



ORDINANCE NO. O-22-06

AN ORDINANCE AMENDING GARLAND MUNICIPAL ORDINANCE CODE, BY THE ADDITION OF A CLARIFICATION ON ZONING AND REQUIREMENTS THAT DESIGNATIONS BE FOLLOWED AND ZONING ALLOWED ONLY AS DESIGNATED IN ZONES OF GARLAND CITY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

WHEREAS, Utah Code empowers municipalities of the state to enact all ordinances and rules that they consider necessary for operations within the municipality; and

WHEREAS, Garland City has been experiencing issues related to requests to zone in areas that are not designated for the requested purposes; and

WHEREAS, in an attempt to clarify such discrepancies, the City through this amendment now affirms that only listed uses are allowed in that particular zone and cross-over zoning is prohibited; and

WHEREAS, the City finds it is in the best interest of the community and its citizens to sometimes update and clarify sections of the City Code in order to better inform and protect the general public; and

WHEREAS, a public hearing was held, and notice thereof published in accordance with Utah State Law, describing the proposed addition and providing the time and place of such public hearing; and

WHEREAS, the Garland City Council received all competent evidence offered in support of and in opposition to said proposed amendment in said meeting and it appearing that the proposed amendment(s) are in accord with the City's goals and will promote health, safety, and the general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GARLAND, UTAH, AS FOLLOWS:

Section 1. That Garland City Code be amended and to now include the following:

9-5-1: ESTABLISHMENT OF ZONES:

For the purpose of this title, the land within the city to which this title applies is divided into classes or zones as follows:

Agricultural zone	A1
Residential zone	R1

Residential zone	R2
Residential zone	R3
Residential Multiple zone	RM12
Commercial zone	C1
Manufacturing zone	M1
Highway zone	H1
Manufactured home zone	MH1
Public facilities zone	PF

(Ord., 9-3-1996; amd. Ord. 14-07, 11-19-2014; Ord. 16-03, 4-27-2016)

9-5-2: CORRECT LAND USE DESIGNATION REQUIRED:

A. Interpretation of Zoning Ordinance. Any use of land that is not plainly designated as an allowed use in the zone is prohibited; examples include residential units in a commercial zone or agricultural uses in a residential zone, except where the zone explicitly defines a limited use (example, egg-laying chickens in a yard as allowed by residential codes). If a land use has been specified in the code, but it has not been listed as a permitted use in a zone, it is prohibited in the zone, even if a use that is more general or broader in scope is permitted in the zone.

B. Land Use Decision Required: No development may commence, or land use changed or expanded, without a final land use decision which determines that the development or the change or expansion, is allowed in the zone and complies with all land use regulations.

(Ord. , 2022)

9-5-23: FILING OF ORDINANCE AND MAP:

The ordinance codified herein and the map shall be filed in the custody of the city recorder and may be examined by the public subject to any reasonable regulations established by the city recorder. (Ord., 9-3-1996, 2022)

9-5-34: RULES FOR LOCATING BOUNDARIES:

Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

A. Whenever the zone boundary is indicated as being approximately upon the centerline of a street, alley, or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of such street, alley or block, or such property line, shall be construed to be the boundary of such zone.

B. Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right of way, or public park or other public land, or any section line, then in such case the center of such stream, canal, waterway, or of such railroad right of way or the boundary line of such public land, or such section line, shall be deemed to be the boundary of such zone.

C. Where such zone boundary lines cannot be determined by the above rules, the zoning commission and/or city council shall interpret their location on the map. (Ord., 9-3-1996, 2022)

Section 2. Repealer. Any provision of the Garland Municipal Code found to be in conflict with this ordinance is hereby repealed.

Section 3. Severability. If any provision of this ordinance is declared invalid by a court of competent

jurisdiction, the remainder shall not be affected thereby.

Section 4. All other terms, provisions, and conditions as previously adopted remain in full force and effect unless specifically amended hereby.

Section 5. This ordinance shall take effect immediately upon its adoption, posting and appropriate signage being placed.

PASSED AND ADOPTED this 16th day of February 2022.

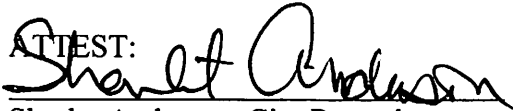
Garland City Corporation



Linda Bourne, Mayor

VOTING:

Jeanette Atkinson	Yea ☒	Nay ☐
Chuck Bingham	Yea ☒	Nay ☐
Donnie Howell	Yea ☒	Nay ☐
Sharla Nelson	Yea ☒	Nay ☐
Steve Peacock	Yea ☒	Nay ☐

ATTEST:


Sharlet Anderson, City Recorder