

ORDINANCE NO. 2015-31

AN ORDINANCE AMENDING THE CENTERVILLE CITY ZONING MAP TO REZONE CERTAIN REAL PROPERTY DESCRIBED HEREIN TO INCLUDE THE DEUEL CREEK HISTORIC DISTRICT OVERLAY DESIGNATION

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, the City Council desires to amend the Centerville City Zoning Map to rezone certain described properties within the Deuel Creek Historic District to include the Deuel Creek Historic District Overlay designation 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. All real property located within the Deuel Creek Historic District consisting of the geographic area bounded by the east facing side of Main Street from Parrish Lane (400 North) to Porter Lane (400 South), north and south facing sides of Porter Lane (400 South) from Main Street to 400 East, west facing side of 400 East from Porter Lane (400 South) to Parrish Lane (400 North), and the south facing side of Parrish Lane (400 North) from 400 East to Main Street, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, is hereby rezoned to include the Deuel Creek Historic District Overlay designation and the Centerville City Zoning Map is correspondingly amended as described herein.

Section 2. Findings. The rezone of the subject property to the Deuel Creek Historic District Overlay and corresponding amendment to the Centerville City Zoning Map is based on the following findings:

1. The proposed Zoning Map amendment meets the requirements found in Section 12-21-080(4)(e).
2. The proposed Zone Map amendment meets the goals and objectives of the General Plan concerning a historic district [Section 12-480-8(3)].
3. Creating the Deuel Creek Historic District would not have a negative impact on the surrounding community.
4. Through research, site visits, three public work sessions and several meetings, the Landmarks Commission believes they have covered important aspects of location, guidelines and incentives for the overlay zone.

5. The City Council, Planning Commission, and Landmarks Commission believe the proposed overlay zone and related proposed Zoning Map amendment will be beneficial to the neighborhood.

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 15th DAY OF DECEMBER, 2015.

ATTEST:

CENTERVILLE CITY

Marsha L. Morrow, City Recorder

By: _____
Mayor Paul A Cutler

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Averett	_____	_____
Councilmember Fillmore	_____	_____
Councilmember Higginson	_____	_____
Councilmember Ivie	_____	_____
Councilmember Wright	_____	_____

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.

MARSHA L. MORROW, City Recorder

DATE: _____

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ of _____, 20__.

EXHIBIT A

Deuel Creek Historic District Rezone Boundaries

