

GUNNISON CITY, UTAH

ORDINANCE NO. 2010-2

**AN ORDINANCE OF THE GUNNISON CITY COUNCIL
AMENDING THE GUNNISON CITY DEVELOPMENT CODE AND
ADOPTING THE GUNNISON CITY ZONING ORDINANCE, A
LAND USE ORDINANCE OF GUNNISON CITY, UTAH**

WHEREAS, Gunnison City, including its City Staff, Planning Commission, and City Council has reviewed and considered proposed amendments to the Gunnison City Development Code, as adopted, over the last few years; and

WHEREAS, Gunnison City Staff over a significant period, has considered various options and alternatives to insure that all Gunnison City Land Use Ordinances are both responsive to the needs of the City and comply with all requirements of State laws and have provided necessary advice to the Planning Commission and City Council; and

WHEREAS, the Gunnison City Planning Commission, over a significant period, has considered various options and alternatives to insure that all Gunnison City Land Use Ordinances are both responsive to the needs of the City and comply with all requirements of State laws; and

WHEREAS, the Gunnison City Council, over a significant period, have also considered various options and alternatives to insure the Gunnison City Development Code is both responsive to the needs of the City and comply with all requirements of State laws; and

WHEREAS, the Gunnison City Planning Commission has now conducted various Public Hearings, and considered various necessary revisions; and

WHEREAS, the Gunnison City Planning Commission has formulated a recommendation to the Gunnison City Council advising the Council that the Development Code, as adopted, now be significantly amended and revised; and

WHEREAS, the Gunnison City Council has now received and considered the recommendation of the Planning Commission which has been the subject of a City Council Public Hearing; and

WHEREAS, following the close of the Public Hearing, the City Council has now determined it presents appropriate action that the Gunnison City Development Code, as adopted, now be significantly amended and revised; and

WHEREAS, the City Council, the legislative body of Gunnison City may amend city ordinances, from time-to-time, as determined necessary; and

WHEREAS, the City Council is acting under the authorities granted by Section 10-9a *et. seq.* Utah Code Annotated, 1953, as amended.

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

Section 1. Title.

- 1) This Ordinance shall be known as the "Gunnison City Zoning Ordinance, a Land Use Ordinance of Gunnison City, a part of the Gunnison City Development Code."
- 2) This Ordinance shall adopt the materials attached hereto as the "Gunnison City Zoning Ordinance, a Land Use Ordinance of Gunnison City, a part of the Gunnison City Development Code."

Section 2. Applicability.

This Ordinance, and its Attachment, shall apply to all areas located within the municipal boundaries of Gunnison City, Utah.

Section 3. Minor Corrections and Necessary Illustrative Materials.

The City Council hereby authorizes all necessary formatting and necessary grammatical and referencing corrections, provided such do not change the intent and purpose of this Ordinance, or any Sections, and the inclusion of illustrative materials to enhance usability and clarity.

Section 4. Repealer.

This Ordinance shall repeal the Gunnison City Development Code, in its entirety as adopted.

Section 5. Conflict.

In the event of a conflict between this Ordinance and any other Gunnison City ordinances, resolutions, or regulations, the provisions of this Ordinance shall apply and shall be controlling.

Section 6. Severability.

If any section, part, or provision of this Ordinance is held by a court of competent jurisdiction to be invalid or unenforceable such invalidity or unenforceability shall not affect any other section, part, or provision of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 7. Effective Date.

This Ordinance shall take on January 1, 2011 at 12:01AM and following its passage by a majority vote of the Gunnison City Council and posting and notice, as required by applicable laws.

