

**TOOELE COUNTY
ORDINANCE 2020-36**

**AN ORDINANCE REPEALING ORDINANCE 2018-13 AND
TERMINATING DEVELOPMENT AGREEMENT 18-11-06**

BE IT ORDAINED BY THE TOOELE COUNTY COMMISSION AS FOLLOWS:

SECTION I – REPEAL OF ORDINANCE 2018-13. On November 20, 2018, the Tooele County Commission adopted Ordinance 2018-13, which rezoned parcels 03-007-0-0020, 03-007-0-0036 and 03-007-0-0037 from RR-5 to R-1-12. Certain county residents then filed an application for a referendum and gathered sufficient signatures to place the referendum on the ballot. At the general election held November 3, 2020, the rezone was disapproved by a vote of 21,311 to 9,941. Pursuant to Utah Code Ann. §20A-7-611, Ordinance 2018-13 is repealed effective November 3, 2020.

SECTION II – TERMINATION OF DEVELOPMENT AGREEMENT 18-11-06. On November 20, 2018, the Tooele County Commission entered into Development Agreement 18-11-06. Paragraph 4 of the Development Agreement states that the rezone of parcels 03-007-0-0020, 03-007-0-0036 and 03-007-0-0037 from RR-5 to R-1-12 is a condition precedent to the Development Agreement. At the general election held November 3, 2020, the rezone was disapproved by a vote of 21,311 to 9,941. Pursuant to Utah Code Ann. §20A-7-611, the rezone of parcels 03-007-0-0020, 03-007-0-0036 and 03-007-0-0037 is repealed effective November 3, 2020. The condition precedent has failed, and the Development Agreement is terminated, and is of no further force and effect, as of November 3, 2020.

SECTION III – AMENDMENT OF ZONING MAP. Community Development is directed to change the zoning for parcels 03-007-0-0020, 03-007-0-0036 and 03-007-0-0037 from R-1-12 to RR-5, effective November 3, 2020.

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SECTION IV – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (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 15th day of December 2020.

ATTEST:



MARILYN K. GILLETTE, Clerk

TOOELE COUNTY COMMISSION:


TOM TRIPP, Chairman



APPROVED AS TO FORM:


SCOTT A. BROADHEAD
Tooele County Attorney

Commissioner Milne voted aye
Commissioner Thomas voted aye
Commissioner Tripp voted aye