

Ordinance No. 2021-005

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2
3 AN ORDINANCE GRANTING THE ANNEXATION PETITION AND ASSIGNING A SINGLE-FAMILY
4 TRADITIONAL ZONE FOR PARCEL NO. 02-111-0006, LOCATED ADJACENT TO THE EAST
5 BOUNDARY OF PROVIDENCE CITY, IN THE GENERAL AREA OF 900 EAST EAGLEVIEW DR,
6 CONTAINING 17.72 ACRES

7
8 **WHEREAS**, Skarlet Bankhead, the duly appointed and acting City Recorder of Providence City, Cache
9 County, Utah did hereby receive a Petition for Annexation and Plat which was filed with the City by EJ
10 Nixon Jr.

11
12 **WHEREAS**, the property described in the annexation petition contains Parcel No. 02-111- 0006,
13 containing 17.4 acres adjacent to the east boundary of Providence City in the general area of
14 900 E Eagleview Drive, owned by Baer Nixon Inc. and legally described as follows:

15
16 A PART OF THE SOUTHEAST QUARTER OF SECTION 11 TOWNSHIP 11 NORTH, RANGE 1 EAST OF
17 THE SALT LAKE BASE AND MERIDIAN MORE PARTICULARLY DESCRIBED AS FOLLOWS:
18 BEGINNING AT A POINT ON THE EAST LINE OF SECTION 11 LOCATED NORTH 00°23'46" WEST, A
19 DISTANCE OF 1595.52 FEET FROM THE CACHE COUNTY MONUMENT MARKING THE SOUTHEAST
20 CORNER OF SECTION 11, THENCE, NORTH 89°17'16" WEST, A DISTANCE OF 767.00 FEET;
21 THENCE, NORTH 05°08'36" EAST, A DISTANCE OF 1079.19 FEET; THENCE, NORTH 89°59'27"
22 EAST, A DISTANCE OF 662.70 FEET; THENCE SOUTH 00°23'46" EAST A DISTANCE OF 1084.51
23 FEET TO THE POINT OF BEGINNING.

24 CONTAINING 17.72 ACRES

25
26 **WHEREAS**, the Petition was accepted by the Providence City Council for further consideration pursuant to
27 UTAH CODE ANN. § 10-2-405 by Resolution 001-2021 adopted and passed by the City Council on January 14,
28 2021; and

29
30 **WHEREAS**, Skarlet Bankhead did certify, based on information received from Cache County and in
31 consultation with the Providence City Attorney, that the Petition met the requirement of UTAH CODE ANN.
32 Subsections 10-2-403(3), (4), and (5), and on February 23, 2021, did give Notice to the Providence City
33 Council, the Contact Sponsor for said Petition, and Cache County of Certification; and

34
35 **WHEREAS**, pursuant to UTAH CODE ANN. § 10-2-406, Skarlet Bankhead did give Notice of Certification of
36 Annexation Petition to each affected entity; and

37
38 **WHEREAS**, the Notice of Annexation was published in the Herald Journal on February 27, and March 6
39 and 13, 2021; and

40
41 **WHEREAS**, no formal protests to the Petition have been received; and

42
43 **WHEREAS** the Providence City Council advertised and held a public hearing, in accordance with UTAH CODE
44 ANN. § 10-2-407(7), on April 21, 2021; and

45
46 **WHEREAS**, Providence City desires to provide for the health, safety, and welfare, and promote the
47 prosperity, peace and good order, comfort, convenience, and aesthetics of each municipality and its
48 present and future inhabitants and businesses, to protect the tax base, to secure economy in
49 governmental expenditures, to foster the state's agricultural and other industries, to protect both urban
50 and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide
51 fundamental fairness in land use regulation, and to protect property values in areas that may be

1 considered sensitive, including but not limited to fire danger, slope, soil content, by following its
2 Annexation Policy Plan and its General Plan; and

3
4 **WHEREAS**, Utah Code Ann. § 10-9a-506(1) states that the legislative body of each municipality shall assign
5 a land use zone or a variety thereof to territory to territory annexed to the municipality at the time the
6 territory is annexed; and Providence City Code 10-3-6:A. states that new areas annexed into the City shall
7 be annexed into the City as agricultural, or as an already defined zone per the city's map, "Future
8 Rezoning of Existing Districts and Annexed Areas of the City of Providence, Utah;" any other zoning
9 proposal shall be submitted to the Planning Commission for consideration and recommendation to the
10 City Council; and

11
12 **WHEREAS**, the Petitioner is requesting the Single-Family Traditional (SFT) zoning district; and

13
14 **WHEREAS**, the city's map, "Future Rezoning of Existing Districts and Annexed Areas of the City of
15 Providence, Utah;" shows this parcel as SFT.

16
17 **THEREFORE, BE IT ORDAINED** that the Providence City Council:

- 18 • Grants the Petition for Annexation filed by EJ Nixon Jr, on behalf of Baer Nixon Inc.; and
- 19 • The Providence City Corporate limits will be modified to include said property as described
- 20 above; and
- 21 • The annexed parcel shall be zoned as Single-Family Traditional (SFT); and
- 22 • The Providence City Zoning Map shall also be changed to include the property as described and
- 23 zoned above; and
- 24 • This Ordinance will become effective immediately upon passage and certification from the Lt.
- 25 Governor's Office.

26
27 Passed by vote of the Providence City Council this 21st day of April 2021.

28
29 Council Vote:

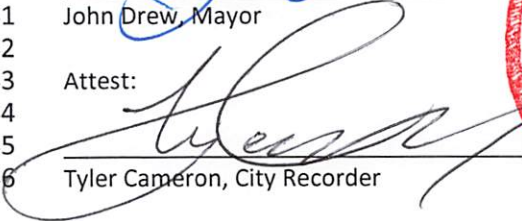
30 Eck, Kristina	(X) Yes	() No	() Excused	() Abstained	() Absent
31 Kirk, Carrie	(X) Yes	() No	() Excused	() Abstained	() Absent
32 Paulsen, Joshua	(X) Yes	() No	() Excused	() Abstained	() Absent
33 Sealy, Jeanell	(X) Yes	() No	() Excused	() Abstained	() Absent
34 Speth, Brent	(X) Yes	() No	() Excused	() Abstained	() Absent

35
36 Signed by Mayor John Drew this 28th day of April 2021.

37
38 Providence City

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40 
41 John Drew, Mayor

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43 Attest:

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45 
46 Tyler Cameron, City Recorder



