

CENTERVILLE CITY PLANNING COMMISSION AGENDA

Public meetings will be held electronically via Zoom and live streamed on the Centerville City YouTube channel in accordance with Executive Order 2020-5 Suspending the Enforcement of Provisions of Utah Code 52-4-202 and 52-4-207 due to Infectious Disease COVID-19, issued by Governor Herbert on March 18, 2020. Centerville City Utah YouTube Channel link: <https://www.youtube.com/user/centervillecityutah/videos>. *Public meetings conducted via Zoom may be terminated at any time due to hackers or inappropriate content*

NOTICE IS HEREBY GIVEN THAT THE CENTERVILLE CITY PLANNING COMMISSION WILL HOLD ITS REGULAR PUBLIC MEETING AT 7:00 PM ON JULY 8, 2020 AT THE CENTERVILLE CITY HALL COUNCIL CHAMBERS, 250 NORTH MAIN STREET, CENTERVILLE, UTAH. THE AGENDA IS SHOWN BELOW.

Meetings of the Planning Commission of Centerville City may be conducted via electronic means pursuant to Utah Code Ann. 52-4-207, as amended. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Centerville City, in compliance with the Americans With Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance, including hearing devices. Persons requesting these accommodations for City-sponsored public meetings, services, programs, or events should call Jacob Smith, Administrative Services Director, at 801-295-3477, giving at least 24 hours notice prior to the meeting.

The full packet of backups can be found at <http://centerville.novusagenda.com/agendapublic>.

A. ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. PRAYER OR THOUGHT

Kevin Daly, Commissioner

D. COMMISSION BUSINESS

1. Legislative Decision - Public Hearing - Zoning Map Amendment - Summerhill Lane Development

Consider proposed Zoning Map Amendments creating the Summerhill Lane Residential-Low Planned Development Overlay Zone

Join Zoom Meeting

[https://zoom.us/j/99843012287?](https://zoom.us/j/99843012287?pwd=YUNGakt4WVFnb2w3LzRZNEVMTmRzUT09)
pwd=YUNGakt4WVFnb2w3LzRZNEVMTmRzUT09

Meeting ID: 998 4301 2287

Password: 250769

One tap mobile

+13462487799,,99843012287#,,,0#,,250769# US (Houston)

+16699009128,,99843012287#,,,0#,,250769# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

2. Legislative Decision - Public Hearing - Zoning Map Amendment - Dave's Complete Auto
3. Legislative Decision - Public Hearing - Zoning Code Amendments - Chapter 12.69 (Medical Cannabis Facilities)

Consider proposed Zoning Code Amendments enacting Chapter 12.69 regarding Medical Cannabis Facilities - Ordinance No. 2020-03

4. Community Development Director Report & City Council Update

City Council Update:

- Nothing to Note

Next Planning Commission Meeting of 7/22/2020:

- SMSC Plan Status Review & Direction From Commission
- Residential Buffering Regulation - Text Amendments
- Meeting with the Tree Board

2020 Commission Goals:

- South Main Street Corridor Plan Update - underway
- Standards for Minimum Residential Buffering Regulations (between types of residential development)
- Transportation Plan Element Update - yet to be started
- West Centerville Neighborhood Plan Update (SCP mixed-residential reconsideration) - PC received initial information on Feb. 12, 2020

E. MINUTES REVIEW AND ACCEPTANCE

June 24, 2020

F. ADJOURNMENT

Mackenzie Wood
Centerville Assistant Planner

CENTERVILLE

Staff Backup Report

7/8/2020

Item No. 1.

Short Title: Legislative Decision - Public Hearing - Zoning Map Amendment - Summerhill Lane Development

Initiated By:

Scheduled Time:

SUBJECT

Consider proposed Zoning Map Amendments creating the Summerhill Lane Residential-Low Planned Development Overlay Zone

Join Zoom Meeting

<https://zoom.us/j/99843012287?pwd=YUNGakt4WVFnb2w3LzRZNEVMTmRzUT09>

Meeting ID: 998 4301 2287

Password: 250769

One tap mobile

+13462487799,,99843012287#,,,,0#,,250769# US (Houston)

+16699009128,,99843012287#,,,,0#,,250769# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ 7-8-20 PC Staff Report Summerhill Land Rezone PDO
- ☐ Summerhill Lane Concept Plan
- ☐ Weber Basin Service Letter
- ☐ 11-13-19 PC Staff Report
- ☐ 11-14-19 CC Transmittal Report

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801)292-8232**

**STAFF REPORT
AGENDA: ITEM 1**

PROPERTY OWNER: SYMPHONY DEVELOPMENT CORPORATION

APPLICANT: SYMPHONY HOMES
c/o RUSSELL WILSON
111 S FRONTAGE ROAD
CENTERVILLE, UT 84014
(rwilson@symphonyhomes.com)

PROPERTY LOCATION: 2125 N MAIN ST

PARCEL SIZE: 17.24 ACRES

ZONING DISTRICT: AGRICULTURE-LOW (A-L)

APPLICATION: R-L PDO ZONE APPLICATION & CONCEPTUAL
SITE PLAN

BACKGROUND

Russell Wilson of Symphony Homes has applied for a Residential-Low Planned Development Overlay (PDO) Zone for the parcels previously tabled for a rezone from Agriculture-Low to Residential-Low. The PDO requires a Conceptual Site Plan to be approved in conjunction with the rezone. Previous staff reports and conceptual site plan are attached to the agenda item for full reference.

CODE REQUIREMENTS

Approval Criteria – CZC 12.41.080(b) states the zoning map amendment and conceptual site plan may be approved only if the City Council finds the following:

CZC 12.41.080(b) (1)

A. Does not conflict with any applicable policy of the General Plan.

Section 12-420-2 of the General Plan states the desire of residents is to maintain the single-family residential character of development. In addition, 12-420-3 states that ‘The City shall assure an adequate supply of housing for future population through identification of optimum locations for housing development and provision of City services as required.’

Section 12-480-5 of the General Plan addresses the Northwest Centerville Neighborhood. As stated in previous staff reports, this land is maintain semi-rural properties for current owners, and to preserve the viability of development for future owners.

- **Staff Response:** The proposal meets the requirements of sections 12-420-2&3 of the General Plan by maintaining the single-family residential character of Centerville while also providing housing for the ongoing needs of current and future residents.

The competing goals of semi-rural preservation for current owners and the viability of future development are also met with this project. The rezone does not attempt to rezone any other property owners’ land from Agriculture-Low to Residential-Low, just the parcels already owned by the developer. It also will provide new housing opportunities for residents and those seeking to live in Centerville.

B. Meets the purpose and intent of CZC 12.41.010.

“The Planned Development Overlay (PDO) Zone allows residential... projects to be developed in a manner that allows design flexibility, integration of mutually compatible uses, integration of open spaces, clustering of dwelling units, and optimum land planning with greater efficiency, convenience and amenity than is possible under conventional zone regulations. To achieve these purposes, this Chapter requires a planned development to be designed and approved as an integrated project that implements goals of the General Plan, has an overall architectural design theme, and allows a variety of uses to be established in a mutually compatible manner.”

- **Staff Response:** Staff finds this project to meet the requirements of CZC 12.41.010 by implementing applicable General Plan goals, and is an integrated project which allows for a variety of lot sizes. An overall housing design scheme has not been proposed at present.

C. Allows integrated planning and design of the property and, on the whole, better development than would be possible under conventional zoning regulations

- **Staff Response:** The project submittal for the PDO Zone has taken into account City Council and Staff input on the construction of the needed storm drain system, size and direction of the road, and the placement of proposed cul-de-sacs. Staff also believes the placement of the roadway allows opportunity for access to the neighboring elementary school.

D. Meets the use and development limitations and requirements of the zone with which the PDO Zone is combined, except as otherwise allowed by this Chapter

Residential-Low development requirements

	Required	Proposed 6,000 SF Lots	Proposed 10,000 SF Lots	R-L	PDO
Frontage	40'	40'		YES	YES
Min. Width	60' 70' Corner Lot	60' 70'		YES	YES
Front Setback	25'	20'	25'	PARTIAL	YES
Rear Setback	20'	15'	20'	PARTIAL	YES
Side Setback	8', 18' Total	5', 10' Total	6'/8', 14' Total	NO	YES
Density	4 units/acre	3.42 units/acre	3.42 units/acre	YES	YES
Landscaping					NO

- **Staff Response:** The proposed project meets all of the following Residential-Low Zone requirements except there is no formal plan for expected lot landscaping.

Staff finds that the will serve letter from Weber Basin has some specific requirements regarding the use of landscaping. If a landscaping theme, meeting Weber Basin's expectations, is required by the City, landscaping plan can be addressed at the Final Subdivision Plan process as long as it adheres to CZC 12.51.040, with special note of CZC 12.51.070(a)(6) that no trees shall be planted in the park strip.

E. Meets the density limitations of the General Plan

- **Staff Response:** The proposed project is at 3.42 units per acre which falls within the 0-4 units per acre allowed in the General Plan for Low Density Residential Zones

- F. If a residential density bonus is authorized, provides superior site design and increased amenities, as provided in CZC 12.41.080(c), which ameliorate the potential impact of increased density

➤ **Staff Response:** The applicant has not requested a density bonus as part of the requested PDO approval.

CZC 12.41.080(b) (2)

In addition to items A-F, the applicant has:

- a. Sufficient control over the property to be developed to ensure development will occur as approved;
- b. The financial capability to carry out the planned development project, and
- c. The capability to start construction within one year of final plan approval.

➤ **Staff Response:** In a letter dated January 22, 2020, the applicant stated that Symphony Homes has the ability to ensure development, the financial capacity to carry it out, and capability to start construction within one year of final approval.

CMC 15.05.010(e)

The maximum length of blocks shall be 1200 feet. In blocks over 800 feet in length, a dedicated public walkway through the block, at approximately the center of the block, may be required. Such walkways shall not be less than 10 feet in width unless otherwise approved by the City.

➤ **Staff Response:** The length of the street from Main Street to 400 West is possibly greater than the allowed 1200 feet. The developer will need to provide verification of the length of the street. In addition, it is Staff's opinion that a dedicated public walkway should be provided at mid-block.

PDO Development Standards

CZC 12.41.100 sets forth development standards for planned developments that shall prevail over any contrary base zone standards.

- (a) Access. Access to a planned development should be from interior streets rather than directly from adjoining perimeter streets.
➤ **Staff Response:** All access to homes is from the proposed interior street.
- (b) Building height shall be governed by the underlying zone.
- (c) Common Areas.

- **Staff Response:** Common areas are not required under the PDO Ordinance. There is currently no formally proposed common area. However, there are two items of note, first the detention basin that is required will need to be maintained by the developer or by a home owner's association. The applicant has not proposed who will maintain the detention basin.

Second, there is a remnant parcel (Parcel A) that could become a common area. The applicant has mentioned that it will be deeded to the adjoining property owner, but there has been no verification of this. Remnant parcels cannot be recorded on the Plat, so proof of responsibility for Parcel A will need to be provided, or it will need to be assimilated into the lot layout of the subdivision.

(d) Distance between buildings. No requirement, except as provided in Construction Codes.

(e) Lot area and width. A planned development shall not be subject to the lot width and lot area requirements of the underlying zone in which the development is located. The area and widths of lots shall be shown on an approved subdivision plan.

(f) Required Improvements.

1. All streets shall be dedicated public streets constructed as required by City Standards and Specifications.
2. Sidewalks shall be installed along both sides of all streets except where alternate pedestrian ways are provided as part of an approved conceptual site plan.
3. Stormwater shall be controlled and managed according to a plan approved by the City.
4. Water and sewer systems shall be provided in accordance with standards of CMC 15 (Subdivisions).
5. Irrigation water, street signs, street lighting, fencing, and any other required improvements shall be provided in accordance with City Standards and Specifications.
6. Other utilities and improvements shall be provided and installed in accordance with City Standards and Specifications and other applicable specifications.

- **Staff Response:** Kevin Campbell, City Engineer, and Randy Randall, Public Works Director, have provided the following items of concern.

- Weber Basin Irrigation pressure during peak demand
- Detention will be required for the development even after UDOT acquires half or so of the area designated by the City Master Plan for regional detention
- Radii at [street] knuckles need to be analyzed

(g) Required Yards. The yard and setback requirements of the underlying zone shall not apply, but shall be as shown on an approved site plan.

- **Staff Response:** The conceptual site plan shows two options for yard sizes. One for lots of 6,000 SF and one for lots of 10,000 SF. The smaller lots vary more from the base zone regulations than the 10,000 SF lots. Per the code, there is not a mandatory yard size, however, the tract perimeter (item i) will affect many of the lots in the proposed PDO.

Lots 13 and 56 are inverted pie shaped lots, with large frontages and narrow backyard boundary lines. Staff is concerned that this will create difficult building pads that do not allow for adequate yard sizes. However, there is not a required yard size under the PDO.

(h) Residential Use Types.

- a. Single-family detached dwelling located on privately owned lot which is not attached to another dwelling unit and has a private yard on all four sides of the dwelling

- **Staff Response:** The conceptual site plan shows only single-family detached dwellings surround on four sides by private yards.

(i) Tract Perimeter Setback and Buffer Requirements. Structures within any PDO shall be situated so as to maintain a minimum setback from any perimeter property line equivalent to the rear yard or side yard setback(s) of the underlying zone of the PDO depending upon the orientation of such structures (e.g. rear yard adjacent to rear yard, or side yard adjacent to side yard). If such orientation cannot be determined due to the absence of adjacent development, then the minimum rear yard setback for the underlying zone shall be used. Except for single-family dwelling structures, a 30 foot landscape buffer shall be provided for every lot or parcel within the PDO that adjoins land used or zoned for a single-family dwelling. Such buffer shall meet the landscaping standards set forth in CZC 12.51 (Landscaping and Screening).

- **Staff Response:** Only a handful of the proposed 62 lots do not abut other properties. Lots not requiring perimeter setbacks are: 2-7, 10-15, 36, 37, 47, 48, 52, and 53-58. Lots 17-34, 39-45, 51, and 60-61 need to meet the 20 foot rear yard setback. Lots 23-24, 38, 46, and 62 need to meet corner side yard setbacks of at least eight feet along the perimeter. Lots 1, 8-9, 35, 45, 51, and 52 need to meet the base zone side yard setback of eight feet along the perimeter.

Staff recommends a resubmittal of the proposed layout which specifies the setbacks for each lot to minimize confusion at the building permit process.

(j) Walls and Fences. Walls and fences may be required around the perimeter of a planned development where the development abuts an adjacent zone.

- **Staff Response:** All adjacent properties are zoned residential, and staff finds a standard six-foot fence will be adequate buffer.

The table below notes the items a-j that require attention.

	Required	Proposed	Needs Attention
Access	Access from Interior Street	Access from Interior Street	
Common Areas	N/A	Detention Basin & Parcel A	√
Lot Area & Width	N/A	Follows Base Zone	
Required Improvements	CZC 12.41.100(f)(1-6)	1-6 proposed	√
Required Yards	N/A	Follows Base Zone	
Residential Use Types	CZC 12.41.100(h)	Single-Family Detached	
Tract Perimeter Setback	Base Zone	None	√
Landscape Buffer	Between Residential & Non-Residential Development	N/A	
Walls & Fences	May be required at perimeter	None proposed	√

PLANNING STAFF RECOMMENDATIONS

OPTION 1: I hereby make a motion to TABLE the application for zoning map amendment and Planned Development Overlay for Symphony Homes at 2125 N Main Street with the following directives to the applicant:

1. Provide site plan with tract perimeter setbacks as mentioned in the staff report
2. Address maintenance responsibility of drainage detention common area and any expectations of the City Engineer.
3. Address the matters related to the depiction of Parcel A.

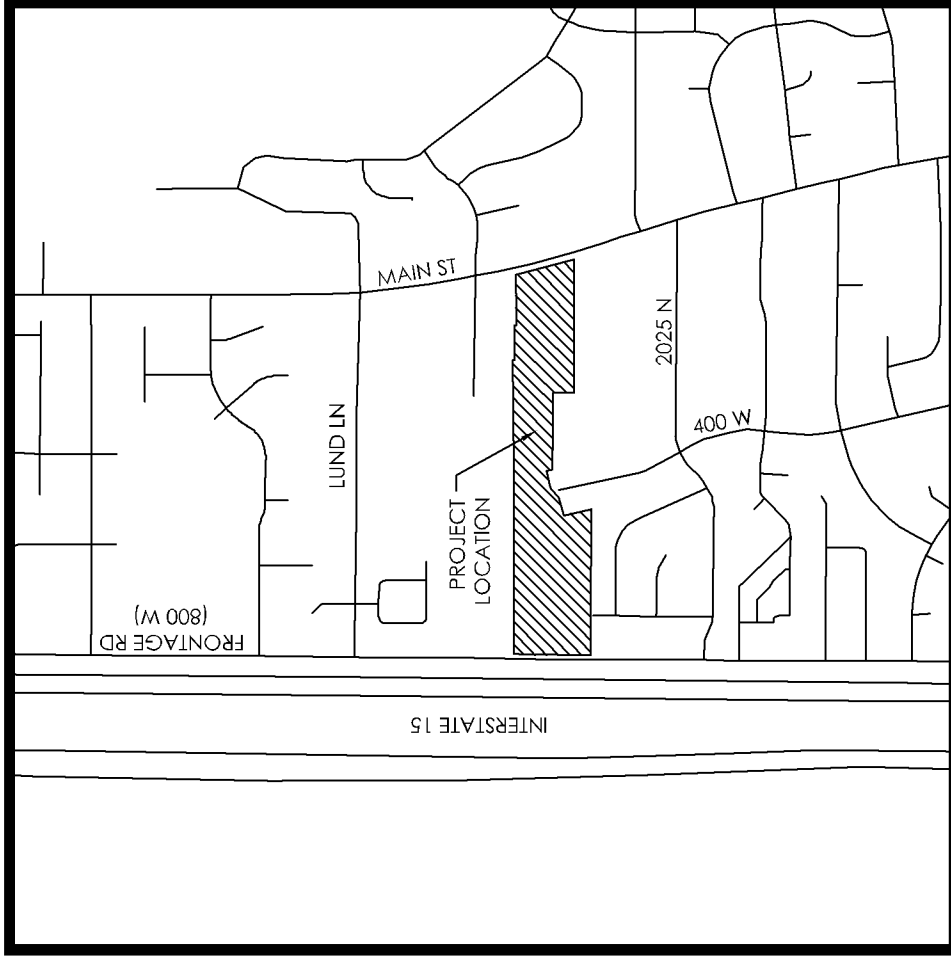
4. Provide overall landscaping design scheme of the development meeting Weber Basin's expectations.
5. Provide street lengths and mid-block dedicated public walkway.

Reasons for action (findings)

- a. The Planning Commission finds the application does not fully meet requirements set forth in CZC 12.41.100 for compliance with the PDO provisions.

OPTION 2: I hereby make a motion to RECOMMEND APPROVAL of the Zoning Map Amendment and Planned Development Overlay of Summerhill Lane Development at 2125 N Main Street to the City Council subject to the following:

- a. The proposed amendment, with the directives recommended, meets the requirements found in Section 12.41.100.
- b. The proposed Zone Map Amendment is consistent with the goals and objectives of the General Plan concerning Neighborhood 4 [General Plan Section 12-480-5].
- c. Adequate facilities are located within the subject property [Section 12.21.080(e)(5)]



VICINITY MAP

NTS



CENTERVILLE CITY,
DAVIS COUNTY

17.24 ACRES

59

3.42 UNITS/ACRE

ZONE X

PDO

6,000 SQFT

40.

60.

70

50.

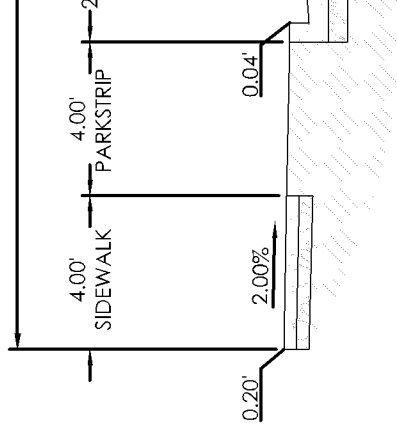
50'-60'

20'

15

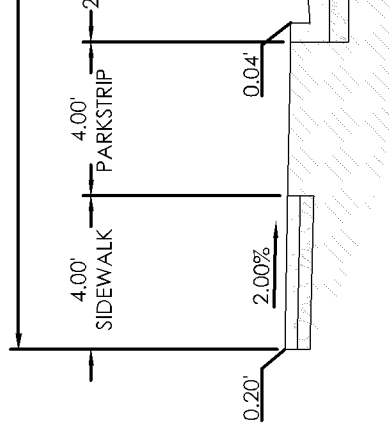
5'; 10' TOTAL

25

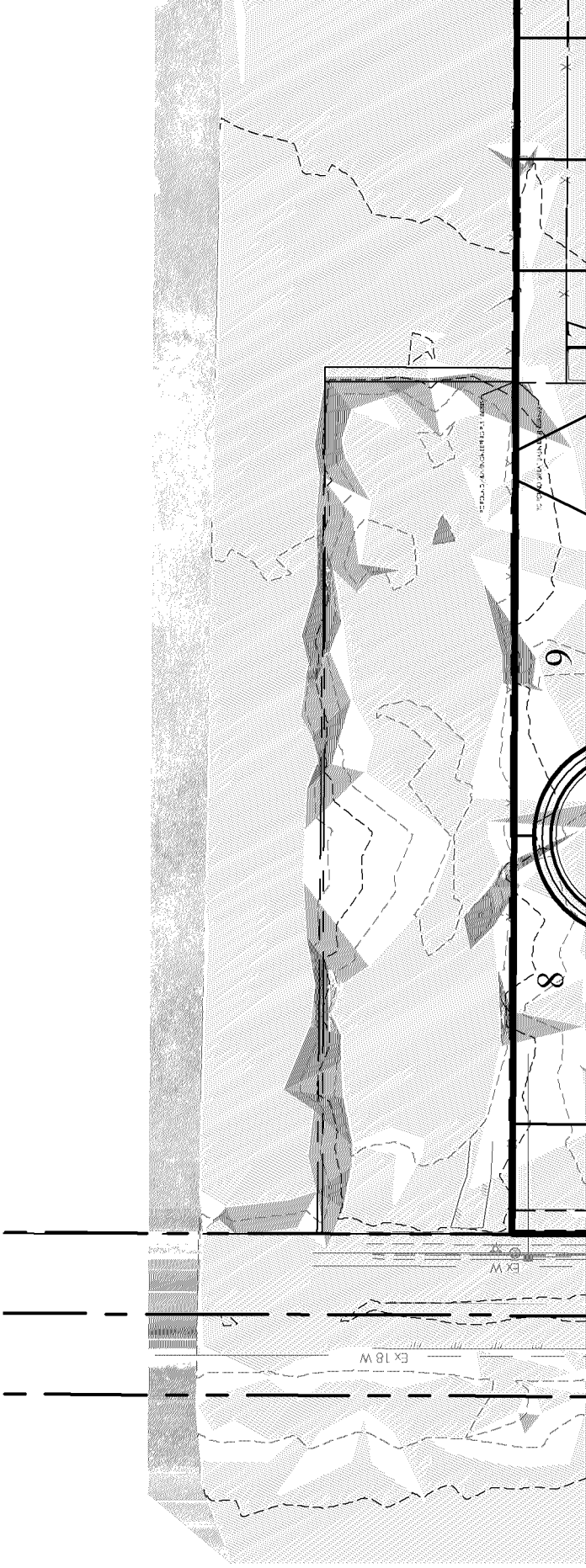


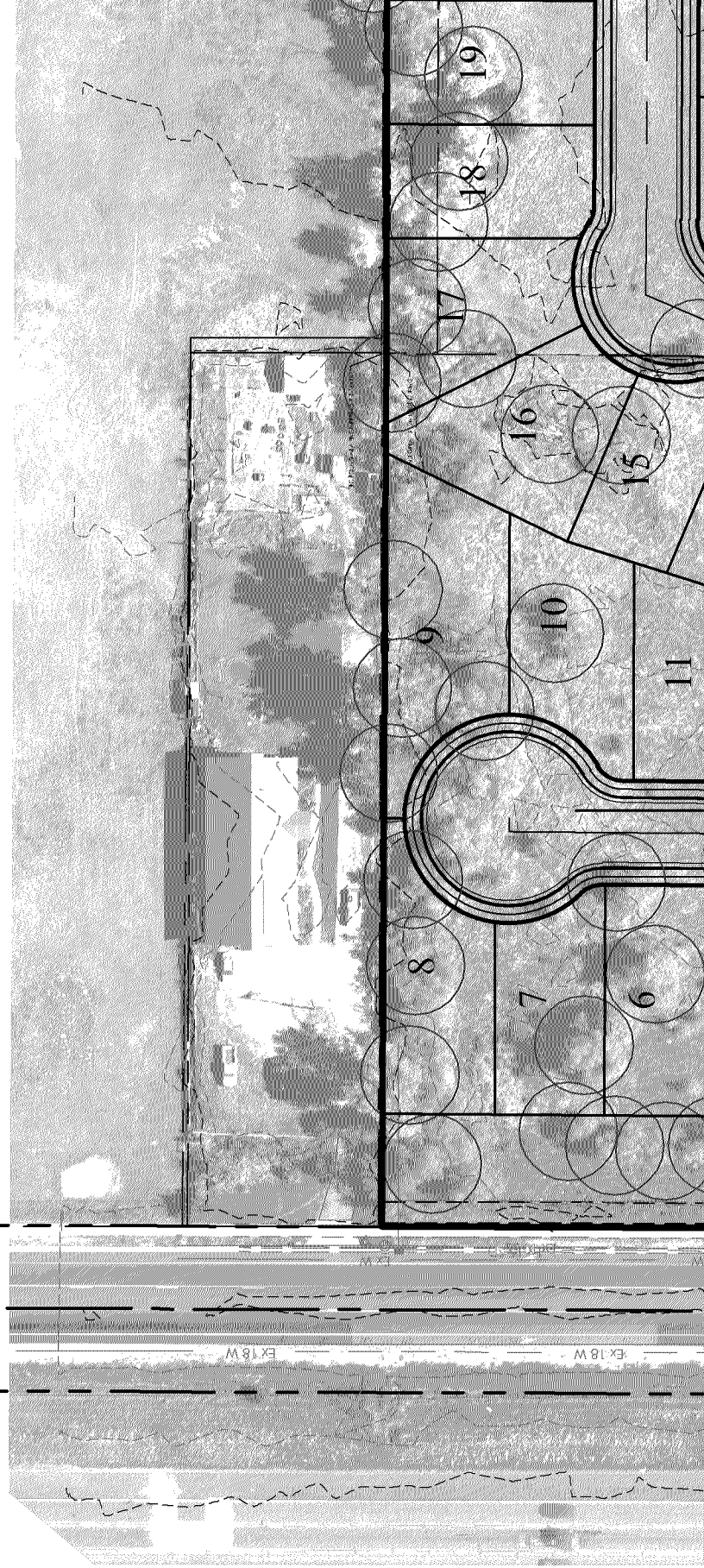


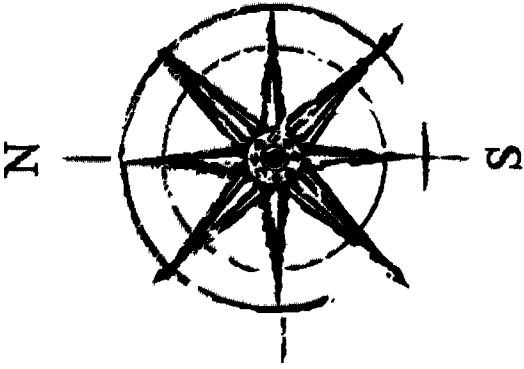
Know what's below.
Call 811 before you dig.



Slopes Table			
Number	Minimum Slope	Maximum Slope	Color
1	0.01%	10.00%	
2	10.00%	20.00%	
3	20.00%	30.00%	
4	30.00%	50.00%	







YIELD PLAN TABLE

LOCATED IN:	CENTERVILLE CITY, DAVIS COUNTY
ORIGINAL PROPERTY	17.24 ACRES
SINGLE FAMILY LOTS	66
TOTAL DENSITY	3.82 UNITS/ACRE
ROW WIDTH	50'-60'
MINIMUM LOT WIDTH	60'
MINIMUM LOT FRONTAGE	40'
CUL-DE-SAC RADIUS	50'
FLOOD ZONE DESIGNATION	ZONE X





WEBER BASIN WATER CONSERVANCY DISTRICT

2837 East Highway 193 • Layton, Utah 84040 • Phone (801) 771-1677 • SLC (801) 359-4494 • Fax (801) 544-0103

March 24, 2020

Symphony Homes Corp.
Attention: Russell Wilson
111 South Frontage Road
Centerville, Utah 84014

Tage I. Flint
General Manager/CEO

Board of Trustees:

Dee Alan Waldron
President
Morgan County

Kym O. Buttschardt
Weber County

Jay V. Christensen
Weber County

Kerry W. Gibson
Weber County

Marlin K. Jensen
Weber County

P. Bret Milburn
Davis County

John Petroff Jr.
Davis County

Paul C. Summers
Davis County

Dave Ure
Summit County

**RE: Preliminary Plan Review, Summer Hill Lane - THIS IS NOT A
FINAL APPROVAL - FINAL SUBMITTAL REQUIRED**

Dear Mr. Wilson:

The Weber Basin Water Conservancy District (District) has reviewed the concept plan dated January 22, 2020 for the Summer Hill Lane Subdivision located in Centerville. The District will provide secondary water to the referenced development provided the following requirements are met:

1. The subject property has more than enough Weber Basin irrigation water allocated to it. Since most of the water allocated to this property was ditch water, a portion of it (8.95 acre-feet) must be upgraded to pressurized irrigation water, with the remaining 2.45 acre-feet needing to be canceled. Attached is a petition to upgrade the 8.95 acre-feet per year of ditch water to pressurized water, as well as a petition to cancel the 2.45 acre-feet of the ditch irrigation water. A total of **\$9,567.55** is due in water development fees and upgrade fees. Water development fees are periodically updated and subject to change. **Fees must be paid in full prior to a Notice to Proceed being issued.**
2. An engineering review of the secondary water system pipelines and appurtenances has been conducted by the District. The current comments consist of the following:
 - 2.1. All work pertaining to installation of the secondary water system shall be the responsibility of the Developer. The secondary water system is to be located within the public right-of-way and shall meet the requirements as set forth in the District's Pressurized Irrigation Construction Specifications and Drawings. A copy of the specifications is attached to this review letter for reference.
 - 2.2. When construction is complete, an as-built record of the subdivision drawings shall be submitted to the District. The one-year warranty period will not begin until as-built drawings are received.

2.3. The plat will need to include the following language for secondary water: *"Secondary water has been allocated to parcels based on an anticipated landscape area (including the park strip) of no more than 64% of the gross parcel size and that 2/3 of the landscape area is planted in turf and 1/3 of the landscape area is planted in low water use plants. Larger total landscape areas, higher percentage turf areas, inefficient design of irrigation system, or inefficient operation of irrigation system may result in homeowner incurring additional billing charges and/or secondary water service being shut off."*

2.4. The developer shall be responsible for locating the pipe at the point of connections to the existing system. The District shall be notified at least 48-hours prior to potholing of the lines.

2.4.1 Connection to the District's secondary water distribution system shall take place in three locations. The locations are to the existing 6-inch lines in 725 West and 400 West, and to the existing 12-inch line in Main Street.

2.5. Secondary water lines in the new east-west road shall be 8-inch diameter, whereas the water lines connecting to 725 West and 400 West may be 6-inch diameter. Water lines in the new north-south cul-de-sac shall also be 6-inch diameter. All water lines are to be C900 DR-14 PVC.

2.6. Hot-tapping the District's lines is NOT allowed. The connection will need to be made between October 15 and April 1, or provisions will need to be made to shutdown lines to accommodate the connection. Such provisions are strictly subject to District approval.

2.7. All branches of the secondary water lines will require a gate valve. Valves shall be located at the curb tangent point of each intersection. This keeps our operators out of the intersection while operating valves.

2.8. All lines shall be a minimum of 72-inches from the top back of curb into the asphalt and shall have a minimum burial depth of 30-inches. Burial depths are not to exceed 72-inches.

2.9. All fittings shall be Class 350 ductile iron that is protected from corrosion by a three-part wax tape system. See attached corrosion specifications for details.

2.10. All secondary service connections shall be constructed in accordance with the District's updated 1-inch Secondary

Water Service Connection with meter detail. The details have been enclosed for reference.

- 2.11. Combination air-vacuum valves shall be installed at all high points in the system. The District's 2-inch combination air-vac detail has been enclosed for reference.
- 2.12. Drains shall be 4-inch and shall be installed at all low points in the system. Gravity drains shall be installed when the storm drain is lower in elevation than the secondary water line. Pump drains shall be installed when the storm drain is higher in elevation than the secondary water line. The District's 4-inch drain and pump drain details have been enclosed for reference.
- 2.13. Updated drawings that address the comments in this letter must be submitted to the District. If the updated plans address all issues and meet the standards and specifications of the District, including but not limited to the general standards and specifications of the District and those specifications outline in this letter, a Final Plan Approval Letter will be sent. **The pre-construction meeting shall not be scheduled prior to receiving the Final Plan Approval Letter.**
- 2.14. The District shall be present at the pre-construction meeting that shall be held prior to installation of the secondary water system.
- 2.15. At the conclusion of the pre-construction meeting, if all outstanding issues are resolved and other requirements are met to the satisfaction of the District, the District will issue a Notice to Proceed document. **No construction on the secondary system shall begin until the Notice to Proceed is issued.**
- 2.16. Following installation, the system shall be pressure tested to 200 psi for a minimum of two (2) hours.
3. An inspection fee of **\$26,100.00** (\$450.00 inspection fee per connection) is due for the development. The District's Inspector must be present during installation and shall be scheduled at least 48 hours in advance.
4. A bonding fee of **\$29,000.00** is due for the development. The bond will be released when the following have occurred:
 - 4.1. The secondary system has been installed to meet the District's standards and specification.
 - 4.2. As-built drawings for the system have been received.

- 4.3. The system has passed the pressure test and has been signed off on by the District's Inspector, at which time the one-year warranty period will begin (assuming as-built drawings have already been received and accepted).
- 4.4. The one-year warranty period has concluded and the system passes a Takeover Inspection by the District's Inspector.
- 5. A Subdivision Takeover Agreement will need to be signed, notarized and returned to the District before connection to our system is allowed. A Takeover Agreement for the subdivision has been enclosed.
- 6. All fees, specifications and details referenced in this review letter are subject to periodic changes by the District. Therefore, should the referenced secondary connections associated with the Summer Hill Lane Subdivision not be completed to the District's current standards during the off season of this current calendar year, the connections will be subject to any updated fees and specifications that the District may implement.

If you have any questions, please contact Briant Jacobs of our office.

Sincerely,



Scott W. Paxman, PE
Assistant General Manager/CTO

SWP/BJ/sm
Enclosures
E-16

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

STAFF REPORT

PROPERTY OWNERS: **MABEL DEVORE TRUST
2125 N MAIN ST
CENTERVILLE, UT 84014**

**RM & BR HOLDINGS LLC
111 SOUTH FRONTAGE ROAD
CENTERVILLE, UT 84014**

APPLICANT: **RUSSELL WILSON
SYMPHONY HOMES
111 SOUTH FRONTAGE ROAD
CENTERVILLE, UT 84014**

EMAIL ADDRESS: **RWILSON@SYMPHONYHOMES.COM**

PROPERTY: **2125 N MAIN ST,
"THE DEVORE PROPERTY"**

PARCELS: **07-072-0132, 07-072-0160, 07-072-0034, 07-072-0161,
07-072-0175**

ACREAGE: **16.75**

CURRENT ZONING: **AGRICULTURAL-LOW (A-L)**

APPLICATION: **ZONE MAP AMENDMENT, REZONE FROM
AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-LOW
(R-L)**

RECOMMENDATION: **RECOMMEND THE REZONE TO THE CITY COUNCIL**

BACKGROUND

Russell Wilson with Symphony Homes is requesting a rezone of the subject properties from Agricultural-Low (A-L) to Residential-Low (R-L).

PROPOSED ZONE MAP AMENDMENT



REVIEW AND ANALYSIS OF THE REQUEST

Factors to be considered, Section 12-21-080(e)

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

- **Staff Response:** These parcels of land are located within Neighborhood 4, Northwest Centerville (GP Section 12-480-5). The first goal of this section is to ensure compatible land use patterns and transitions. Two competing goals in this section are to preserve semi-rural properties for current owners and to preserve viability of the area for future development. Finally, the General Plan discourages lots of one acre, “because [they are] too small for true agricultural, too big for purely residential purposes, and too small to subdivide....”

Centerville is primarily a community of single-family residences. The proposal would not change the single-family zoning, a low-density use. In the past, several applicants in Neighborhood 4 have tried to rezone and were unsuccessful due to the creation of zoning islands. Staff believes the current application would not create zoning islands due to the adjacency of the Lexington Park Subdivision to the southwest, and connection to similar zoning east of Main Street.

The competing goals of preserving semi-rural for current homeowners and preserving viability of future development is a discussion for the appointed and elected officials. Staff believes that the proposed amendment would preserve the viability of future growth because the subject properties are a cohesive block and stretch from the Frontage Road to Main Street, while not markedly affecting the overall makeup of the Northwest Neighborhood.

Staff believes the proposed amendment is consistent with the goals and objectives described in the General Plan.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

- **Staff Response:** Based on the abundance of area zoned R-L, low-density single-family development appears to be the preferred type of housing within the City. The property is within a semi-rural residential area with single-family residential zones to the east, north, and south. The western portion of the properties is adjacent to single-family homes in the Lexington Park Subdivision. The Woods Park Subdivision, zoned R-L/PD is to the northwest, and Neighborhood 3 east of Main Street is primarily zoned R-L. Staff believes the proposed amendment will be in harmony with the overall character of the existing development in the vicinity.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

- **Staff's Response:** Some may see this subdivision as an impact to the semi-rural atmosphere of Centerville. Yet, if the rezone meets the criteria found in Section 12-21-080(e), and negative impacts can be mitigated, a property owner has the right to develop her property as she sees fit. Staff has met with the developer and does not see any adverse effects to the rezone.

4. What is the adequacy of facilities and services intended to serve the subject property?

- **Staff Response:** The subject properties are adjacent to existing development, including a stub road that will enable a connection to City services. A drainage study will be needed at time of development, as well as a soil study of the western section of properties.

PLANNING STAFF RECOMMENDATIONS

PROPOSED ACTION: I hereby make a motion for the Planning Commission to accept the Zone Map Amendment for the properties located at 2125 North Main Street from Agricultural-Low (A-L) to Residential-Low (R-L), and to recommend approval to the City Council.

SUGGESTED REASONS FOR THE ACTION:

1. The proposed 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 Neighborhood 4 [Section 12-480-5].
3. Adequate facilities are located within the subject property along Lund Lane [Section 12-21-080(e)(5)].

Any further conceptual plat acceptance by the Planning Commission is subject to approval of the rezone by the City Council.

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

CITY COUNCIL TRANSMITTAL REPORT

PROPERTY OWNER: MABEL DEVORE TRUST
2125 N MAIN ST
CENTERVILLE, UT 84014

RM & BR HOLDINGS LLC
111 SOUTH FRONTAGE ROAD
CENTERVILLE, UT 84014

APPLICANT: RUSSELL WILSON
SYMPHONY HOMES
111 SOUTH FRONTAGE ROAD
CENTERVILLE, UT 84014

PROPERTY LOCATION: 2125 N MAIN ST,
"THE DEVORE PROPERTY"

PARCEL ID: 07-072-0132, 07-072-0160, 07-072-0034, 07-072-0161, &
07-072-0175

ACREAGE: 16.75

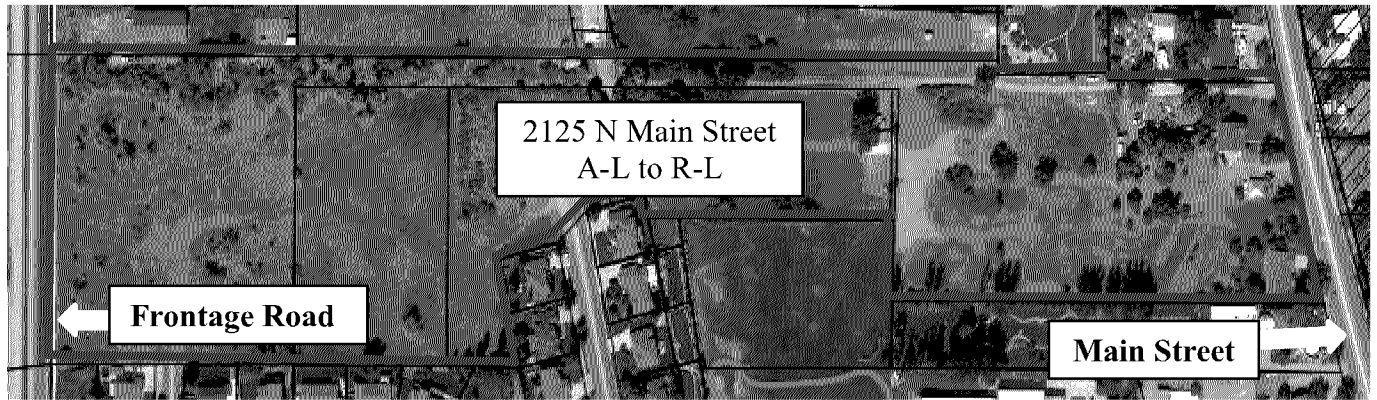
CURRENT ZONING: AGRICULTURAL-LOW (A-L)

APPLICATION: ZONE MAP AMENDMENT, REZONE FROM
AGRICULTURAL-LOW (A-L) TO RESIDENTIAL-
LOW (R-L)

PC RECOMMENDATION: APPROVE THE REZONE

BACKGROUND

The Applicant is proposing the rezone of five parcels from Agricultural-Low (A-L) to Residential-Low(R-L) in Neighborhood 4. Neighborhood 4 has a mix of uses including A-L, R-L, PDO, and PF-M. The Public Hearing brought forward concerns of drainage, traffic, and lack of crossing guards in the area. The Planning Commission and Staff addressed these concerns by noting that they will be handled if and when a subdivision application is made.



PLANNING COMMISSION RECOMMENDATION

On November 13, 2019, the Planning Commission unanimously voted to **RECOMMEND APPROVAL** of the proposed rezone, with the following reasons for the action:

Suggested Reasons for the Action:

- a) *The proposed amendment meets the requirements found in Section 12-21-080(4)(e).*
- b) *The proposed Zone Map Amendment meets the goals and objectives of the General Plan concerning Neighborhood 4 [Section 12-480-5].*
- c) *Adequate facilities are located within the subject property along Lund Land [Section 12-21-080(e)(5)].*

PLANNING COMMISSION VOTE (5-0)

Commissioner	Yes	No	Not Present
Hayman (Chair)	X		
Johnson	X		
Daly	X		
Workman	X		
Wright			X
Hunt	X		

CENTERVILLE

Staff Backup Report

7/8/2020

Item No. 2.

Short Title: Legislative Decision - Public Hearing - Zoning Map Amendment - Dave's Complete Auto

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

- ☐ 07-08-2020 PC Staff Report Bell Property Rezone from R-M to C-VH
- ☐ Bell Property Rezone Submittal
- ☐ Dave Bell's Narrative for Rezone Application

**CENTERVILLE CITY
COMMUNITY DEVELOPMENT DEPARTMENT
655 North 1250 West, Centerville, Utah 84014
(801) 292-8232**

**STAFF REPORT
AGENDA: ITEM 2**

PROPERTY OWNER: **DAVID BELL**
 335 SOUTH FRONTAGE ROAD
 CENTERVILLE, UT 84014
 (davescompleteauto@gmail.com)

PROPERTY LOCATION: **PORTER LANE AREA (*BEHIND 335 SOUTH FRONTAGE ROAD*)**

PARCEL SIZE: **0.339 ACRES (*BACK BEHIND THE DAVES AUTO BUSINESS*)**

PARCEL NUMBERS: **03-001-0178 (*ONLY A PORTION OF THE PARCEL*)**

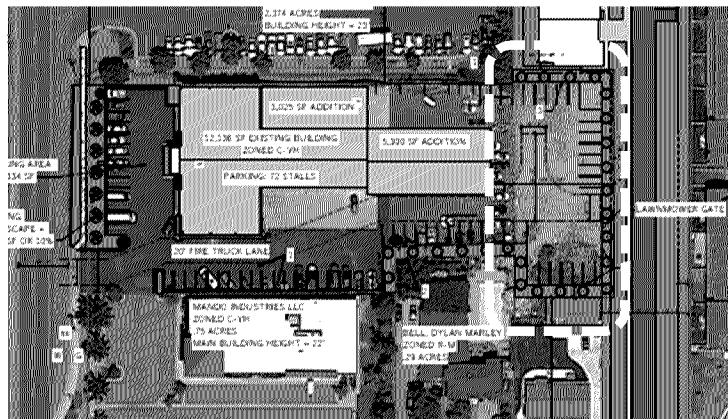
APPLICATION: **ZONING MAP AMENDMENT – REQUEST TO REZONE A**
 TRACT OF LAND FROM R-M (*MULTI-FAMILY*) TO C-VH
 (*COMMERCIAL*)

STAFF RECOMMENDATION: **CONSIDER APPROVAL OF THE REZONE TO THE**
 CITY COUNCIL

BACKGROUND

The petitioner desires to assimilate a portion of the subject property and add it to the west commercial property, known as Dave's Auto. The purpose is to expand the business use and add parking and another building/shop.

Currently, the desired tract of land is zoned Residential Medium (R-M) and the business use is Zoned Commercial Very High (C-VH). The petitioner desires to have a portion of the residential property rezoned to Commercial Very High (C-VH).



REVIEW AND ANALYSIS OF THE ZONE MAP AMENDMENT REQUEST

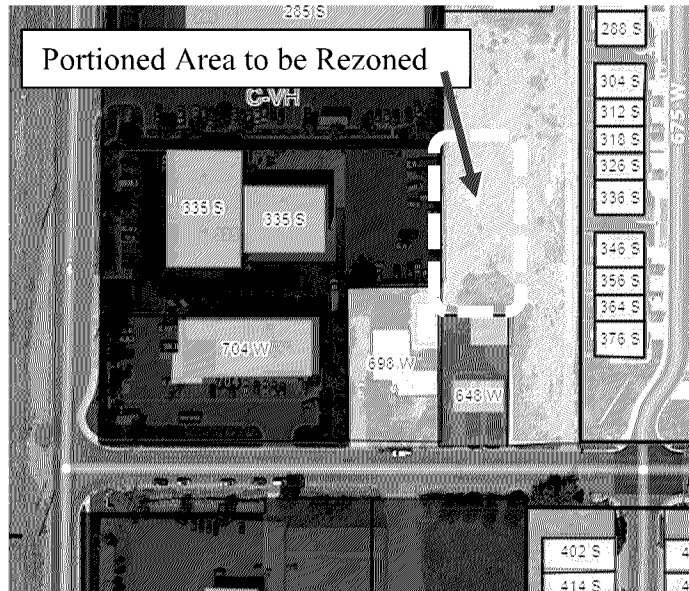
A. **Zone Map Amendments** - Pursuant to the City's Zoning Ordinance, the "*decision to amend the...zoning map is a matter of within the legislative discretion of the City Council*" as described in CZC - 12.21.060.a.

B. **Process and Public Comment and Decision** - The Planning Commission shall review and hold a public hearing regarding the application and shall thereafter submit its recommendation for approval, approval with modifications, or denial thereof to the City Council. Following receipt of a recommendation from the Planning Commission, the City Council shall hold another public hearing on the application. After due consideration, the City Council may approve, approve with modifications, or deny the proposed amendment request.

C. **Staff Review of the Rezone Standards of Approval** - Section 12.21.080.e of the City Zoning Ordinance sets forth the following factors for considering a general rezone request:

1. Is the proposed amendment consistent with the goals, objectives and policies of the City's General Plan?

The properties are located in the Southwest Neighborhood Plan Area. The neighborhood plan indicates that the area from 500 West to the commercial area located along the Frontage Road (*Porter Lane area*) may be appropriately developed with low to medium density residential. In addition, the plan encourages the use of "*planned development*" type multi-family uses to act as a buffer between the commercial uses to the west and the single-family use areas farther east into the neighborhood, from 400 West to Main Street (*see Section 12-480-1.a*).



As to additional commercial development Section 12-480-3.2.c, the commercial land use pattern along South Frontage Road area (*from Porter to south City limits*) has a maximum depth limit of 500 feet. However, keep in mind this depth is called out from Porter Lane to the south city boundary. The area being considered in this petition is located just north of Porter Lane.

Staff Response: The neighborhood plan anticipates low to medium residential uses as the land use pattern (*from east to west*) until the pattern meets the commercial area along the frontage road. The commercial area along the Frontage road does not have a wholly uniform depth. From review of the map, it is staff's position that this large parcel that is currently zoned R-M functions as a transitional buffer area between the commercial along the frontage road and the medium density development of the Porter Walton Townhomes to the east. The applicant has provided a development scenario that accommodates the expansion of the commercial lot and a potential development of 10 townhomes on the remaining portion of the property, which supports the argument that the subject property functions as a transitional boundary.

Moreover, if one considers also using the 500 feet commercial limit depth from Porter to the south City limits as a guide, it appears that parcel area being considered for commercial use would be within this maximum depth policy for limiting the commercial encroachment depth into the residential area of the neighborhood.

2. Is the proposed amendment harmonious with the overall character of existing development in the vicinity of the subject property?

Staff Response: The western edge of this neighborhood consists of the existing commercial uses along the south frontage road. The land pattern farther to the east is developed with the Porter-Walton Townhomes, a fairly recent R-M development. All of these R-M areas create the expected buffer between the commercial area on Frontage Road and the residential neighborhood east of 500 West. It is staff's position that the request, if approved, would generally remain consistent with surrounding mix of multi-family and commercial development within in the vicinity.

3. What is the extent to which the proposed amendment may adversely affect adjacent property?

Staff's Response: Located to the south, there are two single-family homes. One home is located in the R-M Zone. While the other is located in an A-L Zone. These two properties are simply the remnants of the former development pattern of the past.

4. What is the adequacy of facilities and services intended to serve the subject property?

Staff Response: Utilities are located on the surrounding properties, and all have facilities and services that are already available to the area.

Additional Considerations

The request involves only a small westerly portion of a larger parcel. Because the land has not been divided, it is not eligible to receive a "double" zoning allowance (*i.e. R-M and C-VH*). This is inconsistent with the Zoning Ordinance expectations for Zone Boundaries (*see CZC 12.30.050 – Rules for Locating Zone Boundaries*). Furthermore, a portion of tract of land cannot be created

that does not meet lot and frontage requirements of the zone (*in this case a potential land locked remnant tract*). Consequently, if the City is amenable to the rezone, the following action is required to comply with subdivision and zoning regulations:

“Any rezone of the partial area should not become effective until lot boundary is sanctioned or approved by the City allowing the proposed area for commercial to be absorbed into the applicable business lot to the west, as is desired by the petitioner.”

PLANNING STAFF RECOMMENDATION

PROPOSED ACTION: “I hereby make a motion for the Planning Commission to recommend **APPROVAL** of the Zone Map Amendment for a northernly portion of Parcel 03-001-0178, as depicted in the submittal dated by June 16, 2020 and as presented to the City, from Residential Medium (R-M) to Commercial Very High (C-VH), subject to the following requirements:

- a) “Any rezone of the partial area cannot become effective until lot boundary is sanctioned or approved by the City allowing the proposed area for commercial use to be absorbed into the applicable business lot to the west.”

Suggested Reasons for the Action (Findings):

1. The Planning Commission finds that there has been a sufficient review and consideration of the criteria found in Section CZC 12.21.080.e of the Zoning Ordinance.
2. The Planning Commission finds that the rezone is substantially consistent with the goals of the General Plan, as described in the staff report.
3. The Planning Commission finds that given the 500-foot allowance for commercial uses along the Frontage Road, as described in the Southwest Neighborhood Plan, the commercial rezoning request does not encroach unreasonably to the east into the neighborhood.
4. The Planning Commission, the remaining large portion parcel in the R-M Zone appears to be of sufficient size to develop the expected low to medium residential use buffering, as per the Porter area policy expectations.
5. The Planning Commission finds that the requirement condition of the rezone for lot line boundary changes are directly related to ensure that the rezone action complies with applicable zoning and subdivision regulations adopted by the City.
6. Therefore, the Planning Commission finds that the request for C-VH Zoning designation is appropriate.



From: [Mackenzie Wood](#)
To: [Cory Snyder](#)
Subject: FW: Application for Rezone
Date: Thursday, July 2, 2020 10:24:37 AM

Mackenzie Wood
Assistant City Planner
801-677-6097
mwood@centervilleut.com

From: Dave Bell [<mailto:davescompleteauto@gmail.com>]
Sent: Saturday, June 20, 2020 1:23 PM
To: Mackenzie Wood
Subject: Re: Application for Rezone

Dear Mackenzie, please let me know if we are good to go for the July 8 meeting now. thanks
Dave

On Sat, Jun 20, 2020 at 1:21 PM Dave Bell <davescompleteauto@gmail.com> wrote:

Thanks Mackenzie,
My application for a lot line adjustment and additional land needed for the expansion of Dave's Auto Center is important to me and is needed in order to address concerns with parking and landscaping and fire access.
I believe the proposed addition of the needed parking lot to the east will address not only the lack of parking and the needed space for fire truck access but will also include additional landscaping on the outside of the 8foot impound yard wall. This should enhance both locations. Were the landscaping before on the inside of the impound yard was just silly. I do not believe that it will in any way adversely impact services and adjacent properties. Thanks for your consideration in this matter.
Please let me know if you have any questions or concerns. Respectfully Dave Bell

On Fri, Jun 19, 2020 at 8:52 AM Mackenzie Wood <mwood@centervilleut.com> wrote:

Dave,
I've reviewed your application and you are missing one item:

the narrative explaining why you want the rezone, and the reasons that support the rezone

In the application packet it gives the following approval standards, and it would be wise to address these issues in your narrative.

- × Is the proposal consistent with the goals of the general plan
- × Will it be harmonious with the overall character of the existing property
- × How will the change effect adjacent property

× Is their adequate facilities and services (like roadways, parks, police, fire, etc.)

Please send me a written narrative answering the above. If it is not complete by Monday at 3pm, then your item cannot go on the July 8, 2020 Planning Commission meeting and will have to be delayed until the next available meeting.

Mackenzie Wood
Assistant City Planner
801-677-6097
mwood@centervilleut.com

--

Dave Bell (Owner)
davescompleteauto@gmail.com
www.davescompleteauto.com
335 South Frontage Road
Centerville, UT 84014
Bus (801)295-5020
Fax (801)295-5822

--

Dave Bell (Owner)
davescompleteauto@gmail.com
www.davescompleteauto.com
335 South Frontage Road
Centerville, UT 84014
Bus (801)295-5020
Fax (801)295-5822

**CENTERVILLE
PLANNING COMMISSION
Staff Backup Report
7/8/2020**

Item No. 3.

Short Title: Legislative Decision - Public Hearing - Zoning Code Amendments - Chapter 12.69 (Medical Cannabis Facilities)

Initiated By: Lisa Romney, City Attorney

Scheduled Time:

SUBJECT

Consider proposed Zoning Code Amendments enacting Chapter 12.69 regarding Medical Cannabis Facilities - Ordinance No. 2020-03

RECOMMENDATION

Recommend approval of Ordinance No. 2020-03 enacting Chapter 12.69 of the Centerville Zoning Code regarding Medical Cannabis Facilities.

BACKGROUND

On December 11, 2019, the Planning Commission reviewed and held a public hearing on proposed amendments to the Zoning Code regarding Medical Cannabis Facilities. The Planning Commission recommended a number of changes to the proposed amendments and directed Staff to prepare a revised draft. Staff has prepared the recommended changes to the proposed new Chapter 12.69 regarding Medical Cannabis Facilities as more particularly set forth in the attached redline version of the ordinance. Since it has been quite some time since the Planning Commission previously reviewed this matter, it has been re-noticed and scheduled for an additional public hearing. These amendments are intended to comply with recent State law provisions regarding the use and sale of medical cannabis, including, but not limited to the Utah Medical Cannabis Act, as set forth in Utah Code §§ 26-61a-101, et seq., the Cannabis Production Establishment Act, as set forth in Utah Code §§ 4-41a-101, et seq., and the Hemp and Cannabinoid Act, as set forth in Utah Code §§ 4-41-101, et seq.

ATTACHMENTS:

Description

- Ordinance No. 2020-03 - Medical Cannabis Facilities

ORDINANCE NO. 2020-03

AN ORDINANCE ENACTING CHAPTER 12.69 (MEDICAL CANNABIS FACILITIES) OF THE CENTERVILLE ZONING CODE TO ADD NEW DEFINITIONS AND STANDARDS FOR MEDICAL CANNABIS FACILITIES PURSUANT TO THE UTAH MEDICAL CANNABIS ACT AND OTHER APPLICABLE LEGISLATION

WHEREAS, the Utah Legislature recently adopted a number of bills regarding the use and sale of medical cannabis, including, but not limited to the Utah Medical Cannabis Act, as set forth in Utah Code §§ 26-61a-101, et seq., the Cannabis Production Establishments Act, as set forth in Utah Code §§ 4-41a-101, et seq., and the Hemp and Cannabinoid Act, as set forth in Utah Code §§ 4-41-101, et seq.; and

WHEREAS, as part of the State legislation regarding the use and sale of medical cannabis, municipalities are required to adopt land use regulations, development agreements, or land use decisions regarding cannabis production establishments and medical cannabis pharmacies as more particularly provided in Utah Code § 10-9a-528; and

WHEREAS, the proposed amendments to the Zoning Code set forth new definitions for cannabis production establishment and medical cannabis pharmacy, amend the use tables for such new uses, and define zones within the City that are considered primarily residential for purposes of locational restrictions for such facilities;

WHEREAS, the proposed amendments to the Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public notices have been provided and appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

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

Section 1. Enactment. Chapter 12.69 of the Centerville Zoning Code regarding Medical Cannabis Facilities is hereby enacted as follows:

12.69 Medical Cannabis Facilities

12.69.010 Definitions

12.69.020 Cannabis Production Establishment Standards

12.69.030 Cannabis Production Establishment Locational Restrictions

~~**12.69.040 Cannabis Production Establishment Map**~~

~~**12.69.0450 Medical Cannabis Pharmacy Standards**~~

~~**12.69.0560 Medical Cannabis Pharmacy Locational Restrictions**~~

~~**12.69.070 Medical Cannabis Pharmacy Map**~~

12.69.010 Definitions

- (a) Cannabis Production Establishment. Cannabis production establishment means a
~~A~~cannabis cultivation facility, a cannabis processing facility, or an independent

cannabis testing laboratory, as such terms are more particularly defined in Utah Code § 4-41a-102.

(b) Community Location. Community location means a public or private school, a licensed child-care facility or preschool, a church, a public library, a public playground, or a public park, as such term is more particularly defined in Utah Code § 4-41a-102.

(c) Medical Cannabis Pharmacy. Medical cannabis pharmacy means a person or entity that acquires or intends to acquire, possess, and sell, or intends to sell cannabis in a medicinal dosage form, a cannabis product in a medicinal dosage form, or a medical cannabis device, to a medical cannabis cardholder, as more particularly defined in Utah Code § 26-61a-102.

(d) Primarily Residential Zone. Primarily residential zone means For purposes of this Chapter and applicable provisions of State law, the term “primarily residential” shall mean the following zones within Centerville City or any similar zones in an adjacent city:

- (1) Agricultural-Low (A-L)
- (2) Residential-Low (R-L)
- (3) Residential-Medium (R-M)
- (4) Residential-High (R-H)
- (5) Florentine Villa Special District
- (6) Hillside Overlay Zone
- (7) Shorelands Commerce Park - Mixed Node Zone
- (8) South Main Street Overlay Zone
- (9) Centerville Deuel Creek Historic District

(10) Any residential or mixed use development in the Planned Development Overlay Zone (PDO) or a Planned Unit Development (PUD), including, but not limited to:

- ____ (A) Chapel Ridge PDO
- ____ (B) Legacy Commons PDO
- ____ (C) Legacy Crossing PDO
- ____ (D) Legacy Trail Apartments PDO
- ____ (E) Pineae Village PUD
- ____ (F) Sheffield Downs PDO

- (ed) Other Definitions. The definitions set forth in Utah Code §§ 26-61a-101, et seq., regarding the Utah Medical Cannabis Act, and Utah Code §§ 4-41a-101, et seq., regarding the Cannabis Production Establishments Act, are hereby adopted by this Section.

12.69.020 Cannabis Production Establishment Standards

The following standards shall apply to all cannabis production establishments:

- (a) The cannabis production establishment shall comply with the location restrictions set forth in applicable State law, including, but not limited to, Utah Code § 4-41a-201. ~~and the cannabis production establishment map set forth in CZC 12.69.030.~~
- (b) The cannabis production establishment shall comply with the advertising and signage restrictions set forth in applicable State law, including, but not limited to, Utah Code § 4-41a-403.
- (cb) There shall be no emission of dust, fumes, vapors, odors, or waste into the environment from any cannabis production establishment or facility where growing, processing, or testing of cannabis occurs.
- (de) The cannabis production establishment shall meet the land use and permit requirements for the zone in which it is located.
- (ed) The cannabis production establishment shall obtain a City business license before conducting business within the City.

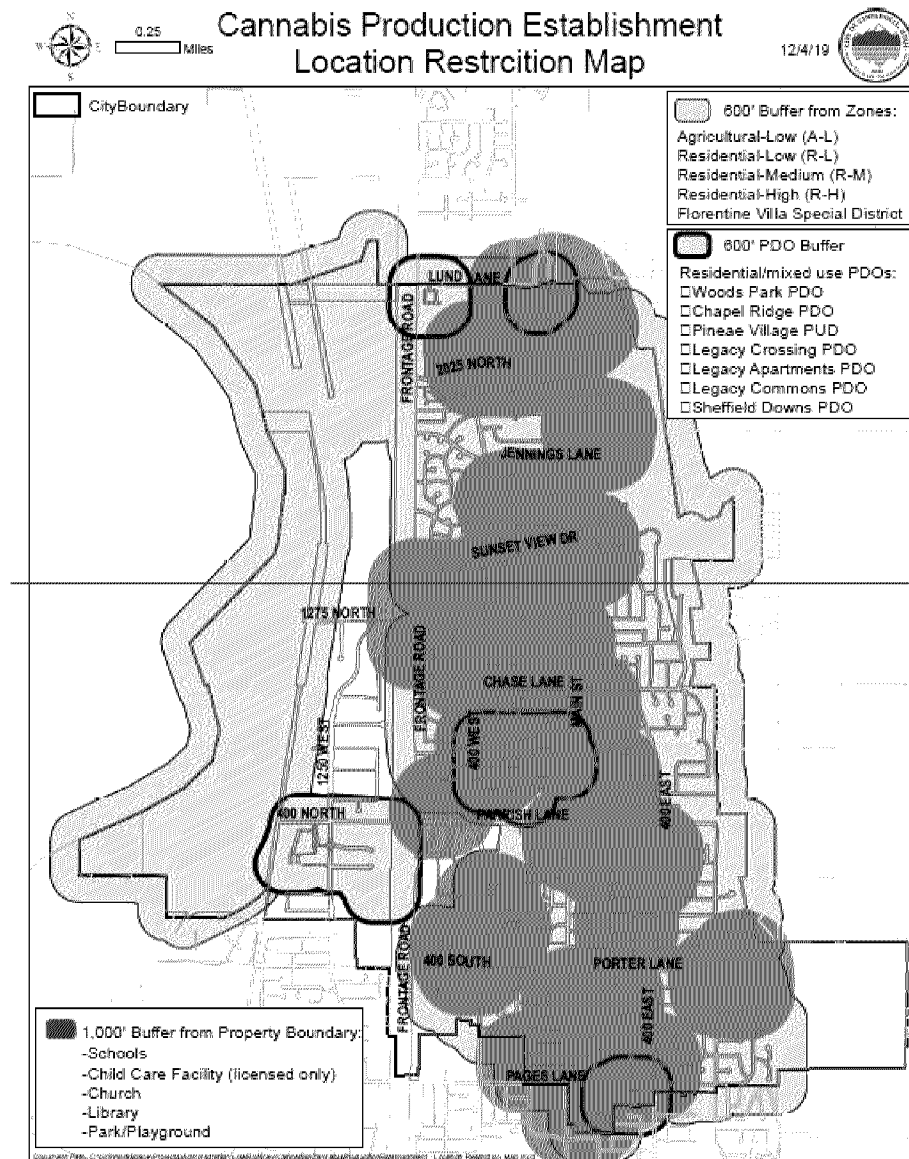
12.69.030 Cannabis Production Establishment Locational Restrictions

- (a) Community Locations.
 - (1) Based on applicable State law, including, but not limited to, Utah Code § 4-41a-201, cannabis production establishments shall not be located within 1,000 feet of a community location.
 - (2) The proximity distance requirement set forth in Subsection (a)(1) shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the community location ~~or primarily residential zone.~~
 - (3) ~~Community location is defined by State law to include a public or private school, a licensed child care facility or preschool, a church, a public library, a public playground, or a public park.~~
 - (4) ~~The locational restrictions for cannabis production establishments is more particularly described and depicted on the Cannabis Production Establishments Map set forth in CZC 12.69.040.~~
- (b) Primarily Residential Zone.

- (1) Based on applicable State law, including, but not limited to, Utah Code § 4-41a-201, a cannabis production establishment shall not be located within 600 feet of a primarily residential zone.
- (2) The proximity distance requirement set forth in Subsection (b)(1) shall be measured from the nearest entrance to the cannabis production establishment by following the shortest route of ordinary pedestrian travel to the property boundary of the primarily residential zone.
- (3) ~~A primarily residential zone is more particularly defined in CZC 12.69.010.~~

~~12.69.040 Cannabis Production Establishment Map~~

~~The locational restrictions for cannabis production establishments from community locations and primarily residential zones is more particularly described and depicted on the following Cannabis Production Establishment Map:~~



12.69.0450 Medical Cannabis Pharmacy Standards

The following standards shall apply to all medical cannabis pharmacies:

- (a) The medical cannabis pharmacy shall comply with the location restrictions set forth in applicable State law, including, but not limited to, Utah Code § 26-61a-301, and CZC 12.69.060 and the Medical Cannabis Pharmacy Map set forth in CZC 12.69.070.
- (b) The medical cannabis pharmacy shall comply with the advertising and signage restrictions set forth in applicable State law, including, but not limited to, Utah Code § 26-61a-505.
- (b) No cannabis products shall be visible from outside the medical cannabis pharmacy.
- (c) The medical cannabis pharmacy shall meet the land use and permit requirements for the zone in which it is located.
- (d) The medical cannabis pharmacy shall obtain a City business license before conducting business within the City.

12.69.0560 Medical Cannabis Pharmacy Locational Restrictions

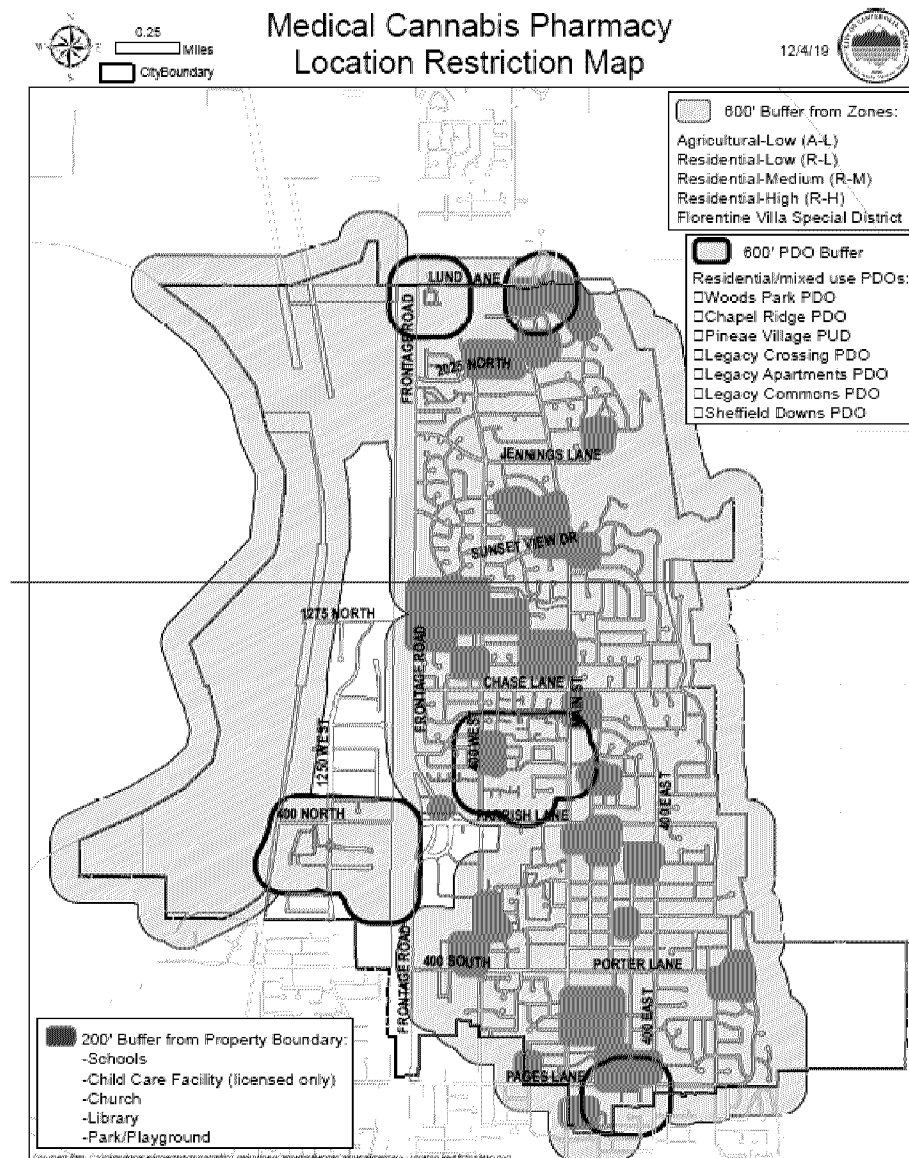
- (a) Community Locations.
 - (1) Based on applicable State law, including, but not limited to, Utah Code § 26-61a-301, medical cannabis pharmacies shall not be located within 200 ~~1,000~~ feet of a community location.
 - (2) The proximity distance requirement set forth in Subsection (a)(1) shall be measured from the nearest entrance to the medical cannabis pharmacy by following the shortest route of ordinary pedestrian travel to the property boundary of the community location ~~or primarily residential zone.~~
 - (3) ~~Community location is defined by State law to include a public or private school, a licensed child care facility or preschool, a church, a public library, a public playground, or a public park.~~
 - (4) ~~The locational restrictions for medical cannabis pharmacies is more particularly described and depicted on the Medical Cannabis Pharmacy Map set forth in CZC 12.69.070.~~
- (b) Primarily Residential Zone.
 - (1) Based on applicable State law, including, but not limited to, Utah Code § 26-61a-301, a medical cannabis pharmacy shall not be located within 600 feet of a primarily residential zone.
 - (2) The proximity distance requirement set forth in Subsection (b)(1) shall be measured from the nearest entrance to the medical

cannabis pharmacy by following the shortest route of ordinary pedestrian travel to the property boundary of the primarily residential zone.

(3) ~~A primarily residential zone is more particularly defined in CZC 12.69.010.~~

12.69.070 — Medical Cannabis Pharmacy Map

~~The locational restrictions for medical cannabis pharmacies from community locations and primarily residential zones is more particularly described and depicted on the following Medical Cannabis Pharmacy Map.~~



Section 2. 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 3. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 4. Effective Date. This Ordinance shall become effective 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, ON THIS 7th DAY OF JULY, 2020.

ATTEST:

CENTERVILLE CITY

Leah Romero, City Recorder

By: _____
Mayor Clark A. Wilkinson

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Fillmore	_____	_____
Councilmember Ince	_____	_____
Councilmember Ivie	_____	_____
Councilmember McEwan	_____	_____
Councilmember Meham	_____	_____

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.

LEAH ROMERO, City Recorder

DATE: _____

RECORDED this ____ day of _____, 2020.

PUBLISHED OR POSTED this ____ of _____, 2020.

CENTERVILLE

Staff Backup Report

7/8/2020

Item No. 4.

Short Title: Community Development Director Report & City Council Update

Initiated By:

Scheduled Time:

SUBJECT

City Council Update:

- Nothing to Note

Next Planning Commission Meeting of 7/22/2020:

- SMSC Plan Status Review & Direction From Commission
- Residential Buffering Regulation - Text Amendments
- Meeting with the Tree Board

2020 Commission Goals:

- South Main Street Corridor Plan Update - underway
- Standards for Minimum Residential Buffering Regulations (between types of residential development)
- Transportation Plan Element Update - yet to be started
- West Centerville Neighborhood Plan Update (SCP mixed-residential reconsideration) - PC received initial information on Feb. 12, 2020

RECOMMENDATION

BACKGROUND

CENTERVILLE

**Staff Backup Report
7/8/2020**

Item No.

Short Title: June 24, 2020

Initiated By:

Scheduled Time:

SUBJECT

RECOMMENDATION

BACKGROUND

ATTACHMENTS:

Description

▣ June 24, 2020 PC Minutes

PLANNING COMMISSION MINUTES OF MEETING**Wednesday, June 24, 2020****7:00 p.m.**

A quorum being present electronically via Zoom and live streamed on the Centerville City YouTube channel due to Infectious Disease COVID-19, the meeting of the Centerville City Planning Commission was called to order at 7:00 p.m.

MEMBERS PRESENT

Kevin Daly, Vice Chair
Cheylynn Hayman, Chair
Spencer Summerhays
Christina Wilcox
Becki Wright

MEMBER ABSENT

Mason Kjar

STAFF PRESENT

Cory Snyder, Community Development Director
Lisa Romney, City Attorney
Mackenzie Wood, Assistant Planner

VISITORS

Jansen Davis, CPT Executive Director
Orlando Taylor

PLEDGE OF ALLEGIANCE

OPENING COMMENT/LEGISLATIVE PRAYER Commissioner Wright

ZONING MAP AMENDMENT – SUMMERHILL LANE DEVELOPMENT

Mackenzie Wood, Assistant Planner, explained that the Zoning Map Amendment for Summerhill Lane Development was postponed until July 8, 2020.

**PUBLIC HEARING – CONDITIONAL USE PERMIT – CENTERPOINT THEATRE
CONCERT IN THE PARK-ING LOT**

CenterPoint Theatre requested a Conditional Use Permit to conduct concerts in the facility parking lot while public gathering restrictions are in place. The plans were reviewed by South Davis Metro Fire, Centerville Police Department, and Davis County Health Department. Performances would be planned for Friday and Saturday evenings, and would not go beyond 10:00 p.m. Ms. Wood stated Staff recommends approval with conditions included in the staff report.

Jansen Davis, CPT Executive Director, answered questions from the Planning Commission. Chair Hayman opened a public hearing at 7:20 p.m., and closed the public hearing seeing that no one electronically indicated a desire to comment.

Commissioner Wright **moved** to approve the Conditional Use Permit request for CenterPoint Legacy Theatre at 525 North 400 West subject to the following conditions and reasons for action. Commissioner Summerhays seconded the motion, which passed by unanimous vote (5-0).

Conditions:

1. This Conditional Use Permit shall apply only to the user space located at 525 North 400 West.
2. This Conditional Use Permit approval is for the Recreation and entertainment, outdoor use.
3. All vehicles shall be parked within parking stalls and not in access lanes.
4. This Conditional Use Permit approval is for performances on Friday and Saturday nights, with possible Monday night performances.
5. All performances, noise, and lighting, shall be terminated by 10:00 p.m. each night.
6. This permit shall expire on August 11, 2020.

Reasons for the Action:

- a) The Planning Commission finds that the land use of recreation and entertainment, outdoors is a conditional use within the Public Facilities-High Zone [CZC 12.36 (Table of Uses)].
- b) The use is consistent with the expectation of the City's General Plan [Section 12-480-5].
- c) The Planning Commission finds that with the implemented conditions of approval, the criteria for issuance of the Conditional Use Permit have been satisfied, as described in the applicable staff report.

PUBLIC HEARING – BANK OF AMERICA CONCEPTUAL SITE PLAN

Cory Snyder, Community Development Director, explained the Conceptual Site Plan submitted for Bank of America (former Iggy's location). The owner desires to amend the approved site plan for the property with demolition of the existing building and construction of a new main building. Mr. Snyder mentioned Staff concerns, and said he was comfortable with Conceptual Site Plan approval with recommended directives.

Commissioner Wright asked if planned UDOT revisions to the Parrish Lane interchange and the Parrish Lane/Market Place Drive intersection were taken into account. Mr. Snyder said it was anticipated there would be some acquisition of land on Parrish Lane for the UDOT project, but exact amounts and locations were not known. He said the RDA would address those issues.

Orlando Taylor, representing the applicant, stated a storyboard would be provided, and spoke to other concerns raised by Mr. Snyder. Chair Hayman opened a public hearing at 7:41 p.m., and closed the public hearing seeing that no one electronically indicated a desire to comment. Commissioner Summerhays disclosed that the firm for which he works professionally does business in the same market as Mr. Taylor's firm (Gensler), but stated he was not aware of any current business between the two companies that would pose a conflict of interest.

Commissioner Daly **moved** to accept the Conceptual Site Plan Application, submitted by Deerwood Investments Utah LLC, for the proposed Bank of America development, located at 782 West Parrish Lane, subject to the following directives and reasons for action. Commissioner Summerhays seconded the motion, which passed by unanimous vote (5-0).

Directives:

1. The applicant's next step is to prepare and submit a Final Site Plan Application that complies with submittal provisions of CZC 12.21.110(e).
2. The Final Site Plan design and layout is to substantially conform with this Conceptual Site Plan Acceptance, or as amended by this acceptance or by the City at Final Site Plan Approval.
3. The Final Site Plan is to conform with the Conceptual Site Plan submittals presented to the Planning Commission and shall be corrected or amended as follows:
 - a. Any mechanical equipment facilities or areas on the ground or on the roof must be screened from public view [see CZC 12.51.110(d) & (e)].
 - b. Bank uses are required to have a minimum of three (3) stacked parking spaces for each drive-through lane [see CZC 12.52.(d)].
 - c. The two-way drive isles need to be corrected from 24 feet to the Zoning Code required 25 feet in width [see CZC 12.52.310].
 - d. The Final Site Plan shall address the required "storyboard" regarding the use of colors, materials, expected articulation parameters and design features [see CZC 12.63.040].
 - e. The Final Site Plan submittal should address the expected "public amenities" [see CZC 12.63.040(b)].
 - f. The Final Site Plan submittal is to address the style of the replacement lighting fixtures which are to be compatible with the existing fixture design and style.
4. The applicant shall consult with the City Engineer regarding the proposed re-grading plan and determine how storm water runoff should be managed either by existing facilities or whether an on-site basin is needed to meet current applicable regulations.
5. A sign permit is required prior to the erection, installation, or use of the proposed signs, which is a separate and distinct approval from any site plan approval.
6. The site is located within a redevelopment area enacted by the City and is subject to other provisions and restrictions defined by the Redevelopment Agency. Therefore, the proposed changes and alterations to this specific site must obtain approval from the Redevelopment Agency.
7. Lastly, these Conceptual Acceptance Directives are to help facilitate compliance with applicable City provisions regarding the proposed "Bank of America" development. However, there may be other applicable City regulations that have not been identified at this level of review. Consequently, there may be other standards or adjustments identified during a Final Site Plan review.

Reasons for the Action:

- a) The Planning Commission finds that the Conceptual Site Plan has been reviewed in accordance with CZC 12.21.110(d).
- b) The Planning Commission finds that the Conceptual Site Plan has been reviewed considering the applicable provisions of the Centerville Zoning Ordinance, as outlined in the applicable Planning Staff Report.
- c) The Planning Commission finds that "Acceptance" of a Conceptual Site Plan is not intended to permit actual development of property pursuant to such plan but is to be prepared and reviewed merely to represent how the property could be developed [see CZC 12.21.110(d)(5)].
- d) Lastly, the Planning Commission finds that any conditions of acceptance are to be limited to conditions needed to conform the conceptual site plan to approval standards and ordinance requirements [see CZC 12.21.110(d)(4)].

ZONING CODE AMENDMENTS – CHAPTER 12.69 (MEDICAL CANNABIS FACILITIES)

Lisa Romney, City Attorney, stated the proposed Zoning Code Amendments were postponed to the July 8, 2020 meeting.

COMMUNITY DEVELOPMENT DIRECTOR REPORT AND COUNCIL REPORT

The Planning Commission is scheduled to meet next on July 8, 2020. Commissioner Wright suggested a presentation from the Centerville Tree Board at a future Planning Commission meeting.

MINUTES REVIEW AND ACCEPTANCE

The minutes of the June 10, 2020 Planning Commission meeting were reviewed. Chair Hayman requested an amendment. Commissioner Wright **moved** to accept the minutes as amended. Commissioner Daly seconded the motion, which passed by unanimous vote (5-0).

ADJOURNMENT

At 7:56 p.m., Chair Haman **moved** to adjourn the meeting. Commissioner Wright seconded the motion, which passed by unanimous vote (5-0).

Leah Romero, City Recorder

Date Approved

Katie Rust, Recording Secretary