

ORDINANCE NO. 2017-15

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 1.03 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 2026 NORTH MAIN STREET FROM AGRICULTURAL-LOW (A-L) 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 12-480-4, Neighborhood 3, Northeast Centerville, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Agricultural-Low (A-L) 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 2026 North Main Street in Centerville City consisting of approximately 1.03 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Agricultural-Low (A-L) 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 Zone Map Amendment is consistent with the General Plan for Neighborhood 3, Northeast Centerville. [See, 12-480-4]
2. The City Council finds that the preferred base density for all of Centerville is a low density of four units per acre, which is consistent with the R-L request. [See, 12-480-5 Residential Densities/Development]
3. The Zone Map Amendment meets the requirements found in CZC 12.21.080(4)(e).

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.

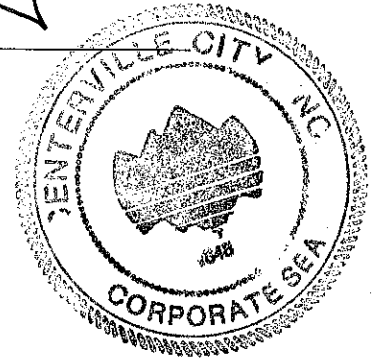
PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, THIS 5th DAY OF JULY, 2017.

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	<u>X</u>	_____	
Councilmember Ince	<u>X</u>	_____	
Councilmember Ivie	<u>X</u>	_____	
Councilmember McEwan	_____	_____	
Councilmember Mecham	<u>X</u>	_____	Absent

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: July 6, 2017

RECORDED this 6 day of July, 2017.

PUBLISHED OR POSTED this 6 of July, 2017.

EXHIBIT A

Property Description

Parcel No. 07-073-0067
2026 North Main Street, Centerville, Utah

BEG AT AN EXIST BRASS HWY R/W MONU AT STATION 272+03.40 OF STATE HWY 106 (A 66 FT WIDE RD), WH PT IS N 89°24'30" E 153.92 FT ALG THE SEC LINE & N 1315.93 FT FR THE S 1/4 COR OF SEC 31-T3N-R1E, SLM; & RUN TH N 18°04'33" W 134.84 FT ALG THE E BNDRY OF SD HWY 106; TH NE'LY 31.42 FT ALG THE ARC OF A 20 FT RAD CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 90°00' (RAD PT BEARS N 71°55'27" E FR THE BEG OF THE CURVE); TH NE'LY 39.44 FT ALG THE ARC OF A 125 FT RAD CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 18°04'33" (RAD PT BEARS S 18°04'33" E FR THE BEG OF THE CURVE); TH E 235.20 FT; TH S 163.81 FT; TH S 88°07' W 241.15 FT TO A PT ON SD E BNDRY OF HWY 106; TH NW'LY 12.78 FT ALG SD E BNDRY OF HWY 106 & THE ARC OF A 2897.90 FT RAD CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 0°15'09" (RAD PT BEARS S 72°10'36" W OF THE BEG OF THE CURVE) TO THE POB. CONT 1.0303 ACRES