

ORDINANCE NO. 2017-02

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 3.10 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 1150 SOUTH 240 EAST FROM RESIDENTIAL-MEDIUM (R-M) TO RESIDENTIAL-LOW (R-L)

WHEREAS, the City is authorized to enact a zoning map consistent with the purposes set forth in the Utah Land Use Development and Management Act, as more particularly provided in *Utah Code Ann.* §§ 10-9a-101, *et seq.*, as amended, and the City is further authorized to make amendments to such zoning map in accordance with procedures set forth in *Utah Code Ann.* § 10-9a-503, as amended; and

WHEREAS, in accordance with applicable provisions of Utah law and the goals of the Centerville City General Plan for the subject property as set forth in Section 12-480-2, Neighborhood 1, Southeast Centerville, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Residential-Medium (R-M) to Residential-Low (R-L) as more particularly provided herein; and

WHEREAS, the proposed amendments to the Centerville City Zoning Map as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public noticing and hearings have been provided and held in accordance with Utah law to obtain public input regarding the proposed revisions to the City Zoning Map.

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

Section 1. Zone Map Amendment. The real property located at approximately 1161 South 240 East in Centerville City consisting of approximately 2.68 acres, and the real property located at approximately 1188 South 240 East in Centerville City consisting of approximately 0.40 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Residential-Medium (R-M) to Residential-Low (R-L) and the Centerville City Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject property to Residential-Low (R-L) and corresponding amendment to the Centerville City Zoning Map is based on the following findings:

1. The proposed Zone Map Amendment meets the requirements found in CZC 12.21.080(4)(e).
2. The Zone Map Amendment would still be consistent with the General Plan.
3. The Zone Map Amendment and subsequent development standards on the property would be consistent with already existing single family properties within the subdivision.

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

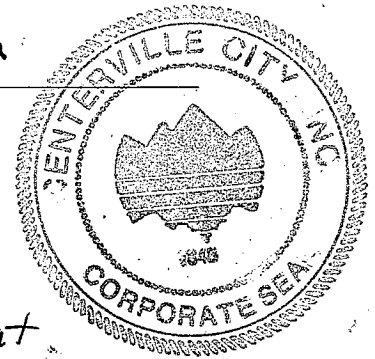
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 21st DAY OF FEBRUARY, 2017.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow
Marsha L. Morrow, City Recorder

By: Paul A. Cutler
Mayor Paul A Cutler



Voting by the City Council:

	"AYE"	"NAY"	
Councilmember Fillmore	_____	_____	<i>Absent</i>
Councilmember Ince	<u>X</u>	_____	
Councilmember Ivie	<u>X</u>	_____	
Councilmember McEwan	<u>X</u>	_____	
Councilmember Meham	<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: 2/23/17

RECORDED this 23 day of Feb, 2017.

PUBLISHED OR POSTED this 23 of Feb, 2017.

EXHIBIT A

Property Description

Parcel No. 03-258-0001
1188 South 240 East, Centerville, Utah

All of Lot 1 of the Chitose Johnson Subdivision as recorded in the
Davis County Recorder's Office, Davis County, Utah

and

Parcel No. 03-258-0002
1161 South 240 East, Centerville, Utah

All of Lot 2 of the Chitose Johnson Subdivision as recorded in the
Davis County Recorder's Office, Davis County, Utah