

**ORDINANCE NO. 2024-06**

**AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP BY CHANGING THE ZONING OF APPROXIMATELY 1.31 ACRES OF REAL PROPERTY LOCATED AT 1167 NORTH MAIN STREET FROM AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-LOW (R-L) AND APPROXIMATELY 2.03 ACRES OF REAL PROERTY LOCATED AT 1193 NORTH MAIN STREET 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 §§ 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 properties, the City Council desires to amend the Centerville City Zoning Map to rezone the subject properties 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 for the subject properties 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.** The real properties located at approximately 1167 North Main Street and 1193 North Main Street in Centerville City consisting of approximately 1.31 acres and 2.03 acres, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, are hereby rezoned from Agricultural-Low (A-L) to Residential-Low (R-L) and the Centerville Zoning Map is correspondingly amended as described herein.

**Section 2. Findings.** The rezone of the subject properties from Agricultural-Low (A-L) to Residential-Low (R-L) is based on the following findings:

- (a) The proposed Zoning Map amendment meets the goals and objectives of the General Plan concerning Neighborhood 4 [12-480-5].
- (b) The proposed Zoning Map amendment is deemed consistent or adequate with the review requirements listed in CZC 12.21.080(e), as reviewed in the applicable Staff Report.

**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 7<sup>th</sup> DAY OF MAY, 2024.**

**ATTEST:**

**CENTERVILLE CITY**

DocuSigned by:  
*Jennifer Robison*  
744B22DE1D2445C...  
Jennifer Robison, City Recorder

DocuSigned by:  
*Clark Wilkinson*  
By: \_\_\_\_\_  
033C8161C96B476...  
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hayman	<u>  x  </u>	<u>          </u>	<u>          </u>
Councilmember Hirst	<u>  x  </u>	<u>          </u>	<u>          </u>
Councilmember Mecham	<u>  x  </u>	<u>          </u>	<u>          </u>
Councilmember Plummer	<u>  x  </u>	<u>          </u>	<u>          </u>
Councilmember Summerhays	<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 as required by law.

DocuSigned by:  
*Jennifer Robison*  
744B22DE1D2445C...  
JENNIFER ROBISON, City Recorder

DATE: 5/31/2024 9:29 AM MDT

RECORDED this 31 day of May, 2024.

PUBLISHED OR POSTED this 31 of May, 2024.



**EXHIBIT A**

**DUSHKU REZONE PROPERTY DESCRIPTIONS**

**1167 North Main Street**

Parcel No. 02-015-00076

BEG ON W LINE OF A STR AT A PT 26.42 CHAINS W & 992.61 FT N & 2.0 FT W FR THE SE COR OF SEC 6-T2N-R1E, SLM; TH N 135.93 FT ALG SD STR; TH W 422.7 FT; TH S'LY TO A PT N 89°53'55" W OF THE BEG; TH S 89°53'55" E 422.7 FT TO THE POB.

CONT. 1.314 ACRES

AND

**1193 North Main Street**

Parcel No. 02-015-0125

BEG AT A PT WH IS W 1735.76 FT ALG SEC LINE & N 0°04'30" E 1130.58 FT ALG W LINE OF STATE ROAD & W 297.4 FT FR SE COR OF SEC 6-T2N-R1E, SLM; RUN TH W 297.3 FT; TH N 0°04'30" E 146.52 FT; TH E 297.3 FT; TH S 0°04'30" W 146.52 FT TO POB. CONT 1.00 ACRES

ALSO: BEG 1745.72 FT W & 17.13 CHAINS N FR THE SE COR OF SEC 6-T2N-R1E, SLM; & RUN TH N 152.65 FT, M/L, ALG W LINE OF HWY TO AN OLD FENCE LINE; TH N 89°50'45" W 295.4 FT ALG SD FENCE LINE; TH S 153.45 FT, M/L, TO THE SW COR OF PPTY CONV IN 285-294; TH E 295.4 FT TO THE POB. CONT 1.033 ACRES.

TOTAL ACREAGE 2.033 ACRES