

**ORDINANCE NO. 2023-11**

**AN ORDINANCE AMENDING SECTION 12.47.090 OF THE CENTERVILLE ZONING CODE REGARDING PERMITTED AND CONDITIONAL USES IN THE SHORELANDS COMMERCE PARK ZONE**

**WHEREAS**, the City Council has previously enacted Chapter 12.47 of the Centerville Zoning Code regarding the Shorelands Commerce Park and Mixed Node Zone; and

**WHEREAS**, the City Council desires to amend Section 12.47.090 of the Shorelands Commerce Park Zone to amend the permitted and conditional uses in that Zone, as more particularly provided herein; and

**WHEREAS**, the proposed amendments to the Centerville 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. Amendments.** Section 12.47.090 of the Centerville Zoning Code regarding Permitted and Conditional Uses in the Shorelands Commerce Park Zone is hereby amended to read in its entirety as follows:

**12.47.090 SCP Zone, Permitted and Conditional Uses**

(a) The following uses, as defined in CZC 12.12 (Definitions), shall be permitted uses in the SCP Zone:

- Accessory Use;
- Construction Sales and Service;
- Cultural Service;
- Government Service;
- Laundry Service;
- Manufacturing, General;
- Manufacturing, Limited;
- Media Services;
- Medical Service;
- Office, General;
- Park;
- Personal Instruction Service;
- Post Office;
- Printing, General;

- Protective Service;
  - Research Service;
  - Restaurant, Eatery;
  - School, Vocational;
  - Utility, Minor; and
  - Wholesale and Warehousing, Limited.
- (b) The following uses, as defined in CZC 12.12 (Definitions), shall be conditional uses in the SCP Zone, as follows:

- Operations Center;
- Military Facility;
- Parking Garage;
- Public Utility Substation;
- Stables, Private (as an accessory use only);
- Stables, Public;
- Transportation Service;
- Wholesale and Warehousing, General; and
- Vehicle and Equipment Rental or Sale.

**Section 2. Findings.** The Zoning Code amendments set forth herein are based on the following findings:

- (a) The City Council finds that the proposed text amendment is debatable with regards to being consistent with the goals, objectives, and policies of the City's General Plan.
- (b) The City Council finds that the SCP was originally adopted in 2007. However, due to environmental and infrastructure shortfalls, the main area devoted to the SCP vision still has additional hurdles to cross over (e.g. wetland mitigation, roadway development, and extension of utility infrastructure).
- (c) Consequently, the City Council finds that the only area of the SCP Zone currently developed is along the existing terminal road at the south end of the Zone.
- (d) The City Council further finds that most of the uses are offices for local businesses, or limited manufacturing that cross over with the definition with "contractor sales and services," which lends itself to locate in flex warehouse space, as has been the typical of the Industrial-High (I-H) Zone also.
- (e) The City Council finds that the allowance of "personal instruction service" does not overly pose problems with the intention of creating a "job center" within the

SCP Zone, if and when the needed roadway and utility infrastructure becomes available.

**Section 3. 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 4. 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 5. 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 4<sup>th</sup> DAY OF APRIL, 2023.**

ATTEST:

CENTERVILLE CITY

Jennifer Robison  
Jennifer Robison, City Recorder

By: Clark A. Wilkinson  
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	<u>X</u>	_____	_____
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</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.

Jennifer Robison  
JENNIFER ROBISON, City Recorder

DATE: 4-11-2023

RECORDED this 11<sup>th</sup> day of April, 2023.

PUBLISHED OR POSTED this 11<sup>th</sup> of April, 2023.

