

ORDINANCE NO. 2025-06

AN ORDINANCE AMENDING THE CENTERVILLE ZONING MAP TO REZONE A PARCEL OF PROPERTY SHOWN AS PARCEL A ON THE SUMMERHILL LANE SUBDIVISION FOURTH AMENDMENT FROM RESIDENTIAL-LOW WITH A PLANNED DEVELOPMENT OVERLAY (R-L-PDO) TO AGRICULTURAL-LOW (A-L), AMENDING THE PLANNED DEVELOPMENT OVERLAY FOR THE SUMMERHILL LANE PDO TO ADJUST THE BOUNDARIES OF THE PROJECT, AND APPROVING THE AMENDED CONCEPTUAL PLAN FOR THE SUMMERHILL LANE PDO

WHEREAS, the City Council previously approved the rezoning of property for the Summerhill Lane Planned Development Overlay (PDO) from Agricultural-Low (A-L) to Residential-Low with a Planned Development Overlay (R-L-PDO) as more particularly provided in Ordinance No. 2020-13, as amended; and

WHEREAS, the Developer and subject property owner have requested Parcel A of the Summerhill Lane Subdivision be rezoned from Residential-Low with a Planned Development Overlay (R-L-PDO) to Agricultural-Low (A-L) and that the Summerhill Lane PDO be amended to exclude such property from the Summerhill Lane PDO and to include it within the adjacent Parcel No. 07-072-0031; 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 amendments to the Conceptual Plan.

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

Section 1. PDO and Concept Plan Amendments. Subject to the conditions of approval set forth in Section 2, Parcel A of the Summerhill Lane Subdivision Fourth Amendment, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned from Residential-Low with a Planned Development Overlay (R-L-PDO) to Agricultural-Low (A-L) and the Conceptual Plan for the Summerhill Lane PDO is hereby amended to adjust the original PDO subdivision boundary to exclude such property from the project and to include it within the existing Parcel No. 07-072-0031, as more particularly described in **Exhibit B**, attached hereto and incorporated herein by this reference.

Section 2. Conditions. The Zoning Map and PDO amendments for the Summerhill Lane PDO as set forth herein are subject to applicable conditions of approval as set forth in the original PDO and rezone Ordinance No. 2020-13, as amended, and to the following additional conditions:

- a. All other applicable Summerhill Lane PDO Approval provisions shall remain in effect for the Summerhill Lane Subdivision that have not been amended by this Approval.

- b. The various proposed Subdivision Plat Amendments shall be submitted in accordance with CMC 15.09 “Plat Amendments,” which shall be obtained and recorded prior to issuance of any building permits for the subject lots or Parcel 07-072-0031.
- c. The Zoning Map Amendments for the subject property shall not become effective until and unless the proposed Subdivision Plat Amendment for Summerhill Lane Subdivision Fourth Amendment is approved and recorded. The Zoning Map Amendment shall become effective immediately upon recording of the approved Subdivision Plat Amendment.
- d. In order to ensure no remnant parcel remains after the Subdivision Plat Amendment is recorded, the rezoned property shall be combined with the existing Parcel No. 07-072-0031 as represented on the proposed Subdivision Plat Amendment.

Section 3. Findings. The Zoning Map and PDO amendments for the Summerhill Lane PDO are based on the following findings:

- a. The proposed Zoning Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 4 (General Plan Section 12-480-5).
- b. The proposed Zoning Map Amendment, in conjunction with the quitclaim deed of Parcel A to Spencer and Pamela Packer from Symphony Development Corporation, meets the use, standards, and applicability in the City Zoning Code 12.31 “Agricultural Zones,” 12.32 “Residential Zones,” and City Zoning Code 12.21.080(e).
- c. The proposed Planned Development Overlay Zoning Amendment, in conjunction with the quitclaim deed of Parcel A to Spencer and Pamela Packer from Symphony Development Corporation, in conjunction with the quitclaim deed of Parcel A to Spencer and Pamela Packer from Symphony Development Corporation, meets the use, standards, and applicability as outlined in City Zoning Code 12.41 “Planned Development Overlay Zone.”
- d. The Planning Commission has reviewed and recommends approval of the Zoning Map Amendment and Planned Development Overlay Zoning Amendment request.

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. Subject to the conditions of approval set forth in Section 2, this Ordinance shall take effect immediately 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 1st DAY OF APRIL, 2025.

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

| | "AYE" | "NAY" | "ABSENT" |
|--------------------------|----------|-------|----------|
| Councilmember Haymann | <u>✓</u> | _____ | _____ |
| Councilmember Hirst | <u>✓</u> | _____ | _____ |
| Councilmember Mecham | <u>✓</u> | _____ | _____ |
| Councilmember Plumber | <u>✓</u> | _____ | _____ |
| Councilmember Summerhays | <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 in accordance with Utah law.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 4-2-2025

RECORDED this 2nd day of April, 2025.

PUBLISHED OR POSTED this 2nd of April, 2025.



EXHIBIT A

**Legal Description of Parcel A to be Rezoned to Agricultural-Low (A-L) and excluded from
the Summerhill Lane PDO**

ALL OF PARCEL "A" OF THE
SUMMERHILL LANE SUBDIVISION FOURTH AMENDMENT
CONT. 0.31 ACRES

