

ORDINANCE NO. 2018-11

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 2.055 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 640 WEST PORTER LANE FROM AGRICULTURAL-LOW (A-L) 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 property as set forth in Section 12-480-1, Southwest Neighborhood, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Agricultural-Low (A-L) 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 property located at approximately 640 West Porter Lane in Centerville City consisting of approximately 2.055 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-Medium (R-M) and the Centerville City Zoning Map is correspondingly amended as described herein; provided, the unapproved division of the parcels shall be combined into a singular parcel with the Davis County Recorder's Office prior to approval of any future development plan.

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

1. The Planning Commission and City Council have sufficiently reviewed and considered the criteria found in CZC 12.21.080(e) for Zoning Map Amendments.
2. The City Council finds that the rezone is consistent with the goals of the General Plan, as described in Section 12-480-1(a).
3. The City Council finds that the rezone does not create any additional constraints or adverse effects concerning surrounding properties and development in the immediate vicinity.

4. The City Council finds that the R-M Zone request functions as an acceptable medium density residential buffer to commercial that is compatible with the characteristic multi-zone land use pattern for the immediate area.
5. The Planning Commission has reviewed and recommends approval of the R-M Zone designation.

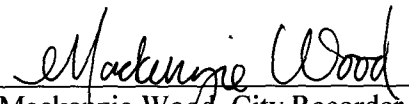
Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall 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 15th DAY OF MAY, 2018.

ATTEST:

CENTERVILLE CITY


Mackenzie Wood, City Recorder

By: 
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, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2018.

PUBLISHED OR POSTED this ____ of _____, 2018.

EXHIBIT A

Property Description

**Parcel No. 03-001-0178
640 West Porter Lane, Centerville, Utah**

BEG ON N LINE OF A STR 564.68 FT, M/L, S & 757.285 FT E FR THE NW COR OF SEC 18-T2N-R1E, SLM; TH E ALG N LINE STR 58 FT, M/L, TO E LINE OF PPTY CONV IN 746-632; TH N 441.98 FT, TH W 128 FT; TH S 308.68 FT, TH E 70 FT, TH S 133 FT TO THE POB. CONT. 1.085 ACRES ALSO: BEG ON THE N LINE OF PORTERS LANE AT A PT N 89°40' E ALG THE SEC LINE 831.05 FT & S 0°03'10" W 564.74 FT FR THE NW COR OF SEC 18-T2N-R1E, SLM; & RUN TH ALG BNDRY LINE AGMT 1833-298 N 0°03'10" E 690.14 FT TO THE N LINE OF GRANTORS LAND; TH W 143.56 FT, TH S 148.00 FT; TH E 114.49 FT; TH S 543.98 FT TO THE N LINE OF PORTERS LANE; TH E 15.03 FT TO THE POB. CONT 0.70 ACRES TOTAL ACREAGE 1.785 ACRES (NOTE: THIS REMAINING LEGAL WAS WRITTEN IN THE DAVIS COUNTY RECORDER'S OFFICE FOR I.D. PURPOSES. IT DOES NOT REFLECT A SURVEY OF THE PROPERTY.)

And

**Parcel No. 03-001-0179
640 West Porter Lane, Centerville, Utah**

BEG AT A PT WH IS N 89°40'15" E 831.05 FT ALG THE SEC LINE & S 0°03'10" W 38.36 FT ALG A BNDRY LINE AGMT LINE & S 89°40'15" W 29.02 FT FR THE NW COR OF SEC 18-T2N-R1W (S/B E), SLM; & RUN TH S 0°03'10" W 102.00 FT; TH S 89°40'15" W 113.81 FT TO THE GRANTOR'S W PPTY LINE; TH N 0°19'45" W 102.00 FT ALG SD LINE; TH N 89°40'15" E 114.49 FT TO THE POB. TOGETHER WITH A DESC ACCESS EASEMENT. CONT 0.27 ACRES