

ORDINANCE NO. 2021-13

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 0.18 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 1230 NORTH 1300 WEST FROM UNZONED TO SHORELANDS COMMERCE PARK ZONE

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, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from unzoned to the Shorelands Commerce Park Zone 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 1230 North 1300 West in Centerville City consisting of approximately 0.18 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from unzoned to the Shorelands Commerce Park Zone and the Centerville City Zoning Map is correspondingly amended as described herein. This rezone is subject to combining the subject property parcel number 06-003-0055 with the adjacent project property parcel number 06-003-0049.

Section 2. Findings. The rezone of the subject property from unzoned to the Shorelands Commerce Park Zone and corresponding amendment to the Centerville Zoning Map is based on the following findings:

- (1) The City Council finds that there has been a sufficient review and consideration of the criteria found in CZC Section 12.21.080(e); and
- (2) The City Council finds that the Zone Map amendment is substantially consistent with the goals of the General Plan, as described in the staff report; and
- (3) The City Council finds the request for Shorelands Commerce Park Zoning designation is appropriate.

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 18th DAY OF MAY, 2021.

ATTEST:

CENTERVILLE CITY

Jennifer Hansen
Jennifer Hansen, Deputy City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
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.

Jennifer Hansen
JENNIFER HANSEN, City Recorder

DATE: May 20, 2021

RECORDED this 20th day of May, 2021.

PUBLISHED OR POSTED this 20th of May, 2021.



EXHIBIT A

Property Description

Parcel No. 06-003-0055
Centerville, Utah

A TRACT OF LAND IN FEE SIT IN THE SE 1/4 SE 1/4 OF SEC 1-T2N-R1W, SLB&M. THE BNDRY OF SD TRACT OF LAND ARE DESC AS FOLLOWS: BEG AT A PT ON THE W'LY BNDRY LINE OF SD TRACT WH PT IS 829.62 FT N 00°00'11" W & 887.78 FT N 89°57'31" W ALG THE SEC LINE FR THE SE COR OF SD SEC 1, SD POB ALSO BEING THE NE'LY COR OF THAT PARTICULAR PARCEL PRESENTLY OWNED BY PASTURE LLC (AS DESC IN E# 2597875 & ASSIGNED AS PID# 06-003-0049 WITHIN THE DAVIS COUNTY RECORDER'S OFFICE); RUN TH S 89°57'31" E 7.83 FT TO A PT ON THE W'LY HWY R/W & NO-ACCESS LINE OF THE LEGACY PKWY HWY, SD PT ALSO BEING ON THE E BNDRY LINE OF GRANTOR'S TRACT (AS DESC IN E# 2583193 & ASSIGNED AS PID# 06-003-0047); TH SW'LY ALG THE SD W'LY HWY R/W & NO-ACCESS LINE OF THE LEGACY PKWY HWY, & THE SD E BNDRY LINE OF GRANTOR'S TRACT THE FOLLOWING 2 COURSES: (1) SW'LY 41.30 FT ALG THE ARC OF A 488.69 FOOT RADIUS CURVE TO THE LEFT (CHORD TO SD CURVE BEARS S 08°02'13" W 41.29 FT) TO A PT WH IS 163.95 FT (49.973 METERS) RADIALLY DISTANT NW'LY FR THE R/W CONTROL LINE AT ENGINEER STATION 6014+850.870, & (2) S 05°36'57" W 41.44 FT; TH S 27°39'27" W 68.97 FT; TH S 84°36'39" W 90.51 FT TO THE E'LY BNDRY LINE OF THE AFORESAID PASTURE LLC PARCEL & THE W'LY BNDRY LINE OF SD GRANTOR'S TRACT; TH N 39°29'27" E 144.56 FT ALG SD COMMON BNDRY LINE; TH 51.47 FT ALG THE ARC OF A 1892.06 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS N 38°42'42" E 51.47 FT) ALG SD COMMON BNDRY LINE TO THE POB. CONT. 0.179 ACRES