

**CENTERVILLE CITY
ORDINANCE 2026-10**

**AN ORDINANCE AMENDING SECTION 12.20.070 OF THE CENTERVILLE
ZONING CODE REGARDING MEMBERSHIP AND ORGANIZATION OF THE
LANDMARKS COMMISSION, CHANGING THE NAME OF THE LANDMARKS
COMMISSION TO THE HISTORIC PRESERVATION COMMISSION,
APPOINTING MEMBERS OF THE WHITAKER MUSEUM BOARD TO ACT AS
MEMBERS OF THE HISTORIC PRESERVATION COMMISSION, AND
AMENDING VARIOUS OTHER SECTIONS OF THE CENTERVILLE ZONING
CODE CHANGING REFERENCES THROUGHOUT FROM LANDMARKS
COMMISSION TO HISTORIC PRESERVATION COMMISSION**

WHEREAS, the City has previously created the Landmarks Commission as more particularly described in CZC 12.20.070; and

WHEREAS, the City Council desires to make a number of amendments to the membership and organization of the Landmarks Commission, to change the name of the Landmarks Commission to the Historic Preservation Commission, and to appoint members of the Whitaker Museum Board to act as members of the Historic Preservation Commission; and

WHEREAS, the City Council finds the amendments to the Section 12.20.070 and other Sections of the Centerville Zoning Code are in the best interest of the City and the community to continue to support the preservation and protection of historic buildings, structures, sites, and districts within the City; and

WHEREAS, all public notices and public hearings have been held before the Planning Commission and the City Council as required under Utah law for Zoning Code amendments.

NOW THEREFORE, be it ordained by the City Council of Centerville City, in the State of Utah, as follows:

SECTION 1: AMENDMENT “12.20.070 Landmarks Commission” of the Centerville Zoning Code is hereby *amended* as follows:

A M E N D M E N T

12.20.070 ~~Landmarks~~Historic Preservation Commission

- (a) Established. There is a Historic Preservation Commission ~~A Landmarks Commission of Centerville City which acts~~ ~~, consisting of five to seven members, is hereby established for the purpose of acting as the administrative authority for decisions or as an advisory board and recommending body to the City Council, as provided in this Title,~~ regarding historic assets within the City, and which performs administrative

duties regarding historic preservation and designation as more particularly provided herein. ~~Members of the Landmarks Commission shall:~~

- ~~(1) Serve without compensation, except for reasonable expenses incurred in performing their duties as members of the Landmarks Commission; and~~
 - ~~(2) Have a demonstrated interest, competence or knowledge in historic preservation or architecture. To the extent available in the community, two Commission members shall be professionals from the disciplines of history, architecture, or architectural history as defined by National Park Service regulations.~~
- (b) Purpose. The City recognizes that the historical heritage of the community is among its most valued and important assets. The purpose of the Historic Preservation Commission is to help the City identify, preserve, protect, and enhance historic buildings, structures, sites, and districts located within the City.
- (c) Members and Terms. ~~Appointment and Terms of Office.~~
- (1) Number and Appointment. The Historic Preservation ~~Landmarks~~ Commission shall be comprised of five (5) to seven (7) members who shall be appointed by the Mayor with the advice and consent of the City Council. As provided in CMC 3.03.070, members of the Whitaker Museum Board are appointed as Historic Preservation Commission members and shall perform the duties and obligations of the Historic Preservation Commission.
 - (2) Term.
 - (A) Historic Preservation Commission members shall be appointed to staggered terms of three years and until a successor is appointed. ~~The terms of Landmarks Commission members shall be staggered. Each member of the Landmarks Commission shall serve for a term of three years and until a successor is appointed,~~ provided, ~~that~~ members may be appointed for terms shorter than three years when necessary to provide staggered terms.
 - (B) Historic Preservation ~~Landmarks~~ Commission members may be reappointed for successive terms.
 - (3) Qualifications. Historic Preservation Commission members should have a demonstrated interest, competence, or knowledge in fields related to historic preservation or architecture. To the extent available in the community, at least two (2) Historic Preservation Commission members shall be professionals from the disciplines of history, architecture, or architectural history.
 - (4) Removal. Historic Preservation Commission members shall serve at the pleasure of the City Council and may be removed at any time with or without cause by majority vote of the City Council.
 - (A) ~~The Mayor, with the advice and consent of the City Council, may remove any member of the Landmarks Commission at any time with or without cause.~~
 - (5) Vacancies. A vacancy on the Historic Preservation Commission occurring for any reason shall be filled by the Mayor, with the advice and consent of the City Council, in accordance with the procedures for appointment set forth

herein for the unexpired term of such Commission member.

- (A) ~~A vacancy occurring on the Landmarks Commission qualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.~~

(6) Compensation. Historic Preservation Commission members shall serve without compensation and shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies.

(7) Volunteers. Members of the Historic Preservation ~~Landmarks~~ Commission shall be deemed "volunteers" for purposes of City ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of "employee" for purposes of the Utah Governmental Immunity Act, as set forth in Utah Code §§ 63G-7-101, et seq.

(8) Conflicts of Interest. As appointed volunteers of the City, Historic Preservation Commission members shall comply with the Utah Officers' and Employees' Ethics Act, as set forth in Utah Code §§ 10-3-1301, et seq.

(d) Organization and Procedure. ~~The Landmarks Commission shall be organized and exercise its powers and duties as follows:~~

(1) Chair and Vice-Chair. The Historic Preservation Commission shall elect one of its members as Chair to oversee the proceedings and activities of the Commission. The Historic Preservation Commission shall also elect one of its members to act as Vice-Chair to perform duties as assigned from the Chair and to oversee the proceedings and activities of the Historic Preservation Commission in the absence or inability of the Chair to act. The Chair and Vice-Chair shall serve for one year terms and may be re-elected for successive terms. Election of the Chair and Vice-Chair should take place during the first meeting of the Historic Preservation Commission each year. The Chair and Vice-Chair shall be voting members of the Historic Preservation Commission.

~~(2) Members of the Landmarks Commission shall select one of its members as chair to oversee the proceedings and activities of the Commission. The chair shall serve for a term of one year. The chair, with the advice and consent of the Landmarks Commission, shall appoint one member as alternate chair to act in the absence of the chair. The chair and alternate chair may be re-elected for successive terms.~~

~~(3) The Landmarks Commission may adopt policies and procedures, consistent with the provisions of this Title and applicable law, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Commission.~~

(4) Meetings. The Historic Preservation ~~Landmarks~~ Commission shall meet at least twice each year, ~~as determined by the Commission~~ and at such other times as the Commission may determine. Meetings shall be conducted in accordance with properly approved policies and guidelines of the Historic Preservation Commission.

(5) Open Meetings. ~~All m~~ Meetings of the Historic Preservation Commission shall

be properly noticed and held in accordance with the Utah Open and Public Meetings Act, as set forth in Utah Code §§ 52-4-101, et seq., including public notification of the meeting place, time, and agenda items. The Historic Preservation Commission shall keep a public record of its proceedings, and all minutes and recordings of the meetings and decisions of the Commission shall be filed in the office of the City Recorder.

- (6) Quorum. No official business ~~shall be conducted by~~ of the Historic Preservation ~~Landmarks~~ Commission shall be conducted unless a quorum of its members is present. Recognizing the flexible number of members which may be appointed to the Historic Preservation ~~Landmarks~~ Commission, a quorum shall consist of a majority of the appointed members on the Commission; provided, a minimum number of members required for a quorum shall be three (3). The minimum number of yes votes required for the Historic Preservation ~~Landmarks~~ Commission to take any action shall be a majority of members present at a duly called meeting with a quorum; provided, in no event shall the minimum number of votes required to take any action be less than three (3).

- (7) Decisions. Decisions of the Historic Preservation ~~Landmarks~~ Commission shall take effect on the date of the meeting at ~~or hearing in~~ which the decision is made, unless a different time is designated by in the Commission's ~~rules, or~~ at the time the decision is made.

- (8) Government Records.

~~The Landmarks Commission shall transmit reports of its official acts and recommendations to the City Council. The minutes of all meetings of the Landmarks Commission shall be prepared and filed in the office of the City Recorder. All such R~~ records of the Historic Preservation Commission, such as minutes, agendas, staff reports, and packet information, are public records and shall be available for public review and access in accordance with the Utah Government Records and Access Management Act, as set forth in Utah Code §§ 63G-2-101, et seq.

- (9) Policies and Procedures. The Historic Preservation Commission may adopt policies and procedures, consistent with the provisions of this Title and applicable law, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Commission.

- (e) Commission ~~Powers and~~ Duties. The Historic Preservation Commission generally acts as an advisory board to the City Council, but may have other administrative duties as more particularly provided herein. The Landmarks Commission shall have all the powers and duties, explicit or implied, given under Utah law, including but not limited to the following. The Historic Preservation Commission shall perform such duties in accordance with applicable State and Federal law and ~~Each of such powers and duties shall be exercised~~ pursuant to the procedural and decision-making ~~other~~ provisions of this Title.

- (1) Advise the City Council and other interested parties in the community on matters related to historic preservation and history.

- (2) Conduct or cause to be conducted ~~a~~ surveys of ~~the~~ local historic, architectural, and archaeological resources within the City. All ~~The~~ surveys shall be comply with standards set by the State Historic Preservation Office, compatible with the Utah Inventory of Historic and Archaeological Sites. All surveys and inventory documents shall be maintained and open to the public. ~~The~~ Survey should be updated at least every 10 years.
 - (3) Establish and maintain a Significant Historic Sites List, a Historic Landmark Register, and a Historic Area Register as provided in CZC 12.61 (Historic Buildings and Sites).
 - (4) Review all matters concerning designation, preservation, modification or demolition of any asset within the City listed on the Significant Historic Sites List, Historic Landmark Register and Historic Area Register, or nominations of such assets to the National Register of Historic Places, in accordance with the provisions set forth in CZC 12.61 (Historic Buildings and Sites).
 - (5) Review and provide comments to the State Historic Preservation Office regarding ~~on~~ all proposed National Register nominations of properties located for historic assets within ~~the boundaries of~~ the City. When the Historic Preservation Landmarks Commission considers a National Register nomination which is normally evaluated by professionals in a specific discipline and that discipline is not represented on the Commission, the Commission should seek expertise in this area before rendering its decision.
 - (6) Act as an administrative authority for the City regarding the designation, preservation, modification, and demolition of historic assets within the City.
 - (7) Work toward the continuing education of citizens regarding historic preservation and the City's ~~Centerville's~~ history.
 - (8) Support the enforcement of State laws relating to historic preservation, including, but not limited to, Utah Code § 9-8a-301, regarding the protection of Utah antiquities, and Utah Code § 9-8a-401, regarding historic sites.
 - (9) Provide reports to the State Historic Preservation Office on Commission activities, as appropriate.
 - (10) Exercise any other duties ~~powers~~ that are delegated to the Historic Preservation Landmarks Commission by the City Council.
- (f) Funding for Commission. The Historic Preservation Landmarks Commission shall be a voluntary organization whose operations may be funded by annual appropriations in the City budget and state, federal, corporate, and private grants, donations or other contributions. The Historic Preservation Landmarks Commission may solicit aid on a project-by-project basis from the City during its regular budget preparation cycle by application submitted to the City Manager by ~~prior to~~ March 15th of each year.
- (g) Purchasing. All purchases and expenditures for the Historic Preservation Commission shall comply with the City's Procurement Policy, including, but not limited to budget approval requirements, approval limits, bidding procedures, exemptions, etc. For purposes of such policies, the Historic Preservation Commission Chair, is hereby designated as an authorized Purchasing Agent, subject to the provisions of the City's Procurement Policy. All purchases and expenditures for the Historic Preservation

Commission shall also comply with any authorized Commission policies, guidelines, or procedures. All purchases and expenditures for the Historic Preservation Commission shall be consistent with the approved budget for the Historic Preservation Commission.

- (h) Examinations and Surveys. The Historic Preservation ~~Landmarks~~ Commission and its authorized agents, after contacting the property owner, may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to perform its function to promote historic preservation or to perform its duties as set forth in this Chapter.
- (i) Liaison. The City Council may appoint one of its members to serve as a liaison to the Historic Preservation Commission. The liaison should attend the meetings of the Historic Preservation Commission and serve only to advise and act as a liaison to the City Council regarding the Historic Preservation Commission with no power to vote on the Historic Preservation Commission.
- (j) Appeal. Any person adversely affected by a final administrative decision of the Historic Preservation ~~Landmarks~~ Commission made in the exercise of the provisions of this Title may appeal that decision to the Board of Adjustment as provided in CZC 12.21.200.

SECTION 2: AMENDMENT “12.61.030 Landmarks Commission Review”
of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.030 ~~Landmarks~~Historic Preservation Commission Review

The Historic Preservation ~~Centerville Landmarks~~ Commission is hereby designated as the official body to review all matters concerning designation, preservation, modification or demolition of any asset listed on the Significant Historic Sites List, Historic Landmark Register and Historic Area Register, or nominations of such assets to the National Register of Historic Places, within the City in accordance with the provisions set forth in this Chapter. However, the City Council shall grant all final approvals for designations to the Historic Landmark Register and the Historic Area Register, or official local sanction for the National Register of Historic Places.

SECTION 3: AMENDMENT “12.61.040 Significant Historic Sites List”
of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.040 Significant Historic Sites List

- (a) Created. There is hereby created a Centerville Significant Historic Sites List, which shall serve as a means of providing recognition to and encouraging the preservation of knowledge and information of important historic sites, places, structures, buildings, etc. within the City. The Significant Historic Sites List shall be prepared and maintained by the Historic Preservation Landmarks Commission. The Historic Preservation Landmarks Commission shall ensure that all nominations and any subsequent amendments or any additions thereto are approved in accordance with the provisions of this Chapter.
- (b) Contents. The Significant Historic Sites List shall describe as concisely as possible any significant historic assets that no longer exist; assets that have been significantly modified but have significant value; or the actual location of any event that had occurred in the past that played a significant role, or had an important influence within Centerville City.
- (c) Request for Identification. Any person, group, or governmental agency may nominate a historical asset for the Significant Historic Sites List by submitting a written request for nomination to the Historic Preservation Landmarks Commission. The request for identification shall include the documentation of the qualifying contents and criteria set forth in this Section.
- (d) Review of Request. Upon receipt of a written request for identification, the Historic Preservation Landmarks Commission shall review the submitted nomination at the Commission's next scheduled meeting, permitting adequate time for processing application and notice of the same. The Historic Preservation Landmarks Commission shall review the nomination in accordance with the criteria set forth in this Section and shall approve, approve with conditions, or deny the same for placement on the Significant Historic Sites List.
- (e) Notification. When a historic asset is officially nominated to the Significant Historic Sites List by the Historic Preservation Landmarks Commission, the Commission shall promptly notify any applicable owner in writing of the nomination to the listing. Upon official acceptance of the nomination, the historic asset shall be eligible for any recognition programs established by the City.
- (f) Identification Criteria. The Historic Preservation Landmarks Commission may nominate any historic asset to the Significant Historic Sites List, in accordance with the procedures set forth in this Section, if it meets all the criteria set forth below:
 - (1) Existing assets or removed assets shall be located or have taken place within the official boundaries of the City;
 - (2) It was built or occurred at least 50 years in the past;
 - (3) It is directly associated with events of historic significance in the community;
 - (4) It is closely associated with the lives of persons who were of historic importance to the community; or
 - (5) It exhibited significant architectural design or methods of construction that were used within the historic period it was established.

SECTION 4: AMENDMENT “12.61.050 Historic Landmark Register” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.050 Historic Landmark Register

- (a) Created. There is hereby created a Centerville Historic Landmark Register, which shall provide further recognition of significant individual historic assets and provide certain benefits and rehabilitation guidelines for such significant assets as an incentive for their preservation. The Historic Landmark Register shall be prepared and maintained by the Historic Preservation Landmarks Commission with the consent of the City Council in accordance with the provisions set forth in this Section. The Historic Preservation Landmarks Commission shall ensure that nominations to the Historic Landmark Register and any subsequent amendments or any additions thereto are approved by the City Council and filed with the City Recorder and the Davis County Recorder's Office.
- (b) Contents. The Historic Landmark Register shall describe as concisely as possible each site, structure or building, the date(s) of its occurrence or construction as nearly as can be determined, the qualifications for including it on the Historic Landmark Register, and the name and address of the current owner of property as shown on the records of the Davis County Recorder.
- (c) Request for Designation. Any owner of property may nominate his or her property for listing on the Historic Landmark Register by submitting a written request for designation to the Historic Preservation Landmarks Commission. An official request for designation may be preceded by informal contacts with the property owner by members of the Historic Preservation Landmarks Commission, City staff, or other interested parties. The written request shall include the following:
 - (1) Address and/or historic name of the property;
 - (2) Date the property was listed in the National Register or officially determined eligible and documentation supporting such listing or eligibility;
 - (3) Statement verifying the owner is indeed the legal owner of the property, according to record of the Davis County Recorder;
 - (4) Statement that the owner desires the action to designate his or her property to the Historic Landmark Register;
 - (5) Submittal of the applicable research and documentation regarding the historic asset, performed in accordance with the Utah State Historic Preservation Office standards for intensive level surveys. Copies of such documentation shall be maintained in the City's preservation files; and
 - (6) Any other information deemed necessary by the Historic Preservation Landmarks Commission or the City Council for determining the property's eligibility for designation.
- (d) Review of Request. Upon receipt of a written request for Historic Landmark Register

designation, the Historic Preservation Landmarks Commission shall review the submitted nomination at the Commission's next scheduled meeting, permitting adequate time for processing application and notice of the same. The Historic Preservation Landmarks Commission shall review the nomination in accordance with the criteria set forth in this Section. The Historic Preservation Landmarks Commission shall forward its recommendation regarding the nomination to the City Council for its review and approval, approval with conditions, or denial as set forth herein.

- (e) Designation and Notification. The City Council may designate a nomination to the Historic Landmark Register by approval and passage of an appropriate resolution. When a historic asset is officially designated to the Historic Landmark Register by the City Council, the Historic Preservation Landmarks Commission shall record the designation certificate with the City Recorder and promptly notify the property owner in writing of the designation together with a copy of the designation certificate. Upon official approval of the nomination, assets listed on the Historic Landmark Register shall be eligible for any recognition or preservation programs established by the City.
- (f) Approval Criteria. Any nominated historic asset may be designated to the Historic Landmark Register in accordance with the procedures set forth herein if it meets all the criteria set forth below:
 - (1) The historic asset is located within the official boundaries of the City;
 - (2) Is currently listed in the National Register of Historic Places, or it has been officially determined eligible to be listed by meeting the National Register Criteria for Evaluation, as amended;
 - (3) The historic asset was built or occurred at least 50 years in the past and at present is still in existence;
 - (4) The historic asset has substantially retained its original integrity, as defined in CZC 12.61.100(e)(2), and meets at least one of the following criteria:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of the community's history;
 - (B) Is associated with the lives of persons significant in the community's past;
 - (C) Embodies the distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history (e.g. archaeological sites).
- (g) Intensive Level Survey. Historic assets to be listed on the Historic Landmark Register which are not already listed on the National Register of Historic Places or if ineligible for such national listing, shall nonetheless be properly documented by an intensive level survey, in accordance with the Utah State Historic Preservation Office standards for intensive level surveys.

SECTION 5: AMENDMENT “12.61.060 Historic Area Register” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.060 Historic Area Register

- (a) Created. There is hereby created a Centerville Historic Area Register, which shall provide further recognition of significant historic assets and provide certain benefits and rehabilitation guidelines for such significant assets as an incentive for their preservation. The Historic Area Register shall be prepared and maintained by the Historic Preservation Landmarks Commission with the consent of the City Council in accordance with the provisions set forth in this Section. The Historic Preservation Landmarks Commission shall ensure that nominations to the Historic Area Register and any subsequent amendments or any additions thereto are approved by the City Council and filed with the City Recorder's Office.
- (b) Contents. The Historic Area Register shall describe as concisely as possible the boundary or perimeter area of a historic area, street, or block, the qualifications for including it on the Historic Area Register, and the name and address of all current owners of property within the district, as shown on the records of the Davis County Recorder.
- (c) Request for Designation. The owners of property, Historic Preservation Landmarks Commission, or City Council may nominate an area for listing on the Historic Area Register by submitting a written request for designation to the Historic Preservation Landmarks Commission. An official request for designation may be preceded by informal contacts with the property owners, by members of the Historic Preservation Landmarks Commission, City staff, or other interested parties. The written request shall include the following:
 - (1) The description of the proposed area boundary or location, along with the addresses of each property within the proposed Historic Area, regardless of whether all properties are contributing historical assets and the proposed historic name desired for the proposed area.
 - (2) Statement verifying or witnessing that all owners have been notified in writing or by mailing, as addressed with the County Records, of such proposal to create a Historic Area.
 - (3) Submittal of the applicable research and documentation regarding all historic assets found within the proposed Historic Area, performed in accordance with the Utah State Historic Preservation Office standards for intensive level surveys. Copies of such documentation shall be maintained in the City's preservation files.
 - (4) Any other information deemed necessary by the Historic Preservation Landmarks Commission or the City Council for determining the proposed Historic Area eligibility for designation.

- (d) Review of Request. Upon receipt of a written request for Historic Area Register designation, the Historic Preservation Landmarks Commission shall review the submitted nomination at the Commission's next scheduled meeting, permitting adequate time for processing application and notice of the same. The Historic Preservation Landmarks Commission shall review the nomination in accordance with the criteria set forth in this Section. The Historic Preservation Landmarks Commission shall forward its recommendation regarding the nomination to the City Council for its review and approval, approval with conditions, or denial as set forth herein.
- (e) Designation and Notification. The City Council may designate a nomination to the Historic Area Register by approval and passage of an appropriate resolution. When a historic area is officially designated to the Historic Area Register by the City Council, the Historic Preservation Landmarks Commission shall promptly notify all property owners, within the boundary area, in writing of the designation together with a copy of the designation certificate. Upon official approval of the nomination, assets listed on the Historic Area Register shall be eligible for any recognition or preservation programs established by the City.
- (f) Approval Criteria. Any nominated historic location may be designated to the Historic Area Register in accordance with the procedures set forth herein if it meets all the criteria set forth below:
- (1) The historic area is located within the official boundaries of the City.
 - (2) All contributing historic assets were built or occurred at least 50 years in the past and presently exist.
 - (3) The historic area has substantially retained its original integrity and meets at least one of the following criteria:
 - (A) Is associated with events that have made a significant contribution to the broad patterns of the community's history;
 - (B) Is associated with the lives of persons significant in the community's past;
 - (C) Embodies the distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic values, or represent a significant and distinguishable entity whose components may lack individual distinction; or
 - (D) Has yielded, or may be likely to yield, information important in prehistory or history (e.g. archaeological sites).
 - (4) Intensive Level Survey. All contributing historic assets to be used for establishing the Historic Area Registry which are not already listed on the National Register of Historic Places or if ineligible for such national listing, shall nonetheless be properly documented by an intensive level survey, in accordance with the Utah State Historic Preservation Office standards for intensive level surveys.

SECTION 6: AMENDMENT “12.61.070 Nominations To The National Register Of Historic Places” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.070 Nominations To The National Register Of Historic Places

- (a) Nomination. The Historic Preservation ~~Landmarks~~ Commission, with the approval of the property owner of record and a final recommendation by the City Council, may prepare, assist, or submit nominations for select historic assets to the National Register of Historic Places. Submittals shall follow all state and national nomination requirements.
- (b) Purpose. The National Register is an official national list of structures considered worthy of preservation because they tell something important about a City’s past. Such importance can be at the state or local level, not just the national level. A National Register designation means a property has been officially recognized for its historic value and its preservation is encouraged.
- (c) Benefits. The benefits of National Register listing include assistance and information concerning the preservation of the structure, possible grants for repairs or improvements, and eligibility for federal and state rehabilitation tax credits.
- (d) Owner Obligation. A listing in the National Register does not interfere with a private property owner's right to alter, manage, or even demolish the listed property.
- (e) Steps for Listing. The general steps for a historic asset in obtaining a listing on the National Register are as follows:
 - (1) Researching the property and its past and current owners, this includes an intensive level survey following the State Historic Preservation Office criteria.
 - (2) Documenting the property's physical appearance with photographs and floor plan drawings and measurements.
 - (3) Completion of the official National Registration form.
 - (4) Following a review by the Historic Preservation ~~Landmarks~~ Commission, and approval from the property owner of record, the application shall be forwarded to the City Council for a final recommendation prior to submittal. A completed nomination shall be submitted to the State Historic Preservation office for review and submittal to the Keeper of the National Register of Historic Places.
- (f) Designation Optional. A designation of a historic asset on the National Register is not required for listing on the City’s Significant Historic Sites List or the Historic Area Register. However, it is strongly encouraged that any historic asset listed on the City’s local registers, also make application to be on the National Register to take advantage of federal and state programs to assist with the continued preservation of such asset.
- (g) Designation Required. A designation of a historic asset on the National Register is required for listing on the City’s Historic Landmark Register.

SECTION 7: AMENDMENT “12.61.080 Certificate Of Historic Landmark Or Area Registers” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.080 Certificate Of Historic Landmark Or Area Registers

- (a) Contents. Upon City Council approval of an historic asset to the Historic Landmark Register or the Historic Area Register, a designation certificate shall be prepared and recorded with the City Recorder and placed in the associated files maintained by the Historic Preservation ~~Landmarks~~ Commission. The designation certificate shall contain the following:
 - (1) The historic name of the property or district.
 - (2) The date of recommendation made by the Historic Preservation ~~Landmarks~~ Commission and the date of official designation by the City Council.
 - (3) A summary or list of the significant applicable attribute(s) of the historic asset that were identified to support the designation.
 - (4) The signatures of Historic Preservation ~~Landmarks~~ Commission chairperson and the Mayor.
- (b) Owner Copy. All owners of record shall be provided a copy of the designation certificate and may obtain additional copies by written request to the Historic Preservation ~~Landmarks~~ Commission.
- (c) Recordation. Any owner of record for an historic asset may record the designation certificate with the Davis County Recorder's Office to further enhance the recognition of such asset.

SECTION 8: AMENDMENT “12.61.090 Removal From Historic Landmark Or Area Registers” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.090 Removal From Historic Landmark Or Area Registers

- (a) By Owner. Nothing in this Chapter shall be construed to prevent any owner of record from removing his or her historic asset from the Historic Landmark Register or the Historic Area Register, as the owner deems appropriate. Such request for removal shall be made in writing by the owner of record to the Historic Preservation ~~Landmarks~~ Commission, and shall be forwarded to the City Council for acceptance. The Historic Preservation ~~Landmarks~~ Commission or City Council may not withhold acceptance of any removal request, but such review and official acceptance shall be conducted by the City for informational and administrative purposes for an understanding of the

request. The City shall not have any liability whatsoever for an owner's decision to remove his or her historic asset from any register.

- (b) By Non-Owner. Any historic asset, which in the opinion of the Historic Preservation Landmarks Commission, no longer meets criteria for eligibility may be forwarded to the City Council for removal from either the Historic Landmark Register or the Historic Area Register. Any such removal initiated by a person other than the owner of record shall be made with findings in accordance with the designation procedures and criteria set forth herein.
- (c) Notice. When a historic asset has been removed from the Historic Landmark Register or the Historic Area Register, the Historic Preservation Landmarks Commission shall promptly notify the owner of record in writing of the removal and shall file notice of the removal with the City Recorder and/or the Davis County Recorder's Office, as applicable.
- (d) Placement on the Significant Historic Sites List. Any home removed from the Historic Landmark Register or the Historic Area Register, by owner or non-owner, may still qualify for placement on the Significant Historic Sites List by meeting the criteria found in CZC 12.61.040.

SECTION 9: AMENDMENT “12.61.100 Alteration/Modification Standards For Historic Assets Listed On The Historic Landmark Register” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.100 Alteration/Modification Standards For Historic Assets Listed On The Historic Landmark Register

- (a) Alterations or Modifications. In order to ensure the preservation of historic materials and features of Historic Landmark Register assets to the greatest extent possible, all proposed repairs, alterations or additions involving the exterior structure and/or facade of such assets shall be subject to review by the Historic Preservation Landmarks Commission, in accordance with the provisions set forth in this Section. Any property owner desiring to keep their asset on the Historic Landmark Register shall comply with the following provisions of this Section.
- (b) Building Permit Request. An application for a building or related permit pertaining to an asset listed on the Historic Landmark Register shall be forwarded by the Zoning Administrator to the Historic Preservation Landmarks Commission prior to issuance. The Historic Preservation Landmarks Commission shall promptly review the application and proposed work for compliance with the standards set forth in this Section.
- (c) Appropriateness of Work. The Historic Preservation Landmarks Commission shall determine the appropriateness of the work in keeping with the preservation of historic integrity of the asset and shall prepare findings for approval or denial, as follows:

- (1) Appropriate. If the Historic Preservation ~~Landmarks~~ Commission deems the proposed work appropriate, it shall notify both the owner of record and the Zoning Administrator in writing of its determination of the appropriateness of the work and any conditions for compliance related to the alteration or modification.
 - (A) If the Historic Preservation ~~Landmarks~~ Commission deems the alterations and modifications to the structure appropriate, those properties on the Historic Landmark Register (not otherwise located in the Centerville Deuel Creek Historic District) shall be eligible for the same incentives set forth in CZC 12.49.100.
- (2) Not Appropriate. If the Historic Preservation ~~Landmarks~~ Commission deems the proposed work inappropriate, it shall forward notice, to the owner of record and the Zoning Administrator, of such determination together with recommendations as to how the work may be accomplished to comply with historic preservation standards.
 - (A) If the Historic Preservation ~~Landmarks~~ Commission does not approve the proposed work as "appropriate," the owner is encouraged to work with the Historic Preservation ~~Landmarks~~ Commission to determine the most appropriate means of altering or modification to the property in order to maintain the historic integrity of the property.
 - (B) If the owner chooses not comply with the recommendations of the Historic Preservation ~~Landmarks~~ Commission, the issuance of the building or associated permit shall be delayed up to 30 days for the documentation of existing conditions of the historic asset. After the necessary documentation time, the permit shall be issued as requested and the asset may be subject to the removal of its designation to the Historic Landmark Register.
- (d) Record Keeping. Any building permit or associated plans issued for an asset listed on the Historic Landmark Register shall be maintained by the office of the Zoning Administrator to assist in preserving and documenting the alterations or modifications made to historic assets listed on the Historic Landmark Register.
- (e) Approval Standards. Any alteration or modification of any historic asset designated on the Historic Landmark Register shall be reviewed for appropriateness in keeping with the preservation of historic integrity of the asset. The following standards shall be used by the Historic Preservation ~~Landmarks~~ Commission and/or City Council when determining the historic appropriateness of any application pertaining to the Historic Landmark Register:
 - (1) Use. The asset shall be primarily used for its intended historic purpose or be placed in a compatible new use that requires minimal change to the defining characteristics of the building and its site and/or environment.
 - (2) Character. The historic character of the asset shall be retained and preserved to the greatest extent possible. The removal of historic materials or alteration of features and spaces that characterize the asset shall be avoided.
 - (3) Developments. Each asset shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development,

such as adding conjectural features or architectural elements from other dissimilar buildings shall not be undertaken.

- (4) Changes. Most assets change over time; changes that have acquired historic significance in their own right shall be retained and preserved.
- (5) Distinctive Items. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the historic asset shall be preserved.
- (6) Deterioration. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence that such feature was previously present.
- (7) Cleaning. Chemical or physical treatments, such as sandblasting, that cause damage to historic material shall not be used. The surface cleaning of structures or materials, if appropriate, shall be undertaken using the gentlest means possible.
- (8) Resources. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (9) Materials. New additions, exterior alterations, modifications, or related new construction shall not destroy historic materials that characterize the asset. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the asset and its environment.
- (10) Historic Integrity. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic asset and its environment would be substantially unimpaired.
- (11) Additional Guidelines. Additional guidelines may be used as set forth in "The Secretary of the Interior's Standards for Rehabilitating Historic Buildings."

SECTION 10: **AMENDMENT** "12.61.110 Complete Demolition Or Substantial Non-Approved Alteration/Modification Of Historic Assets Listed On The Historic Landmarks Register" of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.110 Complete Demolition Or Substantial Non-Approved Alteration/Modification Of Historic Assets Listed On The Historic Landmarks Register

- (a) Delay of Permit. If a historic asset on the Historic Landmark Register is to be demolished or substantially altered, efforts shall be made by the City to document its

physical appearance before that action takes place. Specifically, the City may delay issuing a building permit for demolition or non-approved alterations/modifications for a maximum of 60 working days in order to provide the Historic Preservation Landmarks Commission time to document the site.

- (b) Documentation. Upon receipt of an application for demolition or non-approved alterations/modifications of assets listed on the Historic Landmark Register, the Zoning Administrator shall notify the Historic Preservation Landmarks Commission that such application has been made. The Historic Preservation Landmarks Commission shall thereafter have 60 working days to document the historic asset. Documentation may include, at a minimum, exterior photographs of all elevations of the historic asset, and exterior and interior measurements of the asset in order to provide an accurate floor-plan drawing of a building. All documentation shall be kept in the City's preservation files.
- (c) Information. The Historic Preservation Landmarks Commission may contact the owner of record of a historic asset in order to inform the owner of the significance of the historic asset to the City and the potential loss it may have if demolished or substantially altered.

SECTION 11: AMENDMENT “12.61.120 Special Considerations” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.61.120 Special Considerations

- (a) Considerations. Historic assets designated to the Historic Landmark Register may receive special consideration in the granting of special exceptions or conditional use permits in order to encourage their preservation as deemed appropriate by the City. Any such special exception or conditional use permit granted hereunder shall be subject to continued designation of the asset on the Historic Landmark Register. If the property is removed from such designation, the special exception and/or associated permit may be revoked and/or the property deemed nonconforming to the extent of the special consideration given to the property.
- (b) Construction Codes. In the event of rehabilitation for a historic asset, the building official shall consider the waiving certain code requirements, as provided in the Construction Codes adopted by the City.
- (c) Assistance. An owner of historic asset designated on the Historic Landmark Register may seek assistance from the Historic Preservation Landmarks Commission or City in applying for grants or tax credits for rehabilitating the property.
- (d) Signs. All signs used in connection with a special exception or associated permit shall conform to the general character of the historic asset and shall be subject to the provisions of CZC 12.54 (Signs).

SECTION 12: **AMENDMENT** “12.61.130 Historic Asset Recognition And Preservation Programs” of the Centerville Zoning Code is hereby *amended* as follows:

A M E N D M E N T

12.61.130 Historic Asset Recognition And Preservation Programs

The Historic Preservation ~~Landmarks~~ Commission is hereby charged with creating and/or recommending to the City efforts to identify, preserve, protect, and enhance the City’s historic assets, such as but not limited to the following:

- (a) Seeking grants;
- (b) Supporting nominations to the National Register of Historic Places;
- (c) Commemoration plaques;
- (d) Holding or attending educational events and programs;
- (e) Historic preservation socials;
- (f) Conducting historic walking/home tours;
- (g) Rehabilitation scholarships; and
- (h) Supporting General Plan and Zoning Code amendments that relate to historic preservation and the preservation of Centerville’s past.

SECTION 13: **AMENDMENT** “12.61.150 Appeal” of the Centerville Zoning Code is hereby *amended* as follows:

A M E N D M E N T

12.61.150 Appeal

Any person adversely affected by a final decision of the Historic Preservation ~~Landmarks~~ Commission, City Council, or other official enforcing the provisions of this Chapter may appeal such decision to the Board of Adjustment as provided in CZC 12.21.200.

SECTION 14: **AMENDMENT** “12.67.080 Development Standards - Conditional Use” of the Centerville Zoning Code is hereby *amended* as follows:

A M E N D M E N T

12.67.080 Development Standards - Conditional Use

The development standards of CZC 12.67.060 shall apply to a wireless telecommunication

facility established as a conditional use except as otherwise modified by this Section.

- (a) Antennas and Mounting Structures On or Over Public Rights-of-Way. Antennas and mounting structures shall not encroach on or over the public sidewalk or on or over a public right-of-way unless:
 - (1) The facility is approved by conditional use permit on existing structures located in the right-of-way;
 - (2) Associated mechanical and electrical equipment is not located in the public right-of-way;
 - (3) The facility is virtually hidden from view;
 - (4) The existing structure is proven structurally sound to support the proposed facility; and
 - (5) The carrier signs an agreement with the City which includes provisions that:
 - (A) Hold the City harmless from any liability claims as a result of the facility;
 - (B) Require the carrier to provide, prior to permit issuance, proof to the City that the carrier has acquired sufficient liability insurance as may be required by the City; and
 - (C) Name the City as co-beneficiary of the insurance policy.
- (b) Facilities in Historic Districts. Any facility proposed within a historic district or on a landmark site as defined by the City, County, State or the Federal governments shall be approved by a conditional use permit and shall be subject to review by the Historic Preservation Landmarks Commission in accordance with CZC 12.67.090.
- (c) Fencing and Screening Requirements. Specific fencing and screening plans for each facility shall be submitted to the City in conjunction with a conditional use permit application. Higher grade fencing, more aesthetic fence designs, and landscaping may be required for the purposes of visual screening, architectural compatibility, site compatibility, and other impact mitigation.
- (d) Monopoles.
 - (1) The height of an existing monopole located in a commercial public facility, or industrial zone may be increased if approved by a conditional use permit. No monopole with antennas and antenna support structures shall exceed a height of 100 feet.
 - (2) A monopole may be located within 500 linear feet from another monopole if approved by a conditional use permit.
 - (3) The maximum height of a monopole with antennas and antenna support structures may be increased if approved by conditional use permit for co-location of a second carrier on an existing monopole. In the event co-location for the second carrier is terminated, the original carrier shall reduce the height of the monopole to its originally approved height within 30 days from the date the second carrier files with the FCC a "Notice to Abandon" the facility. The City shall receive a copy of the "Notice to Abandon" filed with the FCC.
- (e) Non-Flush-Mounted Wall Antennas. A non-flush-mounted wall antenna may extend more than six feet horizontally from the wall surface if approved by a conditional use permit.

- (f) Stealth-Design Antennas and Monopoles. A stealth-design monopole may be located in residential, agricultural, or public facility zones if approved by a conditional use permit. Final determination of the acceptability of a stealth-design antenna or monopole shall be made as part of the conditional use permit process.
- (g) Additional Conditional Use Factors. In addition to conditional use standards outlined in CZC 12.21.100(e), the following factors shall be considered in evaluating an application for a conditional use permit:
 - (1) Compatibility of the proposed structure with the height and mass of existing buildings and utility structures;
 - (2) For new sites, whether location of the antenna on other existing structures in the same vicinity such as other towers, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc., is possible without significantly impacting antenna transmission or reception;
 - (3) Antenna location in relation to existing vegetation, topography, and buildings to obtain the best visual screening; and
 - (4) Whether spacing between monopoles creates quantifiable detrimental impacts to adjoining properties.
 - (5) If practical difficulties are demonstrated by the applicant or upon detailed demonstration by the applicant that a proposed facility can be effectively screened from the view of nearby sensitive land uses, the Planning Commission may reduce a required setback from a residential zone provided that no pole shall be closer than one and one-half times the height of the pole to any dwelling.

SECTION 15: **AMENDMENT** “12.67.090 Landmarks Commission Review” of the Centerville Zoning Code is hereby *amended* as follows:

AMENDMENT

12.67.090 ~~Landmarks~~Historic Preservation Commission Review

Prior to considering a conditional use permit application for any facility within a historic district or on a landmark site, the application shall be reviewed by the Historic Preservation ~~Landmarks~~ Commission. The Historic Preservation ~~Landmarks~~ Commission shall review the application with respect to the development standards set forth in this Chapter and standards for issuance of a conditional use permit.

SECTION 16: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 17: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 18: **EFFECTIVE DATE** This Ordinance shall be in full force and effect from the date of adoption and after the required approval and publication according to law.

**PASSED AND ADOPTED BY THE CENTERVILLE CITY COUNCIL ON THIS
18TH DAY OF AUGUST, 2026.**

	AYE	NAY	ABSENT	ABSTAIN
Rick Bangerter	<u>X</u>	_____	_____	_____
Cheylynn Hayman	<u>X</u>	_____	_____	_____
Gina Hirst	<u>X</u>	_____	_____	_____
Robyn Meacham	<u>X</u>	_____	_____	_____
Brian Plummer	<u>X</u>	_____	_____	_____

Presiding Officer

Attest

Clark A. Wilkinson
Clark A. Wilkinson, Mayor,
Centerville City

Jennifer Robison
Jennifer Robison, City Recorder
Centerville City

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the Utah Code § 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.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 8/20/2026

RECORDED this 20th day of August, 2026.

PUBLISHED OR POSTED this 20th of August, 2026.

