

ORDINANCE NO. 2016-32

AN ORDINANCE AMENDING SECTION 12.12.040 OF THE CENTERVILLE ZONING CODE ADDING THE DEFINITION OF CLIMATE CONTROLLED STORAGE AND AMENDING SECTION 12.48.080 OF THE SAME REGARDING AREA EXEMPTIONS FROM THE SOUTH MAIN STREET CORRIDOR OVERLAY ZONE FOR THE PARRISH SQUARE SHOPPING CENTER

WHEREAS, an applicant requested amendments to the Zoning Code to allow climate controlled storage in the Parrish Square Shopping Center; and

WHEREAS, the proposed amendments to the Zoning Code to allow climate controlled storage in the Parrish Square Shopping Center were reviewed and revised by the Planning Commission with a positive recommendation regarding the same; and

WHEREAS, City Council has determined that the proposed amendments to the Zoning Code adding a definition of climate controlled storage and amending provisions of the South Main Street Corridor Overlay to exempt the Parrish Square Shopping Center from the South Main Street Corridor provisions and allow climate controlled storage as a conditional use are consistent with the goals, objectives and policies of the Centerville General Plan and are in the best interest of the City and the public to encourage local businesses and services within the area; 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 12.12.040 of the Centerville Zoning Code regarding Definitions is hereby amended to enact the following definition.

12.12.040 Definitions

As used in this Title, the words and phrases defined in this Section shall have the following meanings unless the context clearly indicates a contrary meaning. Words not included herein but defined in the Construction Codes or the Utah Land Use Development and Management Act shall be construed as defined therein.

* * *

Storage, Climate Controlled: A type of self-storage use that provides climate controlled storage, within a single building or suite, containing one or more enclosed areas providing individually accessible interior compartments within the building, each of which is leased

to the general public for the purpose of storing non-hazardous personal property of households and businesses, and not used for residential occupancy, the conducting of business operations, the storage of vehicles, or storage of bulky commercial/industrial types of machinery.

* * *

Section 2. Amendment. Section 12.48.080 of the Centerville Zoning Code regarding Permitted and Conditional Uses by Specific Subdistrict is hereby amended to add a new provision to Subsection (a) regarding uses in the North Gateway Mixed-Use Subdistrict to read as follows:

12.48.080 Permitted And Conditional Uses By Specific Subdistrict

(a) North Gateway Mixed-Use Subdistrict. The following uses, as defined in this Title, shall be the permitted and conditional uses in the North Gateway Mixed-Use Subdistrict of the SMSC Overlay Zone:

(1) Permitted Uses:

- (A) Permitted Uses, as shown in CZC 12.36 (Table of Uses) for the respective underlying zone
- (B) Dwelling, Town House; Dwelling, Two-Family; or Dwelling, Multiple-Family (Maximum Allowed four dwelling units per building), as part of a mixed-use development

(2) Conditional Uses:

- (A) Conditional Uses, as Shown in CZC 12.36 (Table of Uses) for the respective underlying zone

(3) Maximum Gross Density:

- (A) Permitted Use Density – Not more than four dwelling units per acre as part of a mixed-use development
- (B) Conditional Use Density – Not more than six dwelling units per acre as part of a mixed-use development
- (C) Exception – Any legal lot shall be eligible for at least two dwelling units regardless of size as part of a mixed-use development

(4) Area Exemptions/Alterations:

- (A) Parrish Square Shopping Center – The Parrish Square Shopping Center shall be exempted from the SMSC Plan provisions and the following provisions shall apply:

- (i) The area shall be subject to the Development Standards and Regulations of General Applicability of the Commercial-High (C-H) Zone, as listed in CZC 12.34-Commercial Zones
- (ii) The area shall also be subject to the Design Standards, as listed in CZC 12.63-Parrish Lane Gateway Design Standards
- (iii) The Permitted and Conditional Uses, as shown in CZC 12.36-Table of Uses for the C-H Zone
- (iv) Added Conditional Use: Storage, Climate Controlled, not exceeding 10,000 square feet within the Parrish Square Shopping Center

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.

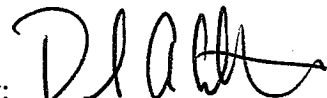
Section 5. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 1st DAY OF NOVEMBER, 2016.

ATTEST:

CENTERVILLE CITY


 Marsha L. Morrow, City Recorder

By: 
 Mayor Paul A. Cutler

Voting by the City Council:

| | "AYE" | "NAY" |
|------------------------|---------|-------|
| Councilmember Fillmore | _____ | _____ |
| Councilmember Ince | X _____ | _____ |
| Councilmember Ivie | X _____ | _____ |
| Councilmember McEwan | X _____ | _____ |
| Councilmember Mecham | X _____ | _____ |



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: 11/2/2016

RECORDED this 3 day of November 2016.

PUBLISHED OR POSTED this 3 of November, 2016.