



# ORDINANCE

## NUMBER 25-320

### AN ORDINANCE OF THE COUNCIL OF THE CITY OF DELTA, STATE OF UTAH, AMENDING THE OFFICIAL ZONING MAP OF DELTA CITY.

The City Council of the City of Delta, Utah, referred to herein as the "City Council," recites the following as the basis for enacting this Ordinance.

#### RECITALS

A. The "Municipal Land Use, Development, and Management Act," as set out in Utah Code Ann. §§ 10-9a-101 et seq., as amended (the "Act"), provides that each municipality of the State of Utah may enact land use ordinances and a zoning map establishing regulations for land use and development within the municipality;

B. Pursuant to the Act, Delta City has enacted land use ordinances set out primarily, but not limited to, Title 18 of Delta City Code, *as amended* (the "Ordinances"), and pursuant to the Ordinances, an Official Zoning Map to guide the orderly development and use of property within the City;

C. From time to time, it is necessary to review and amend the Official Zoning Map to keep pace with development within the City;

D. The proposed amendment to the Zoning Map contemplated by this Ordinance has been reviewed by the Delta City Planning Commission and the City Council, and all appropriate public hearings have been held in accordance with Utah State law and the Ordinances to obtain public input regarding the proposed amendment to the Zoning Map;

E. The Delta City Planning Commission has reviewed and made a positive recommendation to the City Council concerning the proposed amendment to the Official Zoning Map of Delta City. The City Council has found the proposed amendment to be consistent with the City's General Plan and the criteria/required findings of Section 18.08.010(E) of the Ordinances are satisfied; and

F. The City Council finds that a public hearing before the City Council as allowed by Section 18.08.010(D) is not necessary;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Delta, Utah:

**Section 1. Zoning Map Amendment.** The following described real properties within Delta City, Millard County, State of Utah, previously zoned R-R and shown on the Delta City Zoning Map are hereby changed to I-1:

**Legal Description:**

Beginning 449.5 feet North and 335.8 feet West and North 29-degrees 54-minutes East 155 feet from the Southeast Corner of Section 1. Township 17 South, Range 7 West, Salt Lake Base and Meridian; thence North 60-degrees 06-minutes West 200 feet; thence North 20-degrees 54-minutes East 91 feet to a point 22.35 feet measured at right angles from the center of Factory Railroad Spur Track, thence following line parallel to said railroad curve to right, in Northeasterly direction, to a point North 29-degrees 54-minutes East 361 feet from beginning, thence South 29-degrees 54-minutes West 361 feet to point of beginning.

AND beginning 49.5 feet West and 739 feet North of the Southeast Corner of said Section 1, thence West 125 feet, thence North 29-degrees 30-minutes East to a point North 60-degrees 30-minutes West 33 feet and 142 feet North of point of beginning, thence South 60-degrees 30-minutes East 33 feet, thence South 142 feet to place of beginning.

AND beginning at a point North 0-degrees 30-minutes 58-seconds East 739 feet along the Section line and South 89-degrees 48-minutes 05-seconds West 175.17 feet from the Southeast Corner of Section 1, Township 17 South, Range 7 West, Salt Lake Base and Meridian, said point being on the West edge of an existing cinderblock wall footing; thence South 10-degrees 09-minutes 08-seconds West 45.47 feet to a corner of said footing; thence South 0-degrees 44-minutes 56-seconds West 36.34 feet along said footing to the Southwest corner of said footing; thence South 89-degrees 48-minutes 05-seconds West 37.55 feet to the West boundary of the Thorpe Waddingham Property; thence North 29-degrees 32-minutes 35-seconds East 93.36 feet along said West boundary to the point of beginning, containing 0.032 Ac.

EXCEPTING THEREFROM: Beginning at a point North 0-degrees 30-minutes 58-seconds East 739 feet along the Section line and South 89-degrees 48-minutes 05-seconds West 49.5 feet from the Southeast Corner of Section 1, Township 17 South, Range 7 West, Salt Lake Base and Meridian, said point being the Northeast Corner of the Thorpe Waddingham Property; thence South 89-degrees 48-minutes 05-seconds West 125.67 feet along the North boundary of said Waddingham Property to the West edge of an existing cinderblock wall footing; thence North 8-degrees 54-minutes 17-seconds East 37 feet partially along said wall footing; thence South 89-degrees 29-minutes 24-seconds East 120.27 feet parallel with and 12 feet distant from said wall footing; thence South 0-degrees 30-minutes 58-seconds West 35.05 feet parallel with the East Section line of said Section 1 to the point of beginning, containing 0.101 Ac.

Together with improvements thereon and appurtenances thereunto belonging. Subject to easements, restrictions and reservations of record.

**Section 2. Severability.** To the extent that any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of the Ordinance shall be severable.

**Section 3. Repeal of Conflicting Resolutions.** To the extent that any ordinances, resolutions or policies of the City of Delta conflict with the provisions of this Ordinance, such ordinances, resolutions or policies are hereby amended to be in accordance with the provisions hereof.

**Section 4. Effective Date.** This Ordinance shall become effective upon publication.

**Section 5. Publication.** This Ordinance or a summary thereof is ordered published in the Millard County Chronicle-Progress, a newspaper having general circulation within the City of Delta, Utah.

PASSED AND ADOPTED by the City Council of the City of Delta, State of Utah on the 1st day of October, 2025, by the following Vote:

|                      | Aye      | Nay   | Abstain | Absent |
|----------------------|----------|-------|---------|--------|
| KC Bogue             | <u>X</u> | _____ | _____   | _____  |
| Kelly Carter         | <u>X</u> | _____ | _____   | _____  |
| Kiley Chase          | <u>X</u> | _____ | _____   | _____  |
| Nicholas W. Killpack | <u>X</u> | _____ | _____   | _____  |
| Betty Jo Western     | <u>X</u> | _____ | _____   | _____  |



  
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JOHN WESLEY NILES  
MAYOR

  
\_\_\_\_\_  
SHERRI WESTBROOK  
CITY RECORDER