

## ORDINANCE NO. 2020-13

### AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 17.81 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 2125 NORTH MAIN STREET AND FRONTAGE ROAD FROM AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-LOW WITH A PLANNED DEVELOPMENT OVERLAY (R-L/PD) AND APPROVING THE CONCEPTUAL PLAN FOR THE SUMMERHILL LANE PDO

**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 §§ 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. § 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 12-480-5, Neighborhood 4, Northwest 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 with a Planned Development Overlay (R-L/PD) as more particularly provided herein; and

**WHEREAS**, as part of the Planned Development Overlay (PDO) Zone requirements, requests for PDO zoning shall include a conceptual plan for review and acceptance by the City Council concurrent with the rezoning decision; and

**WHEREAS**, the proposed amendments to the Centerville City Zoning Map for the Summerhill Lane PDO 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 Zoning Map and approval of the Conceptual Plan.

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

**Section 1. PDO Rezone and Conceptual Plan Approval.** Subject to the conditions of approval set forth in Section 2, the real property located at approximately 2125 North Main Street and Frontage Road in Centerville City consisting of approximately 17.81 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 with a Planned Development Overlay (R-L/PD) and the Conceptual Plan for the Summerhill Lane PDO as more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference, is hereby approved by the City Council.

**Section 2. Conditions of PDO Approval.** The PDO Rezone and Conceptual Plan for the Summerhill Lane PDO are subject to the following conditions of approval:

1. A **Zone Map Amendment** of the 17.81 +/- acres from A-L to R-L/PD.

2. The **PDO Development shall be limited** to 17.81 +/- acres, as depicted on the submitted PDO Conceptual Plans, as received by the City, including the alterations submitted specifically to the City Council for the November 17, 2020 meeting.
3. All **Final Development Approvals for Summerhill Lane** shall substantially comply with the PDO Conceptual Plan submittals received by the City, unless otherwise amended by the City.
4. The **approved R-L Rezone and associated PDO Conceptual Plan** shall consist of the following:
  - i. The proposed Overall Conceptual Development Plan, Sheet C1
  - ii. The Preliminary Utility Plan, Sheets C3, C3.1
5. The **Land Uses Approved** shall consist of the following:
  - i. *Single-family Uses* – Maximum number of dwellings is 63 units.
  - ii. *Single-family Home, Building Heights* – Primary/main buildings shall comply with the applicable regulations and codes of the Zoning Ordinance, as outlined in the provisions of the R-L Zone.
  - iii. *Accessory Buildings and Uses* – All allowed accessory buildings and uses shall comply with the applicable regulations and codes of the Zoning Ordinance, as outlined in the provisions of the R-L Zone.
  - iv. *Minimum Lot Size* – The minimum lot size for all lots within the project area shall be 5,800 square feet.
6. The **Summerhill Lane Development** shall be subject to **obtaining Preliminary and Final Subdivision Approvals**, which shall be subject to the following:
7. All other development regulations and codes that have NOT been modified by the R-L Rezone and PDO Conceptual Plan Approval.
8. The plan for construction and maintenance of necessary stormwater and applicable groundwater management systems.
9. The plan and execution methods for the elimination of remnant properties without approved public purposes.
10. The securement and approval for development of a secondary water system from the applicable secondary water service provider.
11. The **Subdivision Improvement Construction** shall be prepared as one development site to support the development in its entirety. However, construction activities regarding actual homes may be phased as independent lots, subject to applicable state and local codes and ordinances.
12. The **Development Variations Allowed** for the Summerhill Lane Development are limited to the following:
  - i. *CZC 12.32, Development Standards Regarding Lot Width and Setbacks*. Some variations to the lot widths and setbacks are allowed, as depicted on the amended PDO Conceptual Plan submitted to the City Council for the November 17, 2020 meeting. However, required track perimeter setbacks are required and have been referenced on the plan sheets.

**Section 3. Findings.** The rezone of the subject property to Residential-Low with a Planned Development Overlay (R-L/PD) and the corresponding Conceptual Plan for the Summerhill Lane PDO is based on the following findings:

- (a) The City Council finds that proposed rezone for low-density residential uses is consistent with the Northwest Neighborhood Plan.
- (b) The City Council finds the PDO request meets the following:
  - i) The proposed development does not conflict with any applicable policy of the General Plan.

- ii) The proposed development meets the purpose and intent Zoning Ordinance, as set forth in CZC 12.41.010.
  - iii) The proposed development allows integrated planning and design of the property and, on the whole, better development than would be possible under conventional zoning regulations.
  - iv) The proposed development meets the use and development limitations and other requirements of the zone with which the PDO Zone is combined, except as otherwise allowed by the PDO provisions.
- (c) The City Council finds that PDO rezone provides an enhanced tool to address any development related concerns and maximize the development opportunities for the entire site, and more specifically with regards to concerns raised by the public about storm water and ground water management.


**Section 4. 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 5. 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 17<sup>th</sup> DAY OF NOVEMBER, 2020.**

ATTEST:

CENTERVILLE CITY

  
 \_\_\_\_\_  
 Janet S. Denison, City Recorder

By:   
 \_\_\_\_\_  
 Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Fillmore	X	_____	_____
Councilmember Ince	X	_____	_____
Councilmember Ivie	_____	X	_____
Councilmember McEwan	X	_____	_____
Councilmember Mecham	_____	X	_____

**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.

  
\_\_\_\_\_  
JANET S. DENISON, City Recorder

DATE: 19 Nov. 2020

RECORDED this 19 day of November, 2020.

PUBLISHED OR POSTED this 19 of November, 2020.



## EXHIBIT A

### Summerhill Lane PDO Rezone Property Description

LEGAL DESCRIPTION  
PREPARED FOR  
**SUMMERHILL LANE**  
CENTERVILLE CITY, DAVIS COUNTY, STATE OF UTAH  
(Revised: November 17, 2020)  
19-0378

#### 17.81 ACRE OVERALL DESCRIPTION

A tract of land situate in the Southwest Quarter of Section 31, Township 3 North, Range 1 East, Salt Lake Base & Meridian, comprised of six (6) parcels identified by Davis County Tax ID Numbers 07-072-0005, 07-072-0034, 07-072-0132, 07-072-0160, 07-072-0161 & 07-072-0175, located in Centerville City, Davis County, Utah, being more particularly described as follows:

Beginning at a point on the westerly right-of-way line of Main Street (SR-106) as established by UDOT Project No. S-0116(1), located S01°03'04"E 412.51 feet along the Section line and S88°56'56"W 147.88 feet from the Center 1/4 Corner of Section 31, T3N, R1E, SLB&M; thence southerly along said right-of-way line the following two (2) courses: (1) S12°38'06"E 12.55 feet; thence (2) along the arc of a non-tangent curve to the left having a radius of 5,762.65 feet (radius bears: N77°21'22"E) a distance of 437.49 feet through a central angle of 04°20'59" Chord: S14°49'07"E 437.39 feet; thence to and along the northerly line of that Real Property described by Special Warranty Deed recorded in the Office of the Davis County Recorder as Entry No. 2345813 in Book 4481 at Page 952, N89°45'38"W 750.06 feet to the easterly line of that Real Property identified by Davis County Tax ID No. 07-072-0165, the boundary of which was determined by Survey No. 5493 on file in the Office of the Davis County Surveyor; thence along said boundary N01°02'54"E 47.91 feet; thence N89°42'24"W 358.00 feet to the westerly line of said as-surveyed boundary; thence along said as-surveyed boundary the following two (2) courses: (1) N09°48'11"W 71.09 feet; thence (2) N89°42'24"W 55.68 feet to and along a northeasterly line of LEXINGTON PARK SUBDIVISION PHASE 4, according to the Official Plat thereof on file in the Office of the Davis County Recorder as Entry No. 1649844 in Book 2776 at Page 547; thence along said plat the following five (5) courses: (1) N12°28'19"W 34.03 feet; thence (2) S77°31'41"W 100.00 feet; thence (3) S45°52'13"W 70.49 feet; thence (4) S77°31'41"W 105.00 feet; thence (5) S12°28'16"E 161.93 feet to the northerly line of LEXINGTON PARK SUBDIVISION PHASE 3, according to the Official Plat thereof on file in the Office of the Davis County Recorder as Entry No. 1490619 in Book 2454 at Page 223; thence along said plat the following two (2) courses: (1) N89°32'27"W 392.27 feet; thence (2) N89°51'45"W 419.80 feet to the easterly right-of-way line of a Frontage Road (800 West) as established by UDOT Project No. I-15-7(19)315; thence along said right-of-way N00°13'11"E 432.00 feet to the south line of that Real Property identified by Davis County Tax ID No. 07-072-0028, the boundary of which was determined by Survey No. 6219 on file in the Office of the Davis County Surveyor; thence along said as-surveyed boundary S89°46'49"E 421.68 feet to a southwesterly corner of that Real Property described by Warranty Deed recorded in the Office of the Davis County Recorder as Entry No. 1347577 in Book 2176 at Page 915; thence along said deed the following two (2) courses: (1) S89°51'23"E 497.27 feet; thence (1) N12°59'38"W 1.00 feet to a point on the northerly line of that Real Property described by Warranty Deed recorded in the Office of the Davis County Recorder as Entry No. 1544114 in Book 2554 at Page 1169; thence along said deed S89°45'54"E 723.67 feet to a westerly line of CUTLER SUBDIVISION PHASE 5, according to the Official Plat thereof on file in the Office of the Davis County Recorder as Entry No. 2571788 in Book 5165 at Page 1697; thence along said plat the following four (4) courses: (1) S00°01'43"W 2.88 feet; thence (2) N89°14'56"E 192.21 feet; thence (3) N00°45'01"W 100.54 feet; thence (4) N89°15'01"E 21.25 feet; thence S89°36'24"E 239.38 feet to the point of beginning.

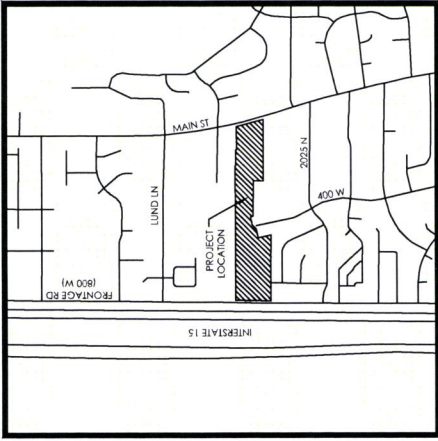
Contains: 17.81 acres+/-

**EXHIBIT B**

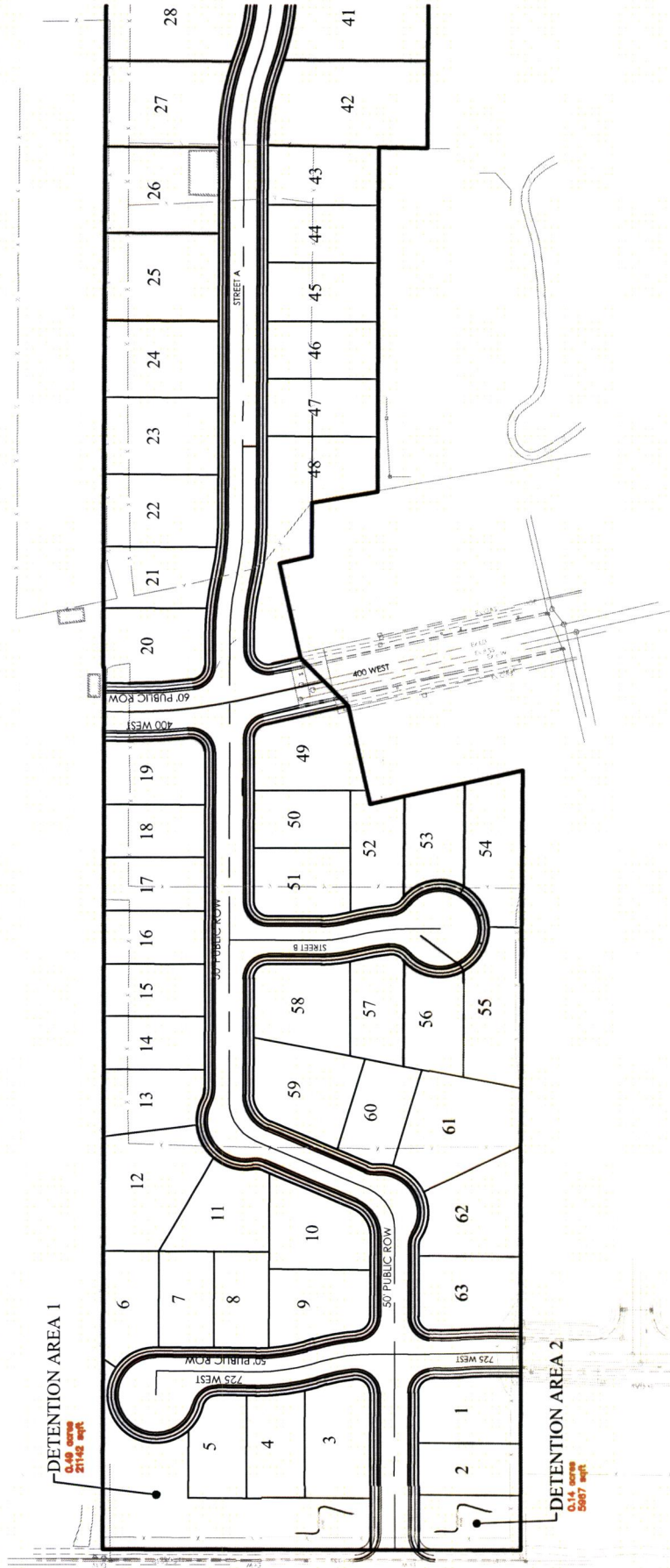
**The Summerhill Lane PDO  
Conceptual Plan and Details**

# SUMMERHILL LANE

PREPARED FOR:  
 SYMPHONY HOMES LOCATED IN:  
 CENTERVILLE, UTAH



VICINITY MAP  
NIS



SITE MAP

GENERAL AREA TABULATION  
 TOTAL DEVELOPMENT AREA = 17.2 ACRES

GENERAL NOTES

1. CONTRACTOR TO FIELD VERIFY HORIZONTAL AND VERTICAL

ENGINEER'S NOTES TO CONTRACTOR

1. THE EXISTENCE AND LOCATION OF ANY UNDERGROUND UTILITY PIPES, CONDUITS OR STRUCTURES

# CONCEPT NARRATIVE RESIDENTIAL

LOCATED IN: CENTERVILLE CITY,  
DAVIS COUNTY

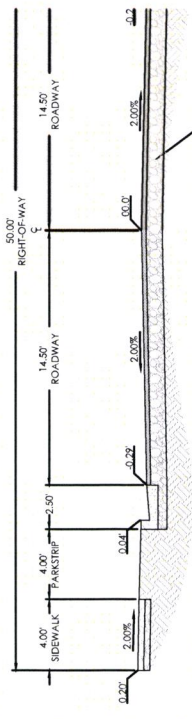
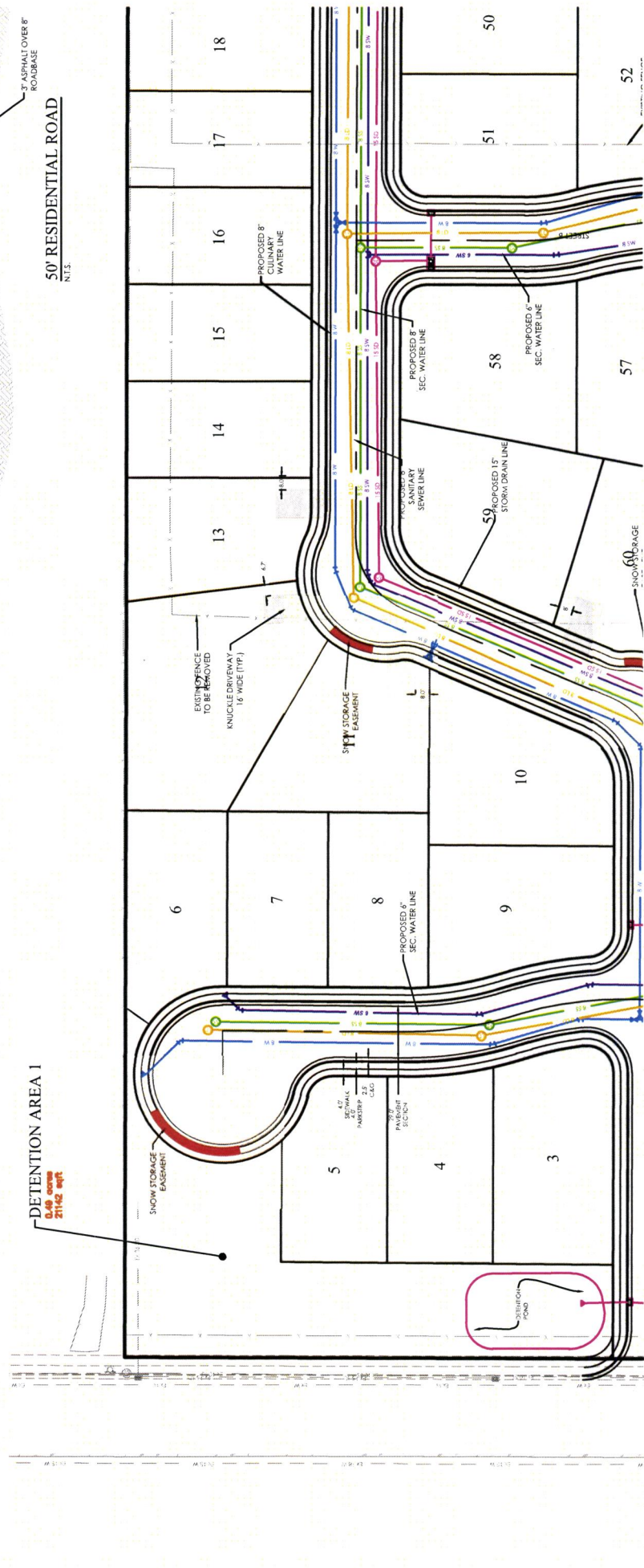
ORIGINAL PROPERTY: 17.81 ACRES  
TOTAL LOTS: 63  
TOTAL DENSITY: 3.54 UNITS/ACRE  
FLOOD ZONE DESIGNATION: ZONE X

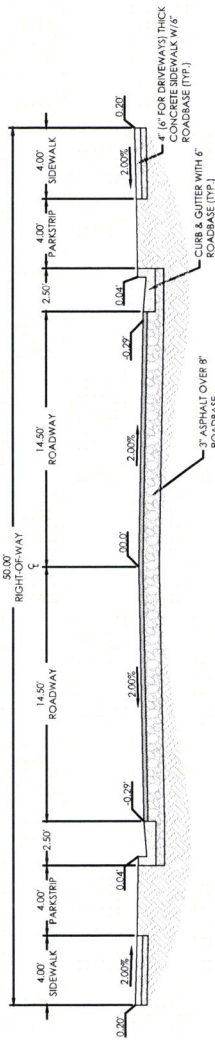
# PROPOSED ZONING

ZONE: PDO  
MINIMUM AVERAGE LOT SIZE: 5,000 SQFT  
FRONTAGE: 40'  
LOT WIDTH: 50'  
CORNER LOT WIDTH: 60'  
CUL-DE-SAC RADIUS: 50'  
ROW WIDTH: 50'-60'

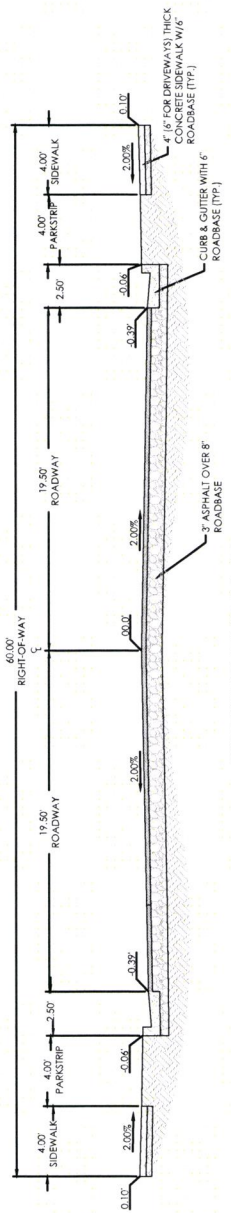
# LOT SETBACKS

- Lots: 2, 62, 53-52, 12-18, 21-26, 43-48, 61.  
Front= 20"  
Side= 6'; 12' Total  
Rear= 20'
- Lots: 4-5, 7-8, 11, 60, 56-57, 50.  
Front= 20"  
Side= 6'; 12' Total  
Rear= 15'
- Lots: 3, 9-10, 58-59, 51.  
Front= 20"  
Side= 6' & 15'  
Rear= 15'
- Lots: 55.  
Front= 20"  
Side= 6' & 8'  
Rear= 15'
- Lots: 27, 42.  
Front= 25"  
Side= 6' & 8'; 14' Total  
Corner side yard= 6' & 20'  
Rear= 20'

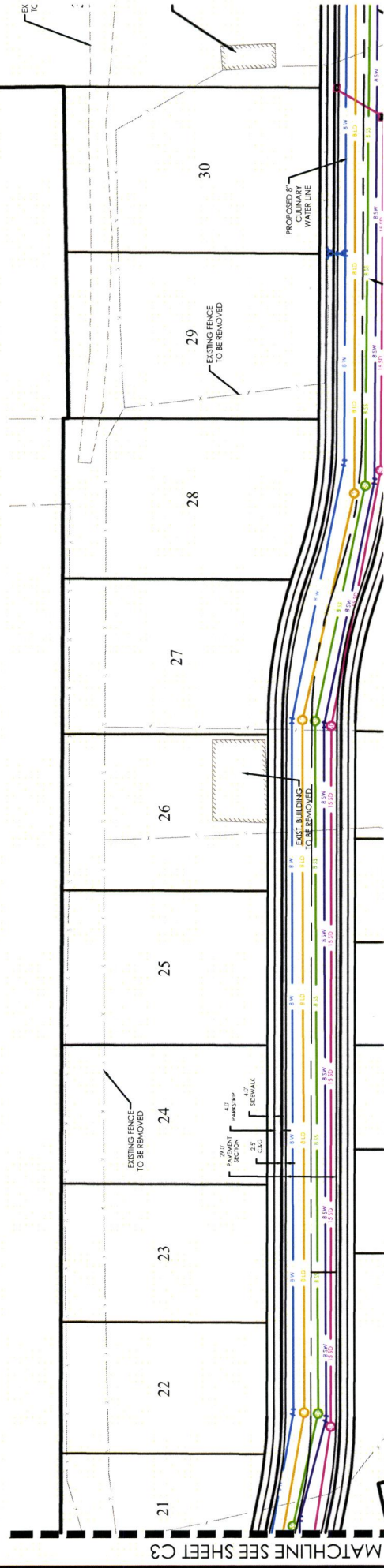








**50' RESIDENTIAL ROAD**  
N.T.S.

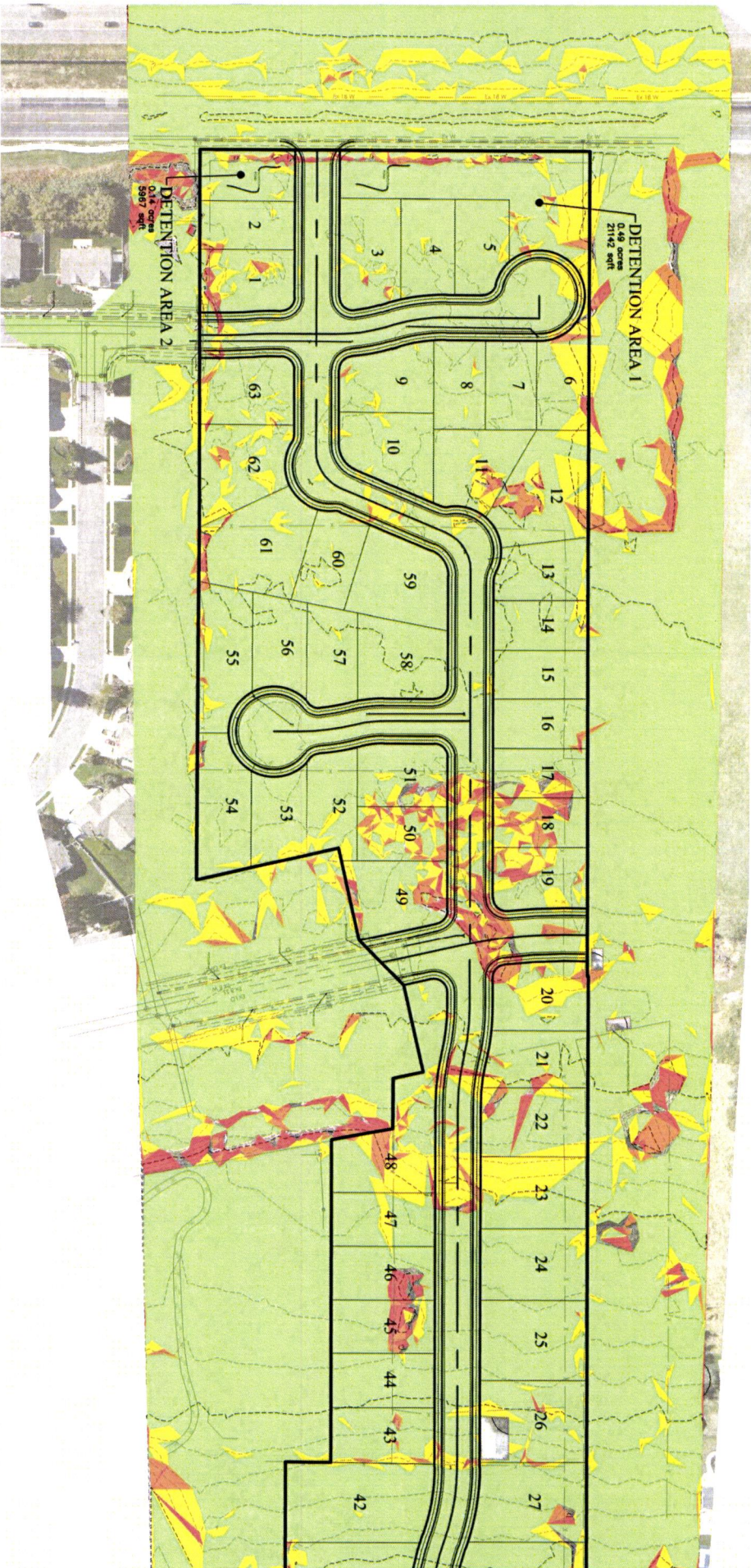


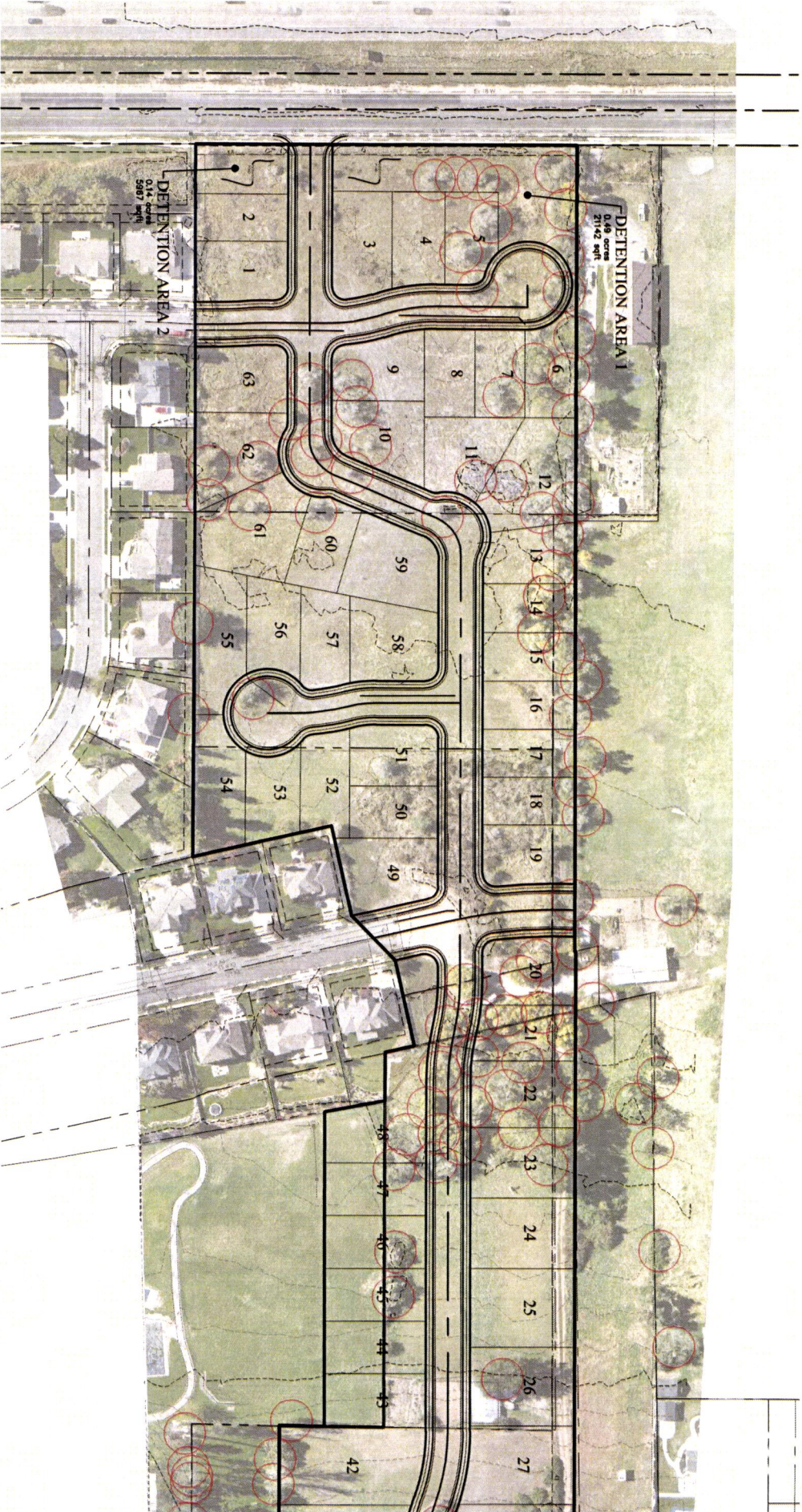
**60' RESIDENTIAL ROAD**  
N.T.S.



MATCHLINE SEE SHEET C3

Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.01%	10.00%	
2	10.00%	20.00%	
3	20.00%	30.00%	
4	30.00%	50.00%	





- NOTES:**
1. PLEASE NOTE: INDE OF NATAL SURVEYED PROPERTY, SEE NEARBY RECORDED PLATS & MAPS. PERMANENT TO BE OBTAINED FROM THE NATIONAL ARCHIVES (FEDERAL EMERGENCY MANAGEMENT AGENCY) FROM FLOOD INSURANCE RATE MAP (FIRM) MAP #49011 (CORRECTION EFFECTIVE DATE: JUNE 18, 2007).
  2. SEE LOTS EXHIBIT FOR STEEP SLOPES (SHEETS 31).
  3. SEE LOTS EXHIBIT FOR STEEP SLOPES (SHEETS 31).
  4. EXISTING TREES DENIED BY RED CIRCLES ON THIS PLAN.
  5. TO OUR UNDERSTANDING, THERE ARE NO SPECIAL PROTECTION OR CULTURAL HISTORIC AREAS ON SITE.

**LEGEND**





# YIELD PLAN TABLE

LOCATED IN: CENTERVILLE CITY,  
DAVIS COUNTY

ORIGINAL PROPERTY	17.24 ACRES
SINGLE FAMILY LOTS	66
TOTAL DENSITY	3.82 UNITS/ACRE
ROW WIDTH	50'-60'
MINIMUM LOT WIDTH	60'
MINIMUM LOT FRONTAGE	40'
CUL-DE-SAC RADIUS	50'
FLOOD ZONE DESIGNATION	ZONE X

