

ORDINANCE NO. 2017-16

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.42 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 885 NORTH 610 EAST 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 885 North 610 East in Centerville City consisting of approximately 0.42 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 Zoning Map is based on the following findings:

1. The Zone Map Amendment and associated allotted density is consistent with the General Plan for Neighborhood 3, Northeast Centerville. [See, 12-480-4]
2. The existing lot size is not consistent with the A-L Zone lot minimum and is consistent with the R-L Zone allowances.
3. The R-L Zone and the parcel lot size is similar to the adjacent surrounding subdivisions in which it is located.
4. The Zone Map Amendment approval criteria has been adequately evaluated and the request meets the approval criteria 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	_____	_____ <i>Absent</i>
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: July 6, 2017

RECORDED this 6 day of July, 2017.

PUBLISHED OR POSTED this 6 of July, 2017.



EXHIBIT A

Property Description

**Parcel No. 02-050-0064
885 North 610 East, Centerville, Utah**

BEG AT A PT 22 FT N OF THE NW COR OF LOT 1, ROCKWOOD GARDEN SUB & RUN TH 115 FT N; TH N $89^{\circ}33'22''$ E 159.48 FT; TH S $0^{\circ}26'36''$ E 115 FT TO A PT WHICH IS N $0^{\circ}26'36''$ W 22 FT FROM THE NE COR OF LOT 1 OF SD ROCKWOOD GARDEN; TH S $89^{\circ}33'22''$ W 159.48 FT TO THE POB. CONT. 0.42 ACRES