

ORDINANCE NO. 2017-12

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.014 ACRES OF CERTAIN REAL PROPERTIES LOCATED AT OR NEAR 323 EAST PAGES LANE FROM RESIDENTIAL-LOW (R-L) AND RESIDENTIAL-HIGH (R-H) TO RESIDENTIAL-MEDIUM (R-M)

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 properties 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 properties from Residential-Low (R-L) and Residential-High (R-H) to Residential-Medium (R-M) 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 properties located at or near 323 East Pages Lane in Centerville City consisting of a sliver of property approximately 0.010 acres in size as obtained from the Corporation of the Presiding Bishop of LDS Church and another sliver of property approximately 0.004 acres in size as obtained from JAG Enterprises LLC, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, to be combined into one parcel with Parcel Nos. 03-004-0082 and 03-004-0083, are hereby rezoned from Residential-Low (R-L) and Residential-High (R-H) to Residential-Medium (R-M) and the Centerville City Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject properties from Residential-Low (R-L) and Residential-High (R-H) to Residential-Medium (R-M) and the 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 proposed Zone Map Amendment is consistent with the overall intent of the goals and objectives of the General Plan [Section 12-480-2(c)].
3. According to the associated Neighborhood Plan, amending the Zoning Map for this location to Residential-Medium (R-M) is appropriate and necessary under CZC 12.30.050 for zoning to follow parcel boundary lines.

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 16th DAY OF MAY, 2017.

ATTEST:

CENTERVILLE CITY


 Marsha L. Morrow, City Recorder

By: 
 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 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, City Recorder

DATE: May 16, 2017

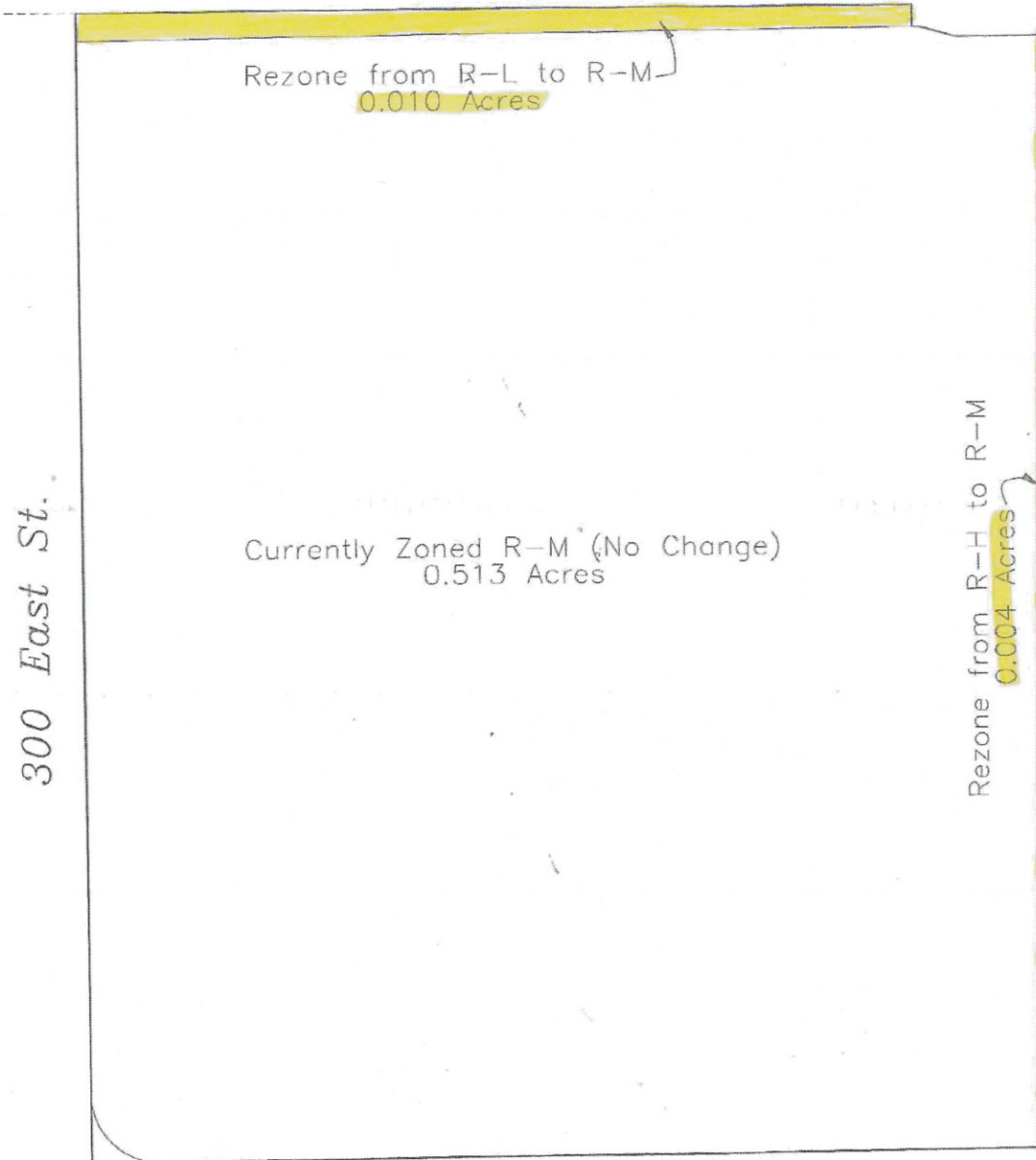
RECORDED this 18 day of May, 2017.

PUBLISHED OR POSTED this 18 of May, 2017.

EXHIBIT A1

Property Description of Slivers

*Corporation of the Presiding Bishop of LDS Church
LDS Church Property*



Rezone from R-L to R-M
0.010 Acres

Currently Zoned R-M (No Change)
0.513 Acres

Rezone from R-H to R-M
0.004 Acres

300 East St.

JAG Enterprises LLC
Property
c/o Garth L. Heer

Pages Lane (1000 South St.)

EXHIBIT A2

Property Description of Entire New Parcel

Centerville, Utah

Beginning on the North Line of Pages Lane, a 66 ft. wide road, at a point $S89^{\circ}36'20''W$ along the North Line of said street 297.72 ft. from the West Line of 400 East Street, said point being also $N89^{\circ}35'58''E$ 72.60 ft. along the 1/4 Section Line to an Existing Brass Witness Corner Monument and $S00^{\circ}15'55''W$ 280.04 ft. along the centerline of said 400 East Street and $S89^{\circ}36'20''W$ 330.72 ft. along said North line of Pages Lane from the East Quarter Corner of Section 18, T.2N., R.1E., S.L.B.& M. and running thence $S89^{\circ}36'20''W$ 136.37 ft. along said North line of Pages Lane to the East line of 300 East Street, a 49.50 ft. wide road; thence $N00^{\circ}01'41''W$ 168.78 ft. along said East line of 300 East Street; thence $N89^{\circ}58'19''E$ 118.80 ft.; thence $S00^{\circ}28'37''E$ 3.28 ft. to a point on the boundary as described in a certain Boundary Line Agreement as recorded in Book 3178, Page 1042 of Davis County Records; thence along said boundary in the following three courses: (i) $N89^{\circ}35'15''E$ 0.90 ft., (ii) $S74^{\circ}07'20''E$ 5.47 ft., (iii) $S89^{\circ}16'24''E$ 12.43 ft.; thence $S00^{\circ}20'32''W$ 162.98 ft. along the East side of a masonry wall to the point of beginning.

Containing 0.527 Acres.