

TOWN OF DANIEL, UTAH

MUNICIPAL ORDINANCE

- Number: DO-2022-05-02
- Appr. Date: May 2, 2022
- Effect. Date: Effective after publication and posting and no later than June 1, 2022
- Short Title: Zone change from RA-5 to Commercial for property located at 3300 S Highway 40, Parcel 00-0020-4498, Serial number ODN-0200-0-016-045
- Purpose: To approve the RA-5 to Commercial zone change requested by the owner of the property
- Ordinance: Whereas, in response to the request of the owner of parcel 20-4498, the Daniel Planning Commission and Town Council held a joint public hearing on August 2, 2021 to accept public comment on a requested zone change from RA-5 to Commercial for the property located at 3300 S Highway 40, approximately 5.25 acres.

Whereas, the Daniel Planning Commission discussed the zone change request at their meeting on August 18, 2021, and did recommend the zone change with a condition for a deed restriction that would restrict commercial development of the southern part of the property (approximately 50%). The recommendation was forwarded to the Daniel Town Council.

Whereas, the Daniel Town Council considers all zone change requests in November of each calendar year as required by Daniel Municipal Code, the Council did consider the recommendation of the Planning Commission at their meeting of November 1, 2021. Acting on the recommendation of the Planning Commission, the Council approved the zone change with the condition that the deed restriction be approved and recorded with the Wasatch County Recorder's office prior to the zone change ordinance approval by the Daniel Town Council. Additional conditions for development were also approved by the Council at this meeting.

Whereas, the required deed restriction agreement was signed by the Town and by the owner in December 2021, and the document was recorded by Wasatch County on January 14, 2022,

Therefore, be it ordained by the Daniel Town Council of Daniel, Utah, that the zone change of parcel 20-4498, be approved from RA-5 to Commercial, and the Daniel Zoning Map be amended to reflect the new designation.

DO 2022-05-02

Passed and adopted by the Mayor and Town Council of Daniel, Utah, this
4th day of April, 2022 by the following vote:

| | Yes | No | Abstain | Absent |
|-----------------------------|------------|-----|--------------------|--------|
| Mayor Scott Kohler | <u>X</u> | ___ | ___ | ___ |
| Councilmember Jon Blotter | ___ | ___ | <u>[Signature]</u> | ___ |
| Councilmember Merry Duggin | <u>MD</u> | ___ | ___ | ___ |
| Councilmember Barry Dixon | <u>BD</u> | ___ | ___ | ___ |
| Councilmember Robyn Pearson | <u>RIP</u> | ___ | ___ | ___ |

APPROVED: [Signature: Scott Kohler]
Mayor or Acting Mayor

ATTEST:

[Signature: Lucy Shindler]
Recorder or Acting Recorder

