

ORDINANCE NO. 2016-26

**AN ORDINANCE AMENDING SUBSECTION 12.48.180(B) OF THE
CENTERVILLE ZONING CODE REGARDING THE PUBLIC SPACE
PLAN FOR VARIOUS SUBDISTRICTS WITHIN THE SOUTH MAIN
STREET CORRIDOR (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, recent amendments to Chapter 12.48 in conjunction with the complete update and recodification of the Centerville Zoning Code, as adopted by Ordinance No. 2016-20, inadvertently changed the intended Subdistricts subject to the Public Space Plan provisions set forth in Section 12.48.180; and

WHEREAS, the Council desires to correct the inadvertent change to the intended Subdistricts subject to the Public Space Plan provisions set forth in Section 12.48.180 as more particularly set forth herein; and

WHEREAS, the City is authorized to enact and amend 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. Subsection 12.48.180(b) of the Centerville Zoning Code regarding the Public Space Plan for certain Subdistricts in the South Main Street Corridor (SMSC) Overlay Zone is hereby amended to read as follows:

12.48.180. Public Space Plan.

* * *

(b) Purpose and ~~Scope Intent~~ of Public Space Plan. The South Main Street Corridor is designated as the historical, cultural, and civic heart of Centerville City. This is a great asset for the City and provides the necessary foundation for the future revitalization of the corridor. In addition to the preservation and/or redevelopment of land uses along the corridor, the redevelopment and revitalization of the streetscape is needed to reflect the desired relationship between public space and private development. The Public Space Plan and associated illustrations set forth in CZC 12.48.190 shall be utilized when reviewing and approving any development project located within the Traditional Main Street and City Center Subdistricts, ~~except for areas that are located within the Civic and Residential Boulevard Subdistricts~~ of the SMSC Overlay Zone. The Public

Space Plan depicts an A/B Design and Layout Pattern that is to be implemented along street frontage of Main Street. The expected public space design and layout for development approvals shall include and are described as follows.

* * *

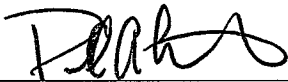
Section 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall 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, THIS 20th DAY OF SEPTEMBER, 2016.

CENTERVILLE CITY

By: 
Mayor Paul A. Cutler

ATTEST:


Marsha L. Morrow, City Recorder



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.

Marsha L. Morrow
MARSHA L. MORROW, City Recorder

DATE: 9-26-2016

RECORDED this 26 day of Sept, 2016.

PUBLISHED OR POSTED this 26 of Sept, 2016.