

**ORDINANCE NO. 2018-06**

**AN ORDINANCE AMENDING SECTION 12.12.040 OF THE CENTERVILLE ZONING CODE TO ADD A NEW DEFINITION FOR “CATERING, GENERAL,” AND AMENDING SECTION 12.36.040 OF THE SAME REGARDING TABLE OF USES**

**WHEREAS**, the City recently amended the Zoning Code to add a new definition for “Catering, Limited” and to allow such use as a conditional use within the Commercial-Medium (C-M) Zone; and

**WHEREAS**, the Planning Commission recommends additional amendments to the Zoning Code to add a definition for “Catering, General” and to allow such use in various industrial zones as well as allowing “Catering, Limited” in more commercial zones as a permitted or conditional use as more particularly provided herein; and

**WHEREAS**, City Council has determined that the proposed amendments to the Zoning Code to create a new definition for “Catering, General,” to allow such use in the industrial zones, and to allow “Catering, Limited in more commercial zones are in the best interest of the City and the public to encourage additional uses within the City; 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 add a new definition for “Catering, General” as more particularly provided as follows:

**12.12.040 Definitions**

\* \* \*

**Catering, General:** An establishment in which the principal use is the preparation of food and meals on the premises, and where such food and meals are delivered to another location for consumption. Use includes catering for food for single event-based food services and contractual agreements for a specified period of time. This may include the storage of mobile food trucks, and catering transport vehicles. Use does not include subordinate, secondary use of catering to a food establishment.

\* \* \*

**Section 2. Amendment.** Section 12.36.040 of the Centerville Zoning Code regarding Table of Uses for Commercial Uses is hereby amended to allow “Catering, Limited” as a permitted or conditional use in various commercial zones and to allow “Catering, General” as a permitted use in various industrial zones as more particularly provided as follows:

**12.36.040 Table of Uses for Commercial Uses**

Legend: "P" - permitted use, "C" - conditional use, "N" - not permitted

Commercial Uses	Zones														
	A-L	A-M	R-L	R-M	R-H	PF-L	PF-M	PF-H	PF-VH	C-M	C-H	C-VH	I-M	I-H	I-VH
<u>Catering, General</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>
Catering, Limited	N	N	N	N	N	N	N	N	N	C	<u>CN</u>	<u>PN</u>	<u>PN</u>	<u>PN</u>	<u>PN</u>

\* \* \*

**Section 3. Findings.** The amendments to the Zoning Code adopted herein are based on the following findings:

- a. The City Council finds that the decision to amend the Zoning Code is a matter within the legislative discretion of the City Council as described in CZC 12.21.060(a)(1)(C).
- b. The new definition of “Catering, General,” while listing it as a permitted use in Industrial Zones, is consistent with the goals, objectives and policies of the General Plan [12-430-1].
- c. The uses are consistent with the zone purposes as stated in CZC 12.30.020.

**Section 4. 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 5. 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 6. 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 20<sup>th</sup> DAY OF FEBRUARY, 2018.**

**ATTEST:**

**CENTERVILLE CITY**

Mackenzie Wood  
Mackenzie Wood, City Recorder

By: Clark A. Wilkinson  
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: 02-27-18

RECORDED this 27 day of February, 2018.

PUBLISHED OR POSTED this 27 of February, 2018.