

ORDINANCE NO. 2017-04

AN ORDINANCE AMENDING SECTION 12.32.300 OF THE CENTERVILLE ZONING CODE REGARDING REAR YARD SETBACK REQUIREMENTS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

WHEREAS, the City Council directed the Planning Commission and Staff to review and consider increasing accessory building setbacks as set forth in the Zoning Code; and

WHEREAS, in response to the City Council’s request, the Planning Commission and Staff reviewed and prepared proposed amendments to the rear yard setback requirements for accessory buildings within residential zones; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code regarding rear yard setback requirements for accessory buildings within residential zones are in the best interest of the City and the public and provide a reasonable balance between private property rights and municipal regulation of reasonable locational requirements for accessory buildings; and

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.32.300 of the Centerville Zoning Code regarding Table of Development Standards in Residential Zones is hereby amended regarding rear yard setback requirements for accessory buildings in residential zones as more particularly provided as follows:

12.32.300 Table of Development Standards in Residential Zones

* * *

Development Standard	Zones		
	R-L	R-M	R-H
Setback Standards - Rear Yard			
Main building ³	20 feet	20 feet	20 feet
Accessory building <u>(one-story) – Less than 200 square</u>	3 feet	3 feet	3 feet

<u>feet</u> ⁴			
<u>Accessory building (one-story) – 200 square feet or greater</u> ⁴	<u>5 feet</u>	<u>5 feet</u>	<u>5 feet</u>
<u>Accessory building (two-story or greater than 10 feet in height) – All sizes</u> ⁴	<u>8 feet</u>	<u>8 feet</u>	<u>8 feet</u>

3. Flexibility for setbacks may be provided for multiple-family dwelling unit in R-M and R-H Zones in accordance with and subject to the provisions of CZC 12.55.130(I).
4. Setback is measured from any interior and/or rear lot line.

* * *

Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 3. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 4. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY,
STATE OF UTAH, ON THIS 7th DAY OF MARCH, 2017.**

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow

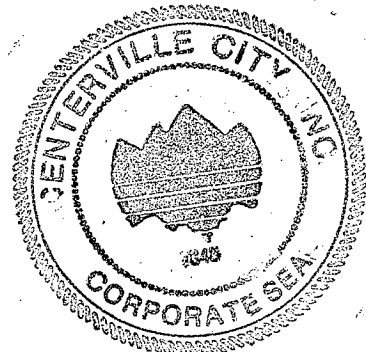
Marsha L. Morrow, City Recorder

By: *Tamilyn Fillmore*

Mayor Pro Tem, Tamilyn Fillmore

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	<u> X </u>	<u> </u>
Councilmember Ince	<u> X </u>	<u> </u>
Councilmember Ivie	<u> X </u>	<u> </u>
Councilmember McEwan	<u> X </u>	<u> </u>
Councilmember Mecham	<u> X </u>	<u> </u>



CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published, or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Marsha L. Morrow
MARSHA L. MORROW, City Recorder

DATE: 3/8/2017

RECORDED this 9 day of March, 2017.

PUBLISHED OR POSTED this 9 of March, 2017.