

**ORDINANCE NO. 2018-19**

**AN ORDINANCE AMENDING SECTION 12.48.100 OF THE CENTERVILLE ZONING CODE REGARDING GENERAL DEVELOPMENT STANDARDS, SECTION 12.48.160 REGARDING OFF-STREET PARKING SPACE STANDARDS, AND SECTION 12.48.350 REGARDING LOT TYPE ILLUSTRATIONS FOR DEVELOPMENT WITHIN THE SMSC OVERLAY ZONE**

**WHEREAS**, the City Council has previously adopted the South Main Street Corridor (SMSC) Overlay Zone as set forth in Chapter 12.48 of the Centerville Zoning Code; and

**WHEREAS**, the City has received a request from the South Davis Metro Fire Service Area to amend various provisions of Chapter 12.48 to accommodate the construction of a new fire station on Main Street as more particularly provided herein; and

**WHEREAS**, the City is authorized to enact, amend or repeal provisions of the Centerville Zoning Code pursuant to specific statutory authority, including, but not limited to Utah Code §§ 10-9a-501, et seq., and Utah Code § 10-8-84; and

**WHEREAS**, all required notice and public hearings have been held before the Planning Commission and City Council regarding these proposed amendments to the Centerville Zoning Code.

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

**Section 1. Amendment.** Section 12.48.100 of the Centerville Zoning Code regarding General Development Standards for development within the SMSC Overlay Zone is hereby amended to read in its entirety as follows:

**12.48.100 General Development Standards**

(a) Development within the SMSC Overlay Zone shall be as follows:

- (1) Dimensional requirements for each lot type shall be as set forth in CZC 12.48.340, and other applicable requirements of this Title and the Centerville Municipal Code.
- (2) Buildings shall be constructed substantially with rock, brick, and/or decorative concrete block for the first floor level as viewed from Main Street. Upper floors may be accented with other maintenance free materials compatible with the base floor design.
- (3) At least 25% of the primary building façade facing Main Street shall have upgraded architectural features, such as columns, pillars, archways, canopies, balconies, or other treatments.
- (4) At least 15% of a secondary façade facing another non-primary street frontage shall be of upgraded architectural features.

- (5) At least 5% of all other façade shall be of upgraded architectural features.
- (6) Each building on a lot with Main Street frontage shall have an entrance facing Main Street. Entrances shall be accessible to the public as a regular building entry from the public sidewalk.
- (7) In the Traditional Main Street and City Center Subdistricts, entrances allowing public access from the sidewalk shall be provided as follows:
  - (A) Traditional Main Street Lot Type. Entrances shall be provided at intervals of at least 50 feet to maximize street activity and pedestrian access opportunities and to minimize expanses of inactive building wall.
  - (B) All Other Lot Types. Buildings shall have at least one at-grade entry door leading to Main Street and/or another fronting street (e.g. Corner Lots).
- (8) The percentage of building frontage required along the lot width may be reduced to accommodate site plan approved pedestrian plazas located between buildings. Building frontage percentage shall not be reduced to further accommodate parking beyond what is allowed according to CZC 12.48.160. Access to such pedestrian plazas shall be provided from the sidewalk.
- (9) Pedestrian breezeways between buildings shall be a minimum of five feet in width.
- (10) A portion of the building frontage may be setback beyond the required build-to range (RBR) up to an additional 20 feet if the space is utilized as a site plan approved courtyard or entryway that is open and accessible to the public sidewalk, limited to the following:
  - (A) All Lot Types. This portion may be up to 40% of the actual building frontage and shall not be used for parking area, with the following exception set forth in Subsection (B).
  - (B) Civic/Cultural Lot Types. This portion may be up to 75% of the actual building frontage and shall not be used for public or employee parking area, but for courtyards, greenspaces, and other approved design elements.
- (11) The use of front yard areas for commercial type development shall be oriented towards the pedestrian and is to include related amenities such as entrance walks, plazas, benches, bike racks, raised flower boxes, or other such features.
- (12) Required Building Frontage shall be the percentage of the total width of the lot that is required to be used as a building wall. A porte cochere may be counted as a building wall even though it has no front or rear wall.

- (13) Each building shall have separate walls to support all loads independently of any walls located on an adjacent lot. Buildings with side-facing windows shall provide necessary light and air shafts within their own lot without relying on the side yard of an adjacent lot.
- (14) Front porches, balconies, or stoops may extend up to 10 feet into front yards provided that walls, screened areas, or railings that are within the front yard do not exceed 42 inches in height above the floor of the porch, balcony, or stoop.
- (15) Parking shall be located to the rear of the building or in a side yard as allowed by the lot width and building frontage percentage requirements of the applicable lot type.
- (16) Side areas that exceed 15 feet in width shall not be located to another side area that exceeds 15 feet in width unless the areas are used as a unified public gathering area or courtyard.
- (17) The street level and/or ground floor elevation shall be no more than the following:
  - (A) All Lot Types. Twelve~~12~~ inches above the fronting public sidewalk elevation within the RBL or no more than 12 inches if the entrance is fronting an approved courtyard or other similar pedestrian design entry, with the following exception set forth in Subsection (B).
  - (B) Civic/Cultural Lot Types. Twelve inches above grade of a sidewalk style pathway leading from Main Street to an entrance.
- (18) Roof lines may be flat or pitched. Roofing shall not be of vivid primary colors (red, blue, yellow).
- (19) Windows of tinted or reflective glass may not be located between two feet and nine feet above sidewalk grade on street-facing facades.

**Section 2. Amendment.** Subsection 12.48.160(b)(6) of the Centerville Zoning Code regarding Off-Street Parking Space Standards for development in the SMSC Overlay Zone is hereby amended to read in its entirety as follows:

**12.48.160 Off-Street Parking Space Standards**

\* \* \*

- (b) Parking lots and their placement shall meet the following requirements:

\* \* \*

- (6) New driveway accesses shall not be established onto Main Street. Exceptions shall be recognized and allowed as follows:

- (A) For an existing legally created lot where the side and rear of the lot are not adjacent to a street and there are no other opportunities to provide needed access to the property.
- (B) An existing legally created access is being moved to another location to meet the parking placements of this Chapter.
- (C) An existing legally created access or accesses are being combined together to establish an access that meets the parking placements of this Chapter.
- (D) An existing legally created access or accesses are being expanded, pursuant to obtaining a Utah Department of Transportation (UDOT) approval.

**Section 3. Amendment.** Section 12.48.350 of the Centerville Zoning Code regarding Lot Type Illustrations for development in the SMSC Overlay Zone is hereby amended to amend the Civic/Cultural Lot Type Illustration to reduce the solid to void requirement from 60% to 15%. Staff shall prepare the appropriate Lot Type Illustration for the Civic/Cultural Lot as amended herein for inclusion in the Zoning Code.

**Section 4. Findings.** The City Council hereby makes the following findings in support of the SMSC Overlay Zone amendments:

- a. The City Council finds that the SMSC Overlay regulations were set to recognize existing access points and encourage the sharing of access points to maintain or improve the pedestrian use and safety.
- b. The City Council finds that if the expansion is limited in nature, such as “the apparatus bay parking for a fire department use” then it is less problematic due a much lower hourly use rate of the access point. The City Council likewise finds that other types of lower-use accesses could be “emergency access lanes to buildings, security or restricted property owner entrance points, one-way entrances or exits, or other limited use needs.
- c. The City Council finds that the SMSC Overlay regulations were set to establish a regular pattern of providing entrance points. This is particularly important for retail and shopping uses traditionally located along the main street of a town or city. However, the City Council also finds that civic or public use buildings are more likely to be vulnerable with regards to security concerns. Consequently, the City Council finds that this should be a factor in the design standards for civic uses or buildings that can be targeted for radical or nefarious purposes.
- d. The City Council finds that the purpose of the “at-grade” design standard (max. 12 inches above sidewalk) is related to improving the design of the store-fronts to create a pedestrian-friendly environment that contributes to the success of “lifestyle centers” of shopping, eating, and entertainment. Nevertheless, the City Council also finds that it is feasible to alter the design expectation when considering a greater setback being proposed such as a courtyard other entry type element.

- e. The City Council finds that that there is a distinction between the form and layout of commercial “retail” or lifestyle centers verses how civic building and uses are patterned.
- f. The City Council additionally finds that the adopted SMSC Overlay does recognize these differences to some degree but the actual design standards are so heavily focused on the commercial design land pattern, it falls short in the ability to accommodate other potential use and building types.
- g. Therefore, the City Council is recommending text amendments, but modifying the petitioner’s requested amendments, as set forth in this Ordinance.

**Section 5. 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.

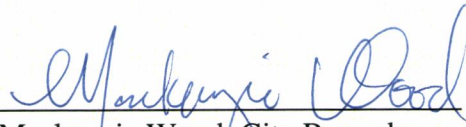
**Section 6. Omission Not a Waiver.** The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

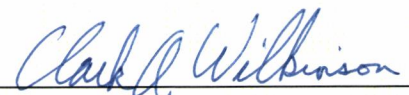
**Section 7. Effective Date.** This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 7<sup>th</sup> DAY OF AUGUST, 2018.**

**ATTEST:**

**CENTERVILLE CITY**

  
 Mackenzie Wood, City Recorder

By:   
 Mayor Clark A. Wilkinson

Voting by the City Council:

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

Mackenzie Wood  
MACKENZIE WOOD, City Recorder

DATE: 8/10/18

RECORDED this 10 day of August, 2018.

PUBLISHED OR POSTED this 10 of August, 2018.