

**ORDINANCE 2013-10**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF TOOELE COUNTY; REZONING APPROXIMATELY 98 ACRES OF LAND IN THE FIVE MILE PASS AREA NEAR THE TOOELE COUNTY / UTAH COUNTY BORDER AND S.R. 73 FROM MU-40 TO CDO (CONSTRUCTION DEBRIS OVERLAY) ZONE**

**NOW, THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE BODY OF TOOELE COUNTY, UTAH AS FOLLOWS:**

**SECTION I - AMENDMENT.** Pursuant to Utah Code Annotated Sections 17-27a-502 and 17-27a-503, the Tooele County Planning Commission conducted a public hearing on the application for rezone submitted by Julie Smith and Paul Washburn on behalf of Drew Downs and Mike Dunn and recommended the amendment to the official zoning map by a unanimous vote.

Notice having been provided as required by UCA Subsection 17-27a-205(1)(b) and having held a public meeting, the official zoning map of Tooele County is hereby amended by changing the zoning designation of approximately 98.429 acres known as Parcel # 98-000-0-0658 (mining claim) located in the Five Mile Pass area, within one mile northwest of the Tooele County / Utah County line and S.R. 73 in Sections 4 and 5, Township 7 South, Range 3 West, in Tooele County, Utah from MU-40 (Multiple-Use, 40-Acre Minimum Lot Size) to CDO (Construction Debris Overlay) zone. The legal description of the property rezoned is as follows:

NON-METALLIFEROUS MINING  
TAXPAYER NO. 7774  
CINCINNATI, MS #3678, PROPERTY #42886, SEC 5, T7S, R3W, CAMP  
FLOYD MD, 16.357 AC,  
LOCATED IN NE1/4 SEC 5 & NW1/4 SEC 4  
LITTLE HAROLD FIRE CLAY, MS #7263, PROPERTY #42893, SEC 4, T7S,  
R3W, CAMP FLOYD MD, 16.357 AC,  
LOCATED IN NW 1/4  
LITTLE ROENA FIRE CLAY, MS #7263, PROPERTY #42894, SEC 4, T7S,  
R3W, CAMP FLOYD MD, 18.135 AC,

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SPOTTED FAWN FIRE CLAY, MS #7263, PROPERTY #42902, SEC 4, T7S,  
R3W, CAMP FLOYD MD, 18.118 AC,  
LOCATED IN SW 1/4  
STERLING, MS #3678, PROPERTY #42904, SEC 5, T7S, R3W, CAMP  
FLOYD MD, 20.661 AC,  
LOCATED IN NW 1/4 SEC 4 & NE 1/4 SEC 5  
UNION, MS #3678, PROPERTY #42907, SEC 5, T6S, R3W, CAMP FLOYD  
MD, 8.801 AC.

A map showing the area of the rezone is attached hereto and by this reference made a part  
hereof.

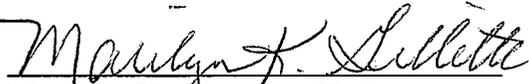
**SECTION II - REPEALER.** Ordinances and resolutions in conflict herewith are hereby  
repealed to the extent of such conflict.

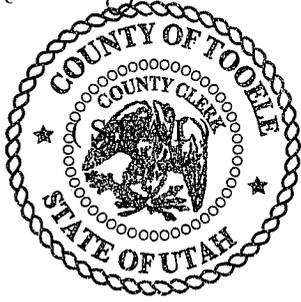
**SECTION III - EFFECTIVE DATE.** This ordinance shall become effective 15 days after  
its passage provided it has been published, or at such publication date if more than 15 days after  
passage.

**IN WITNESS WHEREOF** the Tooele County Commission, which is the legislative body  
of Tooele County, passed, approved and enacted this ordinance this 14<sup>th</sup> day of May 2013.

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ATTEST:

  
Marilyn K. Gillette, Clerk



TOOELE COUNTY COMMISSION:

  
J. BRUCE CLEGG, Chairman

Commissioner Clegg voted aye  
Commissioner Hurst voted aye  
Commissioner Milne voted aye

APPROVED AS TO FORM:

  
DOUG HOGAN  
Tooele County Attorney

