

ORDINANCE NO. 2021-23

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 1.67 ACRES OF CERTAIN REAL PROPERTY LOCATED AT APPROXIMATELY 695 WEST 400 SOUTH FROM COMMERCIAL-HIGH (C-H) TO COMMERCIAL-VERY HIGH (C-VH)

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 12-480-3.2, South Frontage Road Commercial Area, the City Council desires to amend the Centerville City Zoning Map to rezone the subject property from Commercial High (C-H) to Commercial Very High (C-VH) as more particularly provided herein; and

WHEREAS, the proposed amendments to the Centerville City Zoning Map for Young Power Sports 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.

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

Section 1. Zone Map Amendment. Subject to the condition of approval set forth in Section 2, the real property located at approximately 695 West 400 South in Centerville City consisting of approximately 1.67 acres as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Commercial High (C-H) to Commercial Very High (C-VH) and the Centerville Zoning Map is correspondingly amended as described herein.

Section 2. Condition of Zone Map Amendment. The Zone Map Amendment for Young Power Sports is subject to the following condition of approval: Any rezone of the tract of land cannot become effective until the subject property is legally combined and recorded with Davis County, thereby absorbing it into the applicable partially developed lot to the west, also owned by the Young Automotive Group.

Section 3. Findings. The rezone of the subject property to from Commercial High (C-H) to Commercial Very High (C-VH) for Young Power Sports is based on the following findings:

- (a) The City Council finds that there has been a sufficient review and consideration of the criteria outlined in CZC 12.21.080(e) of the Zoning Ordinance for rezone consideration.
- (b) The City Council finds that the rezone is substantially consistent with the goals of the General Plan and the rezone approval criteria, as described in the Staff Report.

- (c) The City Council finds that the requirement condition of the rezone for parcel absorption facilitates compliance with applicable zoning development regulations adopted by the City and is desired by the applicant.
- (d) The City Council finds that the request for Commercial-Very High (C-VH) zoning designation is appropriate.

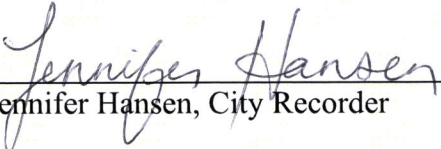
Section 4. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall 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 5th DAY OF OCTOBER, 2021.

ATTEST:

CENTERVILLE CITY


 Jennifer Hansen, City Recorder

By: 
 Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Fillmore	<u>X</u>	<u> </u>	<u> </u>
Councilmember Ince	<u>X</u>	<u> </u>	<u> </u>
Councilmember Ivie	<u>X</u>	<u> </u>	<u> </u>
Councilmember McEwan	<u> </u>	<u> </u>	<u> X </u>
Councilmember Mecham	<u>X</u>	<u> </u>	<u> </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: 10/08/2021

RECORDED this 8 day of Oct, 2021.

PUBLISHED OR POSTED this 8 of Oct, 2021.



EXHIBIT A

**Young Power Sports
Rezone Property Description**

All of Parcel No. 03-001-0038

BEG AT A PT 1070.52 FT N & 476.14 FT E OF SW COR OF NW 1/4 OF SEC 18-T2N-R1E,
SLM; TH N ALG AN EXIST FENCE LINE 661.94 FT; TH E 110 FT; TH S 661.94 FT TO
EXIST FENCE LINE; TH W 110 FT TO POB. CONT. 1.67 ACRES. TOGETHER WITH R/W