

**PERRY CITY
ORDINANCE NO. 21-M**

ZONING MAP AMENDMENT

**AN ORDINANCE OF PERRY CITY, UTAH, AMENDING THE ZONING MAP FOR A CERTAIN
PARCEL WHERE A ZONING AMENDMENT APPLICATION WAS FILED;**

WHEREAS, Perry City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;

WHEREAS, the City finds it necessary to update its land use ordinances in order to meet the challenges presented by development and to protect public health, safety, and welfare; and,

WHEREAS, the City received an Application to Amend the Zoning Map from C to R1;

WHEREAS, after publication of the required notice the Planning Commission held its public hearing on August 5, 2021, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to approve this Ordinance with a 3-0 vote;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on August 26, 2021;

NOW, THEREFORE, be it ordained by the City Council of Perry City as follows:

- Section 1:** **Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2:** **Zoning Map Amendment.** The Official Zoning Map of Perry City, Utah, is hereby amended from C to R1 for the following parcel located at 3457 S 1200 W: 02-037-0045.
- Section 5:** **Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.
- Section 6:** **Effective date.** This Ordinance take effect immediately upon approval and posting.

PASSED AND ADOPTED by the City Council on this 26 day of August 2021.

Mayor

VOTING:

Esther Montgomery	Yea	<u> x </u>	Nay	<u> </u>
Andrew Watkins	Yea	<u> x </u>	Nay	<u> </u>
Blake Ostler	Yea	<u> x </u>	Nay	<u> </u>
Nathan Tueller	Yea	<u> x </u>	Nay	<u> </u>
Toby Wright	Yea	<u> x </u>	Nay	<u> </u>

[SEAL]

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2021.

POSTED this ____ day of _____, 2021

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of Perry City, hereby certify that foregoing Ordinance was duly passed and published or posted at: 1) City Hall: 3005 S. 1200 W., 2) www.perrycity.org, and 3) www.pmn.gov, on the above referenced dates.

City Recorder

DATE: _____