Planning Commission Meeting

Tuesday, December 3, 2024 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen, Commissioner Mary Cokenour, Assistant City Manager Megan Gallegos, City Recorder Melissa Gill

Meeting Location: 648 S Hideout Way

1. **Call to Order**
2. **Minutes Review/Approval (action)**

   Attachments:

   - **2024-11-05 PC** (2024-11-05_PC.pdf)

3. **Public Comment**
4. **Annexation Policy Revision (discussion)**

   Attachments:

   - **Annexation Attorney Notes** (Annexation_Attorney_Notes.pdf)
   - **Annexation Policy 2003** (Annexation_Policy_2003.pdf)
   - **Future Annexation Map Ariel View** (Future_Annexation_Map_Ariel_View.pdf)

5. **Permitted/Conditional Use Revision (discussion)**

   Attachments:

   - **Title 10 Permitted Uses** (Title_10_Permitted_Uses.pdf)

6. **Administrative Communications**
7. **Next Meeting Agenda**
8. **Adjournment (action)**

Audio File

Notice of Special Accomodations

THE PUBLIC IS INVITED TO ATTEND ALL CITY MEETINGS In accordance with the Americans with Disabilities Act, anyone needing special accommodations to attend a meeting may contact the City Office, 587-2271, at least three working days prior to the meeting. City Council may adjourn to closed session by majority vote, pursuant to Utah Code §52-4-4 & 5

Contact: Melissa Gill (melissa@monticelloutah.org 435-587-2271) | Agenda published on 11/27/2024 at 10:58 AM

Planning Commission Meeting

Minutes

Tuesday, November 5, 2024 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen (Absent), Commissioner Mary Cokenour, Assistant City Manager Megan Gallegos, City Recorder Melissa Gill

Meeting Location: 648 S Hideout Way

1. **Call to Order**

   Minutes:
   Chairperson Bennett called to order the Monticello City Planning Commission at 6:34 pm. There were no visitors present. City Councilmember Dunn joined the meeting at 6:45 pm.

2. **Minutes Review/Approval (action)**

   Minutes:
   MOTION to approve the minutes of October 1, 2024 with the correction of Commissioner Christensen being absent, Agenda item 2: Commissioner Cokenour made motion to approve minutes and Commissioner Bennett seconded. Agenda item 8: 2 Ayes 0 Nays was made by Commissioner Cokenour and seconded by Commissioner Bennett. The motion passed unanimously.
   Vote results:
   Ayes: 2 / Nays: 0

3. **Public Comment**

   Minutes:
   There was no public present for comment.

4. **Consider Recommendation to City Council: §10-2 Landscape Standards (discussion/action)**

   Minutes:
   MOTION to recommend the City Council approve §10-2 Landscape Standards was made by Commissioner Cokenour and seconded by Commissioner Bennett. The motion passed unanimously.
   Vote results:
   Ayes: 2 / Nays: 0

5. **Consider Recommendation to City Council: §10-17 Tiny Home Park (discussion/action)**

   Minutes:
   MOTION to recommend the City Council approve §10-17 Tiny Home Park was made by Commissioner Bennett and seconded by Commissioner Cokenour.
   Vote results:

Ayes: 2 / Nays: 0

6. **Building permit Update (discussion)**

Minutes:
Assistant City Manager Gallegos presented a building update, for the time frame of April 30, 2024 to August 16, 2024, to the Planning Commission.

7. **Annexation Policy Revision (discussion)**

Minutes:
Commissioner Bennett led the discussion on the Monticello City Annexation Policy revision. The subject of expansion areas and public noticing was discussed in great detail. The process of moving water and sewage, along with infrastructure development, was included in the conversation. Gallegos recommended the Planning Commission and City Council consider the future expansion areas together before beginning the process of revision. She will propose this be added to the City Council agenda November 26, 2024. Commissioner Bennett requested Public Works Director Baird attend the next planning commission meeting to discuss the expansion of infrastructure. Gallegos was tasked with attaining the definition of “urban development” and making sure it was applicable to the City. City Recorder Gill was tasked with determining the affected entities involved in a possible expansion plan. Chairperson Bennett recommended as the first step: Planning Commission, City Council and Administration review the Utah State Code changes that went into affect on November 1, 2024

8. **Administrative Communications**

Minutes:
Gallegos reported on the Utah Land Use Conference she attended in October 2024. Bennett informed the Commission and administration that an industrial developer had contacted various landowners just outside the city limits. She was unsure of the details and had not been approached personally. Gill invited the Commission and any associates to attend the CDBG public hearing on November 12, 2024 at 6:15 pm.

9. **Next Meeting Agenda**

Minutes:
Annexation Policy Discussion with Public Works Director, Feedback from City Council, and Information Learned from Tasks Given - Permitted/Conditional Use Discussion

10. **Adjournment (action)**

Minutes:
MOTION to adjourn was made by Commissioner Cokenour and seconded by Commissioner Bennett. The motion passed unanimously and Chairperson Bennett closed the Monticello City Planning Commission meeting at 7:46 pm.
Vote results:
Ayes: 2 / Nays: 0

Audio File

https://soundcloud.com/user-250815044/2024-11-05-planning-commission?

si=6a14cca441834f96a27298c24f3ebc33&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing

DRAFT

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Contact: Melissa Gill (melissa@monticelloutah.org 435-587-2271)

This is in follow-up to our discussion about whether Monticello City's Annexation Policy Plan ("Plan") complies with *current* State law. I have reviewed the Plan against the substantive requirements of Utah Code Annotated ("UCA") § 10-2-401.5 and find it compliant in all materials respects. It does, however, reference outdated processes for receiving and reviewing an annexation petition. To avoid confusion or procedural missteps, the City may wish to update its Policy Plan to include these new petition requirements. Although you may receive and process a petition filed before November 1, 2024 – the date on which the new requirements are effective – I don't recommend it.

Legal Framework

As you know, "no [city] may annex an unincorporated area located within a specified county unless the [city] has adopted an annexation policy plan" that complies with the procedural and substantive requirements of UCA § 10-2-401.5.

1. **Substantive Requirements (UCA § 10-2-401.5(3)).** The substantive requirements are that each play include the following:
   - A map of the expansion area;
   - A statement of the specific criterial that will guide the city's decision whether or not to grant future annexation petitions. These criteria must include:
     - The character of the community;
     - The city's plans for extension of municipal services;
     - How the services will be financed;
     - An estimate of the tax consequences; and
     - The interests of all affected entities.
   - Justification for excluding any area containing urban development within ½ mile of the city's boundary; and
   - A statement addressing any comments made by affected entities during the adoption process.

2. **Procedural Requirements (UCA § 10-2-401.5(2)).** The procedural requirements include:
   - Planning Commission:
     - 14-day public notice;
     - introductory public meeting
     - consideration of written comments for at least ten days after the introductory public meeting;
     - public hearing; and
     - Recommendation to the City Council.
   - City Council:
     - public hearing on the plan recommended by the Planning Commission;
     - 14-day public notice;
     - public hearing; and
     - adoption of the annexation policy plan, with or without modifications.

Review of Monticello's Current Plan

Monticello City adopted its Annexation Policy Plan in 2003. The Plan is signed by the then Chairman of the Planning Commission and the Mayor Pro Tempore, indicating that the Plan was recommended by the Planning Commission before it was adopted by the City Council. It is unclear from the Plan document

whether the Planning Commission and City Council complied with the procedural requirements of UCA § 10-2-401-5(2). But we can assume compliance inasmuch as the document references public meetings, indicates no input was received after the introductory meeting, and the document has remained unchallenged for at least two decades.

Although the annexation statute has been revised periodically by the Utah State Legislature, the substantive requirements of UCA § 10-2-401.5(3) have remained unchanged since 2002. Monticello's Plan meets those requirements. To be clear, Monticello's Plan is spare (you could and should improve the document with a more thorough description of the character of the community and the extension and financing of municipal services), but it ticks all of the essential requirements and does not *require* updating.

Changing Laws

State law is changing – and Monticello will need to update its Annexation Policy Plan to match – the process that will occur *after* an annexation petition is filed. These new requirements are prescribed by UCA 10-2-403. NOTE: These requirements are not effective until November 1, 2024. It is *technically possible* for the City to receive a petition before that time, and to process it according to the existing process; but I would not recommend it.

CITY OF MONTICELLO

ANNEXATION POLICY PLAN

A. General Annexation Criteria

In accordance with the provisions of Utah Code Unannotated, §10-2-401, the City of Monticello hereby adopts the following criteria for future annexations. This annexation policy declaration is intended to incorporate or address, by reference, all of the criteria and relevant matters required by Sections 10-2-401, et seq., Utah Code Unannotated. It is not the City's intent to annex territory for the sole purpose of acquiring revenue.

1. As part of its on-going effort to plan and prepare for responsible growth, the City of Monticello has identified territory adjacent to its present boundaries that could, at sometime in the future, be a part of the City. The area proposed for future annexation is not bordered by any other municipality.

2. Areas to be annexed must fall within the areas designated for future annexation on the expansion area map attached to this Annexation Policy Plan. Even when property proposed for annexation is located within the annexation expansion area, the City may elect to deny the annexation request.

3. Specific criteria will guide the City's decision on whether or not to grant future annexation petitions:

    a. Areas to be annexed must be compatible with the character of the community, which is mixed residential, commercial and agricultural.

    b. Areas to be annexed must be contiguous to the corporate limits of the City of Monticello at the time of the submission of an annexation request.

    c. Areas to be annexed shall not be a part of a previously filed annexation petition that has not been either denied, rejected or granted.

    d. Consideration shall be given (i) to the tax consequences to property owners, both those currently within the municipal boundaries and those within the expansion area, to prevent double taxation and to ascertain that the annexation will not be a tax liability to the taxpayers within the municipality, and (ii) to the interests of affected entities.

    e. If practicable and feasible, the boundaries of an area proposed for annexation shall be drawn:

1) along the boundaries of water, sewer improvements, or special service districts;

2) to eliminate and/or not create islands and peninsulas of unincorporated territory that is not receiving municipal-type services;

3) to consolidate overlapping functions of government;

4) to promote efficient delivery of services;

5) to encourage the equitable distribution of community resources and obligations; and,

6) to exclude the annexation of areas for which it does not have the capability to provide municipal services.

f. The annexation petition must be in compliance with the requirements of Section 10-2-403, Utah Code Unannotated.

B. Procedures for Submission of an Annexation Petition

The following is a general summary of the process for initiating and submitting an annexation petition to the City of Monticello, as required under Section 10-2-403, Utah Code Unannotated.

1. An annexation petition, accompanied by an annexation plat, must be submitted to the City Recorder. Said petition shall:

   a. Contain the signatures of property owners of record which covers a majority of the private land area proposed for annexation and represents at least one-third (1/3) of the assessed valuation of the private aggregate properties proposed for annexation, as reflected on the last assessment roles.

   b. Represent an area contiguous to the existing corporate limits of the City and shown to be within the areas designated for annexation on the expansion area map attached to this Annexation Policy Plan.

   c. Include an accurate and recordable map of the area proposed for annexation, prepared by an engineer or surveyor licensed in the State of Utah.

d. Designate up to five of the signers of the petition as sponsors, indicating a mailing address for each sponsor, one of whom shall be designated as the contact sponsor.

2. The City Recorder, upon receipt of a properly prepared annexation petition, accompanied by the proper plat, shall

   a. Impose fees in an amount established by resolution of the Monticello City Council to recover the cost of processing said petition.

   b. Place the petition on the agenda of the next regularly scheduled City Council meeting that is at least fourteen (14) days after the petition is filed, for consideration.

3. The City Council shall review the annexation petition, and may deny the petition or may accept the petition for further consideration.

   a. A petition shall be considered to have been accepted for further consideration if the City Council fails to act to deny or accept the petition at the next regularly scheduled meeting that is at least fourteen (14) days after the petition is filed.

   b. If the City Council denies a petition, written notice shall be mailed within five (5) days of the denial to the contact sponsor, the San Juan County Clerk, and the Chair of the Monticello Planning Commission.

   c. If the City Council accepts the petition, or is considered to have accepted the petition, the City Recorder shall, within 30 days of that acceptance:

      1) Determine whether the petition meets or fails to meet the requirements of Section 10-2-403, Utah Code Unannotated, with the assistance of the City Attorney and of the Clerk, Surveyor, and Recorder of San Juan County; and

      2) Mail or deliver written notification to the City Council, the contact sponsor, the San Juan County Clerk, and the Chair of the Monticello Planning Commission either (i) to certify the petition, if it meets all requirements; or (ii) to reject the petition, if it fails to meet any of those requirements, and state the reasons therefor.

d. The City Council, within ten (10) days after receipt of the City Recorder's notice of certification, shall publish a notice of the proposed annexation at least once a week for three (3) consecutive weeks in a newspaper of general circulation within the area of the proposed annexation and, within twenty (20) days of notification, shall mail written notice to each affected entity.

1) The notices shall (i) state that a petition has been filed proposing annexation; (ii) state the date of the receipt of the notice of certification; (iii) describe the area proposed for annexation; (iv) state that the petition is available for inspection and copying at the office of the City Recorder; and (v) state, in conspicuous and plain terms, that the petition may be granted and the area annexed unless written protest is filed in accordance with Section 10-2-406 (2)(a) and Section 10-2-407 Utah Code Unannotated within thirty (30) days after the City Council's receipt of the notice of certification, with the deadline for filing a written protest stated by actual date and an address for filing a protest provided.

2) If no protest is filed during the designated protest period, the City Council shall schedule a public hearing and publish notice of the public hearing at least seven (7) days before the scheduled date in a newspaper of general circulation within the municipality, after which the City Council may grant the petition and, by ordinance, annex the area that is the subject of the annexation petition.

3) If a protest is appropriately filed, the City Council may deny the annexation petition at its next regular meeting after expiration of the deadline, or choose to take no further action until a hearing is held by the San Juan County Commission and a notice of decision is received from the County Clerk, at which time the City Council may either deny the petition or grant the annexation subject to the decision.

a) If the City Council denies an annexation petition, written notices shall be sent within five (5) days of denial to the contact sponsor, the San Juan County Clerk, and each protesting entity.

C. Extension of Municipal Services in Developed and Developing Areas

1. Extensions of municipal services must comply with all City ordinances and standards.

2. The developer or property owner requesting City services in the newly annexed area will bear the expense for the extension of the services to their property or the service area.

3. An annexation agreement will be drawn between the City and future developers outlining specifications for infrastructure and other improvements.

D. Statement Addressing Comments Made by "Affected Entities"

As no input was received at a public meeting held for "Affected Entities" on April 22, 2003, nor by written comment within ten days thereof, the Monticello Planning Commission made no modifications to the proposed annexation policy plan as a result of that meeting.

APPROVED by the Monticello Planning Commission and forwarded to the Monticello City Council this 7 day of OCT, 2003.

P I C Barr

Pat Barr, Chairman

ADOPTED by the Monticello City Council on this 12 day of Nov., 2003, with (without) modification.

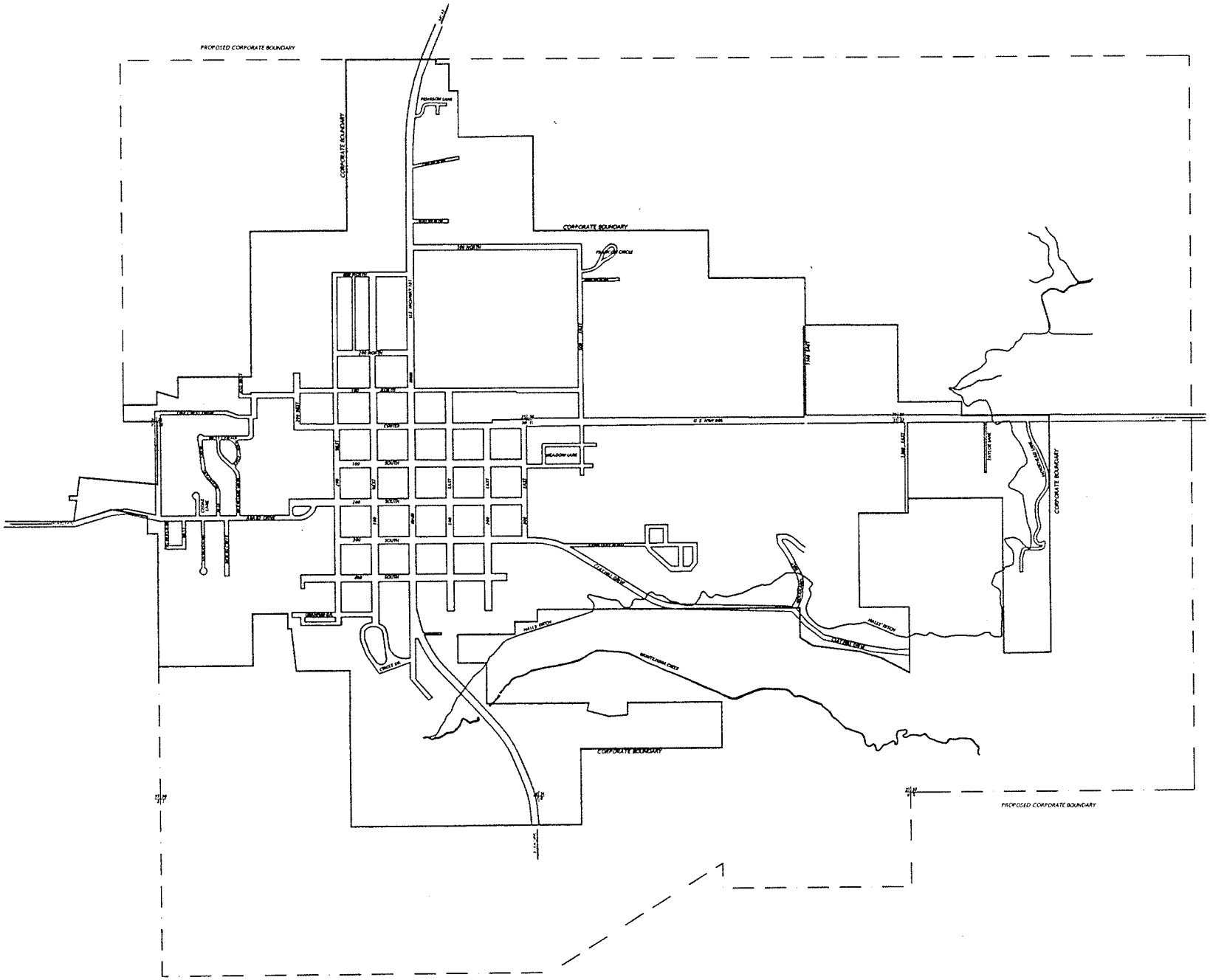
Kim Burtenshaw

~~C. Scott Pehrson, Mayor~~ -
Kim Burtenshaw, Mayor Pro-Tempore

ATTEST:

Rita Walker CMC

Rita Walker, C.M.C., Recorder



MONTICELLO CITY
EXPANSION AREA MAP

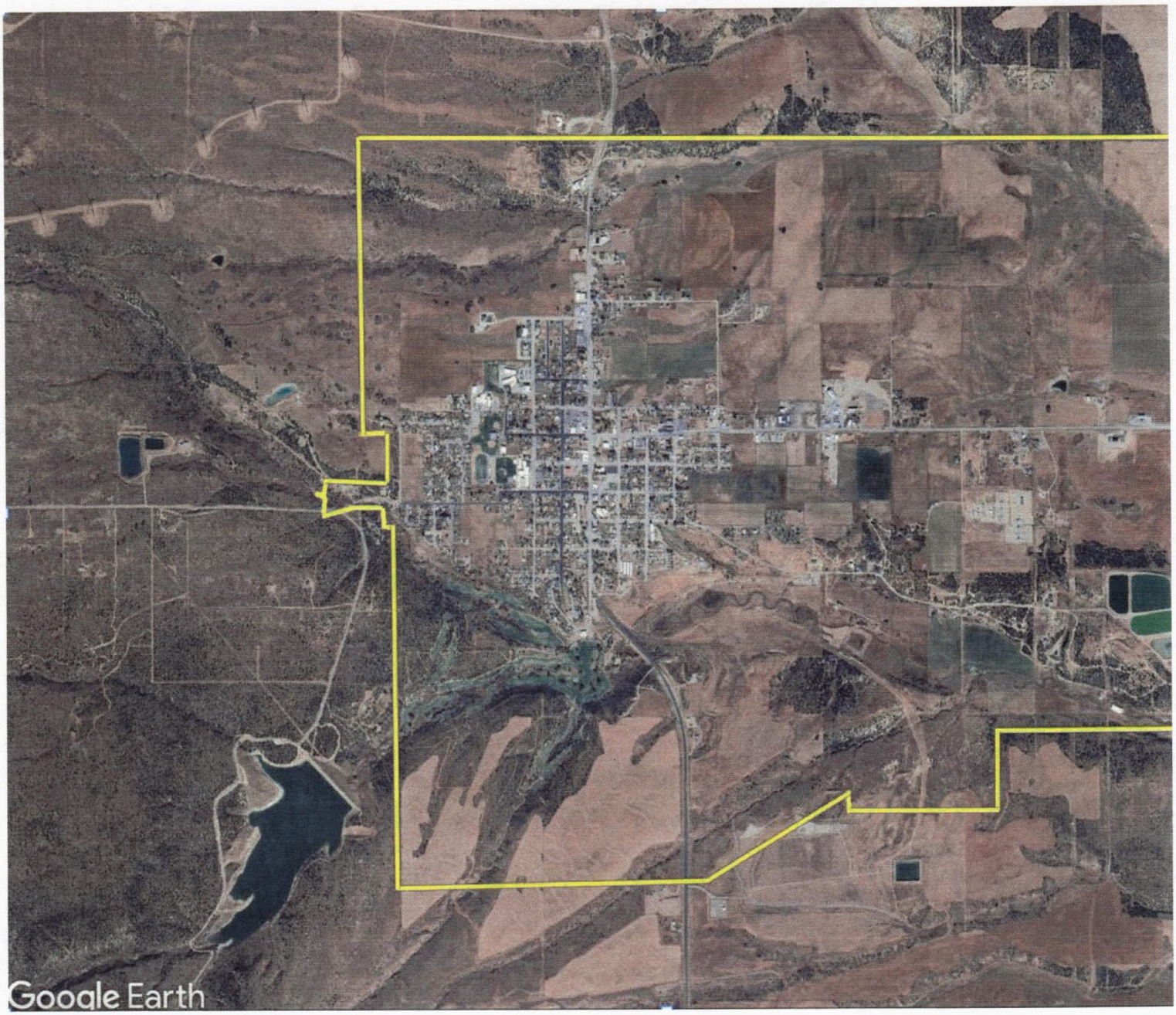
DATE OF LAST REVISION ***Oct. 7 2003***

Scale: ***1"= 700 ft***

Outlook

(No subject)

From Megan Shaw <mgnshw@icloud.com>
Date Tue 11/26/2024 8:08 PM
To Melissa Gill <melissa@monticelloutah.org>



Sent from my iPhone

TITLE 10
ZONING REGULATIONS

CHAPTER 5
A-1 AGRICULTURAL ZONE

SECTION :

10-5-1: Regulations
10-5-2: Intent
10-5-3: Permitted Uses
10-5-4: Area And Frontage Requirements
10-5-5: Location Requirements
10-5-6: Height Of Buildings
10-5-7: Size Of Dwelling
10-5-8: Width Of Buildings
10-5-9: Yard Space for One Main Building Only
10-5-10: Every Dwelling to Be on A Lot or Parcel
10-5-11: Sale Or Lease of Required Space Prohibited
10-5-12: Yards To Be Unobstructed; Exceptions
10-5-13: Accessory Buildings Prohibited as Living Quarters
10-5-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-5-15: Sewage Disposal
10-5-16: Water Connections
10-5-17: Drainage
10-5-18: Clear View of Intersecting Streets
10-5-19: Effect Of Street Plan
10-5-20: Motor Vehicle Access
10-5-21: Landscaping Required
10-5-22: Pollution Prevention
10-5-23: Special Provisions

10-5-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth.

10-5-2: INTENT:

A-1 agricultural zone covers certain fringe areas of the city where residential areas may be integrated with the raising of livestock for family food production and for the pleasure of the people who reside on the premises.

10-5-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.

Bunkhouses used by workers and staff.

Churches, not including temporary revival tents or buildings.

Fences, walls and hedges.

Foster care homes.

Grain bins and silos.

Household pets.

Landscape businesses, exclusive of gravel crushing and which do not violate dust, noise, or nuisance ordinances.

Machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Mobile home parks meeting the requirements of chapter 13 of this title.

Plant nursery.

Public agency arenas such as rodeo grounds, equestrian sports facilities, fairgrounds.

Public agency parks and playgrounds.

Public buildings and grounds, not including storage yards or repair shops.

Public, private and parochial schools and grounds.

Single- and two-family dwellings of conventional construction and manufactured homes.

The care and keeping of livestock and fowl. Also barns, corrals, pens and sheds for the care and keeping of the permitted animals and fowl.

The growing of field crops and fruit.

Veterinary clinics and animal boarding facilities.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:

All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-9 of this title.
Portable Storage Containers shall conform with section 10-2-10 of this title
Fences shall conform with section 10-2-14 of this title.
Solar Electricity Systems shall conform with section 10-2-16 of this title

C. The following uses are permitted as conditional uses.

Daycare, nursery, preschool.
Rest homes, nursing homes, convalescent homes, assisted living homes.

10-5-4: AREA AND FRONTAGE REQUIREMENTS:

A. Area and width requirements for all uses shall be a minimum of one acre.

B. Frontage at setback line shall be a minimum of one hundred twenty-five feet (125').

10-5-5: LOCATION REQUIREMENTS:

A. Front Setback:

TITLE 10
ZONING REGULATIONS

CHAPTER 6
R-1 RESIDENTIAL ZONE

SECTIONS:

10-6-1: Regulations
10-6-2: Intent
10-6-3: Permitted Uses
10-6-4: Area And Frontage Requirements
10-6-5: Location Requirements
10-6-6: Height Of Buildings
10-6-7: Size Of Dwelling
10-6-8: Width Of Buildings
10-6-9: Yard Space for One Main Building Only
10-6-10: Every Dwelling to Be on A Lot or Parcel
10-6-11: Sale Or Lease of Required Space Prohibited
10-6-12: Yards To Be Unobstructed; Exceptions
10-6-13: Accessory Buildings Prohibited as Living Quarters
10-6-14: Storage Of Commercial or Oversized Vehicles Prohibited
10-6-15: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-6-16: Sewage Disposal
10-6-17: Water Connections
10-6-18: Drainage
10-6-19: Clear View of Intersecting Streets
10-6-20: Effect Of Street Plan
10-6-21: Motor Vehicle Access
10-6-22: Landscaping Required
10-6-23: Pollution Prevention
10-6-24: Special Provisions

10-6-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth.

10-6-2: INTENT:

The R-1 residential zone has been established for the purpose of providing a place where single family detached dwellings can be constructed, having attractively landscaped yards and a favorable environment for family life. Uses such as multiple-family dwellings, apartment houses and commercial and industrial uses are not permitted in this zone.

10-6-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with requirements set forth in this title:

Accessory buildings.
Childcare.
Churches, not including temporary revival tents or buildings.
Daycare, Nursery, Preschool.
Foster homes.
Growing of fruit and gardens for household use.
Household pets.
Public agency parks and playgrounds.
Public, private and parochial schools and grounds.
Single-family dwellings of conventional construction and manufactured homes.
Small homes of conventional construction and manufactured homes.
Utility lines.
Walls and hedges.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
   Accessory signs conforming to section 10-2-6.
   Fences in conformance with section 10-2-14.
   Keeping of chickens as allowed in section 10-2-12.
   Long-term rental of dwelling units subject to the provisions of section 10-2-17.
   Solar electricity systems conforming to section 10-2-16.
   Temporary uses are subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).
   Home occupations.
   Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
   Growing of field crops, garden produce, and fruit for sale or trade.
   Rest homes, nursing homes, convalescent homes, assisted living homes.

10-6-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows:

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (at setback line)
Single family dwelling	5,445 square feet	60 feet
Small home	3,000 square feet	40 feet
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

10-6-5: LOCATION REQUIREMENTS:

A. Front Setback
   1. All dwellings and other structures shall be set back according to the special conditions noted below:

TITLE 10
ZONING REGULATIONS

CHAPTER 7
R-2 RESIDENTIAL ZONE

SECTION:

10-7-1: Regulations
10-7-2: Intent
10-7-3: Permitted Uses
10-7-4: Area And Frontage Requirements
10-7-5: Location Requirements
10-7-6: Height Of Buildings
10-7-7: Size Of Dwelling
10-7-8: Yard Space for One Main Building Only
10-7-9: Every Dwelling to Be on A Lot Or Parcel
10-7-10: Sale Or Lease of Required Space Prohibited
10-7-11: Yards To Be Unobstructed; Exceptions
10-7-12: Accessory Buildings Prohibited as Living Quarters
10-7-13: Storage Of Commercial or Oversized Vehicles Prohibited
10-7-14: Storage Of Junk, Debris, Or Unlicensed Inoperable Vehicles Prohibited
10-7-15: Sewage Disposal
10-7-16: Water Connection
10-7-18: Clear View of Intersecting Streets
10-7-19: Effect Of Street Plan
10-7-20: Motor Vehicle Access
10-7-21: Landscaping Required
10-7-22: Pollution Prevention
10-7-23: Special Provisions

10-7-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth.

10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and small homes can be constructed.

10-7-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory Buildings.

All uses permitted in the R-1 residential zone, section 10-6-3 of this title.

Single-family dwellings of conventional construction and manufactured homes.

Multi-family dwellings, townhouses and condominiums.
Small homes and tiny homes of conventional construction and manufactured homes.
Boarding house, lodging house, bed and breakfast, rooming house.
Childcare.
Churches, not including temporary revival tents or buildings.
Daycare, Nursery, Preschool.
Foster care homes.
Household pets.
Mobile homes on foundations with tie down.
Public agency parks and playgrounds.
Utility lines and buildings.
Walls and hedges.

B. The following uses are permitted when in conformance with the specified sections of Title 10, Zoning Regulations:
Accessory signs conforming to section 10-2-6.
Fences in conformance with section 10-2-14.
Keeping chickens in conformance with section 10-2-12.
Long-term rental of a dwelling unit as permitted in 10-2-17.
Short-term rental units as permitted in 10-2-17.
Solar electricity systems in conformance with 10-2-16.
Temporary uses are subject to the provisions of section 10-2-10.

C. The following uses are permitted as conditional uses (see section 10-2-8).
Home occupations.
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.

10-7-4: AREA AND FRONTAGE REQUIREMENTS:
Area and frontage requirements shall be as follows:

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (At Setback Line)
Single-family dwelling	5,445 square feet	60 feet
Small home	3,000 square feet	40 feet
Tiny home	2,756 square feet	26 feet
Two-family dwelling	7,000 square feet	85 feet
Multiple-family dwelling	10,000 square feet for first 2 units plus 2,500 square feet for each additional unit	85 feet for first 2 units plus 7.5 feet width for each additional unit
Churches	1 acre	125 feet
Other uses	1 acre	80 feet

TITLE 10
ZONING REGULATIONS

CHAPTER 8
C-1 COMMERCIAL ZONE

SECTION:

10-8-1: Regulations
10-8-2: Intent
10-8-3: Permitted Uses
10-8-4: Area, Width And Location Requirements
10-8-5: Location Of Gasoline Pumps
10-8-6: Motor Vehicle Access
10-8-7: Pollution Prevention
10-8-8: Sewage Disposal
10-8-9: Water Connection
10-8-10: Drainage
10-8-11: Clear View of Intersecting Streets
10-8-12: Special Provisions

10-8-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-8-2: INTENT:

The intent of the C-1 commercial zone is to provide a centralized place where retail and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. Uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012)

10-8-3: PERMITTED USES:

A. The following buildings, structures, and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory buildings and structures such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

All R-1 uses that conform to section 10-6-3 of this title.

All R-2 uses that conform to section 10-7-3 of this title.
Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage of parts or nonoperative vehicles.
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that there will be no outside storage of parts or nonoperative vehicles.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages, and minor automotive repair establishments.
Cabinet, taxidermy, and welding and metalsmithing shops.
Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hotels and motels.
Laundries and dry cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.
Public parks and buildings, not including storage yards or repair shops.
Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, sororities, and fraternal lodges.
Restaurants, food drive-ins, bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-9 of this title.
Portable Storage Containers shall conform with section 10-2-10 of this title.
Diagonal parking shall conform with section 10-2-12 of this title.
Fences shall conform with section 10-2-14 of this title.
Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code

10-8-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

TITLE 10
ZONING REGULATIONS

CHAPTER 9
C-2 LIGHT COMMERCIAL ZONE

SECTION:

10-9-1: Regulations
10-9-2: Intent
10-9-3: Permitted Uses
10-9-4: Area, Width And Location Requirements
10-9-5: Location of Gasoline Pumps
10-9-6: Motor Vehicle Access
10-9-7: Pollution Prevention
10-9-8: Sewage Disposal
10-9-9: Water Connection
10-9-10: Drainage
10-9-11: Clear View Of Intersecting Streets
10-9-12: Special Provisions

10-9-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-9-2: INTENT:

The intent of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area.

10-9-3: PERMITTED USES:

A. The following buildings, structures and uses of land shall be permitted upon compliance with the requirements set forth in this title:

Accessory uses and structures provided they are incidental to and do not substantially alter the character of the permitted principal use or structure.

All R-1 uses that conform to section 10-6-3 of this title.

All R-2 uses that conform to section 10-7-3 of this title.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure and that any outside storage of parts or nonoperative vehicles will be surrounded by a view-obscuring fence.
Automotive service establishments, including gasoline stations, car washes, parking lots and storage garages.
Communications towers.
Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title.
Convenience goods stores (minimarkets) for the sale of food and variety products.
Daycare, nursery, preschool.
Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products. All storage activities shall be within a building or within an enclosure surrounded by a view-obscuring fence.
Funeral homes.
General retail stores and shops providing goods and services for sale at retail in the customary manner.
Hospitals
Hotels and motels.
Laundries and dry cleaning establishments, and laundromats.
Live-work units.
Office buildings, medical clinics, banks, insurance, and financial services.
Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.
Public buildings and grounds, including shops and storage
Public parks and buildings.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Restaurants, food drive-ins, bars, taverns, pubs.
Shopping centers, supermarkets, clothing stores.
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

B. The following uses are permitted when in compliance with the specified sections of Title 10, Zoning Regulations:
All signs shall conform with section 10-2-6 of this title.
Conditional uses shall conform with section 10-2-8 of this title.
Temporary uses shall conform with section 10-2-9 of this title.
Portable Storage Containers shall conform with section 10-2-10 of this title
Diagonal parking shall conform with section 10-2-12 of this title.
Fences shall conform with section 10-2-14 of this title.

10-9-4: AREA, WIDTH AND LOCATION REQUIREMENTS:

TITLE 10
ZONING REGULATIONS

CHAPTER 10
I-1 INDUSTRIAL ZONE

SECTION:

10-10-1: Regulations
10-10-2: Intent
10-10-3: Permitted Uses
10-10-4: Area, Frontage, Yard And Height Regulations
10-10-5: Yard Space For One Building Only
10-10-6: Sale Or Lease Of Required Space Prohibited
10-10-7: Accessory Buildings Prohibited As Living Quarters
10-10-8: Sewage Disposal
10-10-9: Water Connections
10-10-10: Drainage
10-10-11: Motor Vehicle Access
10-10-12: Pollution Prevention
10-10-13: Special Provisions

10-10-1: REGULATIONS:

The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-10-2: INTENT:

The intent in establishing the I-1 industrial zone is to provide a place for the operation of industry in a location where impacts on residential areas are minimized. (Ord. 2012-01, 7-10-2012)

10-10-3: PERMITTED USES:

A. The following uses shall be authorized by a conditional use permit issued by the city:

Accessory buildings shall be permitted in this zone and may include, but are not limited to, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.

Automobile and truck repair establishments, and auto body repair shops.

Automobile, motorcycle, ATV, snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure.

Automotive service establishments, including gasoline stations, bulk petroleum storage, car washes, parking lots and storage garages.

Buildings exceeding thirty feet (30') in height.

Buildings over twenty-thousand square feet (20,000 sq ft) on the ground floor.

Care and keeping of livestock and fowl and the barns, corrals, pens and sheds for the care and keeping of permitted animals and fowl.

Commercial Plug-in Electric Vehicle Charging Stations that conform to 10-2-18 of this title.
Communication towers.

Concrete mixing, gravel crushing, stonecutting, and rock, sand and gravel distribution.

Convenience goods stores (minimarkets) for the sale of food and variety products, provided such stores are part of gasoline stations.

Diagonal parking shall conform with section 10-2-12 of this title.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, and the storage of supplies and materials used in conjunction with such establishments.

Fences shall conform with section 10-10-13A of this title.

Growing of field crops and fruit and the machinery and equipment sheds used for storage of equipment in connection with agricultural activities performed on the premises.

Impound yards, automobile wrecking yards.

Iron and steel fabrication, metalworking and welding shops.

Junkyards, collecting of rags, paper, iron or scrap materials.

Landscaping businesses, plant nurseries and shops, including storage of equipment and materials.

Lumber and planing mills, cabinetry, and taxidermy, and the equipment and materials storage used in conjunction with these businesses.

Machine shops.

Metal casting.

Ore reduction and processing.

Portable Storage Containers shall conform with section 10-2-10 of this title.

Public buildings for mechanical uses, livestock impoundments, storage yards, and repair shops.

Sexually oriented business subject to Title 3 Chapter 11 of city code.

Signs shall conform with section 10-2-6 of this title.

Slaughter houses, meat packaging, and wholesale distribution of meat products.

Temporary uses shall conform with section 10-2-9 of this title.

Tire recycling and storage establishments.

Warehousing and storage.

B. All permitted uses shall comply with the special provisions at 10-10-13 of this title.

10-10-4: AREA, FRONTAGE, AND HEIGHT REGULATIONS:

There shall be no area, width, height, and location requirements for buildings and structures constructed in accordance with the building code except that an area sufficient to accommodate parking, loading, unloading and vehicular access shall be provided and maintained. (Ord. 2012-01, 7-10-2012)

10-10-5: YARD SPACE FOR ONE BUILDING ONLY:

No required yard or other open space around an existing building, or which is hereafter provided around any building, which is needed to comply with the provisions of this title, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing the yard or open space on the lot whereon a building is to be erected or established. (Ord. 2012-01, 7-10-2012)

10-10-6: SALE OR LEASE OF REQUIRED SPACE PROHIBITED:

No space needed to meet the width, yard, area, coverage, parting or other requirements of this title for a lot or building may be sold or leased apart from such lot or building unless other space so complying is provided. (Ord. 2012-01, 7-10-2012)

10-10-7: BUILDINGS PROHIBITED AS LIVING QUARTERS:

Living and sleeping quarters in any building are prohibited. (Ord. 2012-01, 7-10-2012)

10-10-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with Title 8 of city code.
B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)