 (Residential, minimum lot size 10,000 sq. ft.); and

**WHEREAS** after considering facts relevant to the Planning Commission's recommendation, the Ivins City Council, in the exercise of its legislative authority and discretion, found that it would be in the interest of the general welfare of the city and its residents to approve the Planning Commission's recommendation;

**NOW, THEREFORE, BE IT ORDAINED BY THE IVINS CITY COUNCIL** that the land use for the Property remain MDR and that the zoning district for the Property be changed from RE-12.5 to R-1-10.

**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.

**Effective Date: This Ordinance shall become effective immediately upon passage and publication.**

**PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:**

| | AYE | NAY | ABSTAIN | ABSENT |
|---|---|---|---|---|
| Mike Scott | _____ | _____ | _____ | _____ |
| Dennis Mehr | _____ | _____ | _____ | _____ |
| Jenny Johnson | _____ | _____ | _____ | _____ |
| Lance Anderson | _____ | _____ | _____ | _____ |
| Sue Gordhammer | _____ | _____ | _____ | _____ |

_____
Chris Hart, Mayor

ATTEST:

_____
Kari Jimenez, City Recorder