



Planning Commission Meeting

Tuesday, March 3, 2026 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Mary Cokenour, Commissioner Julie Bailey, 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:

- 2026-01-06 PC (2026-01-06_PC.pdf)

3. Public Comment
4. Consider for Approval: Planning Commission Chair for 2026 (discussion/action)
5. Planning Commission Recommendations to City Council 2025 Calendar Year Review (discussion/action)

Attachments:

- PC Recomms 2025 (PC_Recomms_2025.pdf)

6. Monticello City Code § 11 Subdivision Regulations (discussion)

Attachments:

- Flag Lots (Flag_Lots.pdf)
- Title 11 Subdivision Regulations Ch 1 (Title_11_Subdivision_Regulations_Ch_1.pdf)
- Title 11 Subdivision Regulations Ch 2 (Title_11_Subdivision_Regulations_Ch_2.pdf)

7. Monticello City Deed Restrictions (discussion)

Attachments:

- Deed Restrictions (Deed_Restrictions.pdf)

8. Combined General Plan Meeting Review (discussion)
9. Summary of Community Survey (discussion)

Attachments:

- **2026-02-25 Community Survey overview** (2026-02-25_Community_Survey_overview.pdf)

10. General Plan Discussion (discussion)

Attachments:

- **Compilation** (Compilation.pdf)
- **GP components** (GP_components.png)
- **Overview GP process** (Overview_GP_process.png)

11. Administrative Communications

12. Next Meeting Agenda

13. Adjournment (action)

Audio File

<https://soundcloud.com/user-250815044/2026-03-03-planning-commission>

Notice of Special Accommodations

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 02/27/2026 at 12:15 PM



DRAFT

Planning Commission Meeting

Minutes

Tuesday, January 6, 2026 at 6:30 pm

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

Meeting Location: 648 S Hideout Way

1. Call to Order

Minutes:

Chairperson Bennett called the Monticello City Planning Commission meeting to order at 6:34 pm. The following visitors were present: Mayor Elect Kevin Dunn

2. Minutes Review/Approval (action)

Minutes:

MOTION to approve the minutes of 12/02/2025 as presented was made by Commissioner Bennett and seconded by Commissioner Cokenour. The motion passed unanimously.

Vote results:

Ayes: 3 / Nays: 0 / Abstains: 0

3. Public Comment

Minutes:

There was no public present for comment.

4. Monticello City Code § 11 Subdivision Regulations (discussion/action)

Minutes:

Assistant City Manager Gallegos introduced the agenda item. She stated the code revisions had been reviewed by the City's Attorney and that all items in red have been adjusted to accommodate Utah State law. The suggested adjustments were reviewed and discussed in detail by the Commission.

5. Permitted Uses/Zone Intentions (discussion/action)

Minutes:

Gallegos led the discussion on the agenda item. She informed the Commission that all changes discussed in former meetings had been included. She further stated the permitted uses highlighted in green needed to be addressed in Monticello City Code to be able to permit those uses. The process of deed restrictions was discussed.

6. Monticello City General Plan (discussion)

Minutes:

Gallegos presented the information compiled by all participants, including past objectives, projected outcomes, and actual results, and explained that she had prepared a condensed version for review. City Recorder Gill asked what input the administration was requesting from the Commission. Gallegos responded that the administration was seeking the Commission’s review of the compiled information along with feedback on whether additional or different information should be gathered. Gallegos reported that the General Plan survey received a strong response, with 70 paper surveys and 90 online surveys returned so far.

7. 2026 Projects (discussion/action)

Minutes:

Commissioner Bennett led the discussion for this agenda item. The Commission will continue to work on the Monticello City General Plan - Permitted Uses - State Code Revisions - Exploring what “deed restrictions” would look like within the city - Exploring new city code that will allow specific permitted uses not currently addressed

8. Administrative Communications

Minutes:

Mayor Elect Dunn reported that the December 23rd City Council meeting had been cancelled. He stated the new council members would be sworn in on Jan, 13, 2026. Dunn informed the Commission that Monticello City Council will be looking into a carbon capturing program at the sewer lagoons. He further informed the Commission that he would be conducting office hours for the public. City Recorder Gill reminded Commission members about the Open and Public Meetings Act training. She further stated that Monticello 101 will be a big focus for 2026. She invited the commission and members of the public to attend those meetings stating that they will provide a good back end look at city operations. The meeting on January 20, 2026 with Monticello City Administration, Planning Commission, and City Council was discussed. A plan was set to determine the format and direction of the meeting.

9. Next Meeting Agenda

Minutes:

Subdivision Code Discussion with Recommendations from Commission - Appointment Planning Commission Chair - Monticello City General Plan

10. Adjournment (action)

Minutes:

MOTION to adjourn was made by Commissioner Cokenour and seconded by Commissioner Bailey. The motion passed unanimously and Chairperson Bennett adjourned the Planning Commission meeting at 8:12 pm.

Vote results:

Ayes: 3 / Nays: 0 / Abstains: 0

Audio File

<https://soundcloud.com/user-250815044/2026-01-06-planning-commission>

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

PLANNING COMMISSION RECOMMENDATIONS TO CITY COUNCIL IN 2025
City of Monticello, Utah

1. Planning Commission: Julie Bailey's application for reappointment to the Planning Commission was forwarded to the City Council with a recommendation to appoint and she began her service in February. All members completed the online Utah Open Meetings Act training. Commissioner Bennett attended the online Utah Land Use Institute training on March 27 and online Boundary Line Adjustment training by Land Use Academy of Utah on April 15. City Recorder reviewed Resolution 2025-14, Rules of Order and Procedure for the Governing Bodies of Monticello City. In December Commissioner Bennett's application for reappointment was forwarded to City Council with a recommendation to approve.

2. Annexation Policy Plan: Following a schedule prepared by City staff, a draft of the plan was approved by the Planning Commission for use at the Special Public Meeting on April 15, which was attended by 19 members of the public. It was followed in June by a public hearing attended by 8 members of the public. To keep on schedule the Planning Commission held another special meeting in June to review public comments. Another public hearing was held on July 1 and attended by 3 members of the public. On July 15 the Planning Commission recommended forwarding the Annexation Policy Plan to City Council for approval.

3. Zone Change Application: Parcel A33240305410 to change from A-1 to R-2 was received but cancelled when City staff learned the change had already been made and administrative overview was sufficient to resolve the issue.

4. Title 10 Zoning Updates to Permitted Uses: Discussions began with City staff review of where permitted uses seemed inappropriate for a zone or were confusing. City staff also informed the Planning Commission that the state is moving away from conditional uses, favoring more detail in permitted uses. The county's 2024 assessment of housing needs was presented and recommendations will be included in considering changes to permitted uses. Planning Commissioners assisted City Staff to find appropriate descriptions and definitions for existing and new uses in order bring clarity to codes. In December the Planning Commission and City staff made the last edits, but finalizing the uses cannot be done until the General Plan process is further along.

5. Title 10, Chapter 2 Parking and Storage of Recreational Vehicle, and Chapter 15 Recreational Vehicle Parks: City Council and City staff reviewed the existing code and requested that changes be made to address administrative issues and citizen comments. In December the Planning Commission forwarded the changes to the City Council with a recommendation to approve.

6. Title 11 Subdivision Regulations: Draft changes to this title were made to comply with Utah code, then reviewed by the City Attorney. Further work scheduled in 2026.

7. General Plan: City Council and Planning Commission met together to discuss updating the 2018 General Plan and the Planning Commission reviewed the Utah code requirements for a general plan. A survey was designed and made available to the public to collect ideas for changes to be addressed in the general plan; results to be analyzed in February 2026. City staff and Planning Commission documented progress made on implementing the goals of the 2018 plan.

NEW SECTION ON FLAG LOTS

11-3-8: FLAG LOTS

A. Purpose

The purpose of this section is to allow for the creation of flag lots in limited circumstances to promote infill development and the efficient use of land, while ensuring adequate access, emergency response, and compatibility with surrounding properties.

B. Definition

A flag lot is a lot that gains access to a public street by means of a narrow strip of land, commonly referred to as a “pole” or “staff,” which is part of the lot and not an access easement. The main, buildable portion of the lot lies behind another lot and does not abut the public street directly.

C. Applicability

Flag lots may be approved as part of a subdivision application if the Planning & Zoning Administrator finds that the creation of such a lot is consistent with the general purpose of the subdivision ordinance and the following standards are met.

D. Development Standards

Minimum Lot Area:

The buildable portion of a flag lot, excluding the access strip, shall comply with the minimum lot area required in the applicable zoning district.

Access Strip (“Pole”):

- a. The access strip shall be a minimum of 20 feet in width and shall be in fee-simple ownership of the lot it serves.
- b. The access strip shall provide direct access to a public street and shall not be a shared access easement, unless approved by the Land Use Authority.
- c. No buildings or structures may be constructed within the access strip.

Access and Emergency Services:

- a. The access strip shall be improved to City standards for private drives, including paving and drainage, and must be capable of supporting emergency vehicles.
- b. The access strip shall include utilities or provide for utility access through an adjacent easement approved by the City.
- c. Fire access and turnarounds shall be provided as required by the Fire Code Official.

Limit on Shared Access:

No more than two (2) flag lots may be served by a single shared access unless the City Engineer and Fire Code Official determine that a greater number is safe and feasible.

Setbacks and Lot Width:

- a. The buildable portion of the flag lot shall meet all minimum setback requirements of the zoning district.
- b. The width of the buildable portion shall comply with the minimum lot width requirement for the zone.

Orientation and Compatibility:

- a. The orientation of the flag lot shall minimize impacts to neighboring properties and preserve privacy.
- b. The Planning & Zoning Administrator may require additional screening, fencing, or buffering.

Prohibition on Sequential Flag Lots:

A flag lot may not be created behind another flag lot (i.e., no flag lots behind flag lots).

E. Review and Approval

Flag lots shall be reviewed and approved by the Planning & Zoning Administrator as part of the subdivision plat approval process or residential infill process. The Planning & Zoning Administrator may impose additional conditions to ensure compliance with City standards and to mitigate impacts on neighboring properties.

TITLE 11
SUBDIVISION REGULATIONS

CHAPTER 1
GENERAL PROVISIONS

SECTION:

11-1-1: Authority

11-1-2: Intent

11-1-3: Definitions

11-1-4: Amendments

11-1-5: Prohibited Acts

11-1-6: Residential Infilling

11-1-7: Common Wall Subdivision

11-1-8: Subdivision Of Agricultural Land

11-1-1: AUTHORITY:

- A. This title is enacted pursuant to title 10, Utah Code Annotated.
- B. An approved subdivision plat as specified in this title is required whenever a landowner splits one lot or parcel of property into two (2) or more lots or parcels.
- C. Compliance with Title 11 of city code is required before:
 - 1. The subdivision plat may be filed and recorded with the county recorder, and
 - 2. Lots within the subdivision may be sold; and
 - 3. The city extends the services of its public facilities to any subdivision.
- D. The joining of a lot or lots to a parcel does not constitute a subdivision as to the parcel or subject the parcel to the city's subdivision ordinance.
- E. Combining adjacent lots does not require an amendment to a subdivision plat.
- F. The role of the planning commission with respect to ordinances regulating subdivisions shall be to:
 - 1. Review and provide a recommendation to the city on any proposed ordinances that regulate the subdivision of land within the city;

2. Review and make a recommendation to the city on any proposed ordinance that amends the regulation of the subdivision of land within the city;

3. Provide notice consistent with Utah public notice requirements as outlined in Utah Code Ann. § 10-9a-602; and

4. Hold a public hearing on the proposed ordinance before making a recommendation to the city.

G. The role of the city council with respect to ordinances regulating subdivisions shall be to:

1. Adopt, modify, reverse, or reject an ordinance described in subsection 11-1-1(F) of this title;

2. Consider a planning commission's failure to make a timely recommendation on ordinances that regulate subdivisions as a negative recommendation.

3. If the city council fails to enact a subdivision ordinance, the city may regulate subdivisions only to the extent provided in 11-1-1. (Ord. 2024-02, 2-27-2024)

~~H. The Planning Commission is designated as the land use authority for all applications under this Title requiring the exercise of discretion, judgment, public hearing, interpretation. This includes preliminary plats, final plats, subdivision amendments, and plat amendments, decisions related to subdivision and plat approvals under this title, including preliminary and final plat approvals.~~

~~I. The City Manager, Community Development Director, or their designee is designated as the Administrative Land Use Authority for the ministerial land use applications identified in this Title. The Administrative Land Use Authority shall apply only objective, nondiscretionary standards and shall approve an application when the application satisfies those standards.~~

~~J. Residential infill applications under Section 11-1-6 shall be reviewed and acted upon by the Administrative Land Use Authority.~~

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11-1-2: INTENT:

A. The intent of this title shall be to:

1. Promote the health, safety, convenience and general welfare of the present and future inhabitants of the city;

2. Simplify orderly growth and development of the city; and

3. Ease the transfer of land by means of accurate legal descriptions.

B. Preservation Of Land: Trees, native land cover, natural watercourses, and topography shall be preserved when possible, and the subdivision shall be so designed as to prevent

excessive grading and scarring of the landscape in concordance with the provision of this title. (Ord. 2024-02, 2-27-2024)

11-1-3: DEFINITIONS:

It is the intent of the city council to define certain words and phrases as a means of facilitating understanding of terms which may not be universally understood in the sense that the city council intends that they should be understood.

~~ADMINISTRATIVE LAND USE AUTHORITY: An individual, board, or commission, appointed or employed by the city, including city staff or the city planning commission. It does not include a city council or a member of the city council.~~

ADMINISTRATIVE LAND USE AUTHORITY:

~~The person or body designated by the City to act on ministerial land use applications under objective, nondiscretionary standards consistent with Title 10, Chapter 20 of Utah Code.~~

~~For purposes of this Title, the City Manager, Community Development Director, or their written designee is designated as the Administrative Land Use Authority for land use applications that require only ministerial review, including: An individual, board, or commission, appointed or employed by the city, including city staff or the city planning commission. It does not include a city council or a member of the city council.~~

- ~~1. Residential infill approvals under Section 11-1-6;~~
- ~~2. Lot line adjustments and parcel boundary adjustments that qualify as simple boundary adjustments under Utah Code 10-20-906;~~
- ~~3. Administrative corrections to recorded plats that do not affect the number of lots, public rights-of-way, easements, or infrastructure;~~
- ~~4. Verification of complete applications; and~~
- ~~5. Other ministerial approvals expressly assigned by this Title or by ordinance or resolution of the City Council.~~

~~The Administrative Land Use Authority may not act on any land use application requiring the exercise of discretion, policy judgment, or interpretation unless expressly delegated by ordinance.~~

ASSOCIATION:

A. Corporation or other legal entity, any member of which (Utah code 57-8a Community Association Act):

1. Is an owner of a residential lot located within the jurisdiction of the association as described in the governing documents; and

2. By virtue of membership or ownership of a residential lot is obligated to pay:

a. Real property taxes;

b. Insurance premiums;

c. Maintenance costs; or

d. For improvement of real property not owned by the member.

B. All of the condominium unit owners (Utah code 57-8 Condominium Ownership Act)

1. Acting as a group in accordance with the association declaration and bylaws; or

2. Organized as a legal entity in accordance with the declaration

BUILDABLE AREA:

That portion of a lot which will fit the construction of a structure under the provisions of the building codes adopted by the city and this title, either without grading and excavation or with grading and excavation, as specified in this title.

CITY ENGINEER:

Until such time as the city hires a permanent registered engineer, the city engineer shall be a licensed surveyor, a registered civil engineer, or an engineering firm as designated by the city council on either a retainer or per job basis.

COMMON AREA:

Property that an association owns, maintains, repairs, or administers (Utah code 57-8a Community Association Act)

COMMON AREA AND FACILITIES: (Utah Code 57-8 Condominium Ownership Act)

- A. The land included within the condominium project, whether leasehold or fee simple;
- B. The foundations, columns, girders, beams, supports, main walls, roofs, halls, corridors, lobbies, stairs, stairways, fire escapes, entrances, and exits of the building;
- C. The basements, yards, gardens, parking areas, and storage spaces;
- D. The premises for lodging of janitors or person in charge of the property;
- E. Installations of central services such as power, light, gas, hot and cold water, heating, refrigeration, air conditioning, and incinerating;
- F. The elevators, tanks, pumps, motors, fans, compressors, ducts, and in general all apparatus and installations existing for common use;
- G. Such community and commercial facilities as may be provided for; and
- H. All other parts of the property necessary or convenient to its existence, maintenance, and safety, or normally in common use.

CUT:

A process of excavation. See definition of Excavation.

DAYS:

Unless otherwise provided, the word "days" shall mean calendar days. If the last day of any period computed under this Title falls on a Saturday, Sunday, or City-observed holiday, the deadline shall be extended to the next business day. When the code refers to "business days," it shall mean all days except Saturday, Sunday, and City-observed holidays.

EASEMENT:

A land use right offered for a specific purpose or use over, upon, or beneath the land; its location and extent being accurately described in the letting process or by separate document using metes and bounds; distinct from land ownership and granted to the public, a particular party or public utility.

EXCAVATION:

Any act by which vegetation matter, earth, sand, gravel, rock or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed, and shall include the conditions resulting from it.

FACILITY:

A public service developed, owned, maintained, or authorized by the city (i.e., water, sewer, etc.).

A. Facility, Water Conveyance:

1. Ditch, canal, flume, pipeline, or other watercourse used to convey water used for irrigation or storm water drainage and any related easement for the ditch, canal, flume, pipeline, or other water course, including but not limited to the state engineer's inventory of water conveyance systems established by Utah code 735-7.

2. Water conveyance facility does not mean a ditch, canal, flume, pipeline, or other watercourse used to convey water used for culinary or industrial water, or any federal water project facility.

B. Facility, Water Conveyance Owner: An individual, entity, mutual water company, or unincorporated organization that:

1. Operates a water conveyance facility; or

2. Owns any interest in a water conveyance facility; or

3. Has a property interest in real property based on the presence of the water conveyance facility located and operating on the real property.

C. Facility, Underground: Personal property that is buried or placed below ground level for use in the storage or conveyance of any of the following.

1. Water;

2. Sewage, including sewer laterals;

3. Communications, including electronic, photonic, telephonic, or telegraphic communications;

4. Television, cable television, or other telecommunication signals, including transmission to subscribers of video or other programming;

5. Electric power;

6. Oil, gas, or other fluid and gaseous substances;

7. Steam;

8. Slurry; or

9. Dangerous materials or products.

FLAG LOT:

A lot having access to a public street by means of a narrow strip of land, often called a "staff" or "pole," which is part of the lot and not an easement. The buildable portion of the lot lies behind another lot and does not abut the public street directly, except via the flag staff or pole.

FILL:

A deposit of earth material by artificial means.

GRADING:

Any excavating or filling, or combination thereof, and shall include the conditions resulting from any excavation or fill.

HILLSIDE AREA:

Any lot or parcel with an average slope greater than eight percent (8%).

IMPROVEMENT COMPLETION ASSURANCE:

A surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by a municipality to guaranty the proper completion of landscaping or an infrastructure improvement required as a condition precedent to:

- A. Recording a subdivision plat; or

- B. Development of a commercial, industrial, mixed use, or multi-family project.

INFRASTRUCTURE IMPROVEMENT:

Permanent infrastructure that is essential for the public health and safety, or that:

- A. Is required for human occupation; and

- B. An applicant must install
 - 1. In accordance with published installation and inspection specifications for public improvements; and

 - 2. Whether the improvement is public or private, as a condition of:
 - a. Recording a subdivision plat; or

 - b. Obtaining a building permit; or

 - c. Development of a commercial, industrial, mixed use, condominium, or multi-family project.

INTERNAL LOT RESTRICTION:

A platted note, platted demarcation, or platted designation that:

- A. Runs with the land; and

B. Establishes:

1. A restriction that is enclosed within the perimeter of a lot described on the plat; or
2. A development condition that is enclosed within the perimeter of a lot described on the plat.

LAND USE AUTHORITY:

Has the same meaning as defined in Utah Code in accordance with Utah Code section 10-9a-103, a person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application § 10-20-102; the person, board, commission, agency, or body designated by the City Council to act upon a land use application; or, if the City Council has not designated a person or body, the City Council itself. ; or if the local legislative body has not designated a person, board, commission, agency, or body, the local legislative body.

The Planning Commission is, as designated by ordinance, is the Land Use Authority the land use authority for subdivision and plat approvals, subdivision amendments, plat amendments, and any other land use application that requires the exercise of judgment or weighing of evidence under applicable land use ordinances.

If the Planning Commission is unable or ineligible to act on a particular application, or if an application type is not assigned to either the Land Use Authority or the Administrative Land Use Authority, the City Council acts as the Land Use Authority by statutory default.

LEGISLATIVE BODY:

The Monticello City Council is the legislative body for purposes of land use ordinance adoption and general policy-making, but is not the land use authority for subdivision approvals.

LOCAL HEALTH DEPARTMENT:

Serves San Juan County and municipalities within the county; or a multicounty health department that serves San Juan County; or a united local health department as defined in Utah Code 26A-1-102.

LOT:

A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

A. Lot, Area: The total area measured on a horizontal plane included within the lot lines of the lot.

B. Lot, Width: The distance across a lot of property, measured along a line parallel to the front lot line, or parallel to a straight line, connecting the ends of an arc which makes up the front lot line.

LOT LINE ADJUSTMENT:

A relocation of a lot line boundary between adjoining lots or between a lot and adjoining parcels in accordance with state code Section 10-9a-608:

A. Whether or not the lots are located in the same subdivision; and

B. With the consent of the owners of record.

C. Lot Line Adjustment does not mean a new boundary line that

1. Creates an additional lot; or
2. Constitutes a subdivision or subdivision amendment.

D. Lot Line Adjustment does not include a boundary line adjustment made by the Department of Transportation.

METES AND BOUNDS:

The description of a lot or parcel of land by courses and distances.

OFF-SITE IMPROVEMENTS:

Improvements, as required by this title, installed outside the perimeter of the subdivision which are designed and located to serve the needs of the subdivision or adjacent properties, lying between the subdivision and existing improvements.

ON-SITE IMPROVEMENTS:

Improvements, as required by this title, installed within or on the perimeter of the subdivision.

PARCEL:

Any real property that is not a lot.

PERSON:

An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

PERSONAL PROPERTY:

Assets owned, controlled, or managed by a person.

PLAT:

An instrument subdividing property into lots as depicted on a map or other graphical representation of land that a licensed professional land surveyor makes and prepares in accordance with Section 11-2-3 or 11-2-4 of city code.

POTENTIAL GEOLOGIC HAZARD AREA:

An area that:

A. Is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area's potential for geologic hazard; or

B. Has not been studied by the Utah Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area.

PRIVATE DRIVE:

An accessway from a city street or highway to private land that does not front a city street or highway. A private drive is owned and maintained by the landowner.

PUBLIC LANDSCAPING IMPROVEMENT:

Landscaping that a land use applicant is required to install to comply with published installation and inspection specifications for public improvements that:

A. Will be dedicated to and maintained by the city; or

B. Are associated with and proximate to trail improvements that connect to planned or existing public infrastructure; and for which

C. The city has established objective inspection standards for acceptance of a public landscaping improvement or infrastructure improvement that the city requires.

PUBLIC STREET:

A public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public land, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way. Public street includes the land between street lanes, whether improved or unimproved and may comprise pavement, shoulders, gutter, sidewalks, parking areas, and other areas within the right of way, and conforms with standards in Title 7 of city code. For the purpose of this title, streets shall be classified as follows:

A. **City Street:** Any street within the city's incorporated boundary that is recognized and maintained by the city.

B. **Cul-De-Sac:** A street open at one end with a designated vehicular turnaround area at the closed end.

C. **Dead End:** A street open at one end with no turnaround.

D. **Major Highway:** A major regional highway, including an expressway, freeway or interstate highway designed to carry vehicular traffic:

1. Into, out of, or throughout the regional area (inter-region); and
2. From one political subdivision of the region to another, or from an inter-regional highway.

E. **Residential Roadway:** A public local residential road that:

1. Will serve primarily to provide access to adjacent primarily residential areas and property;
2. Is designed to accommodate minimal traffic volumes or vehicular traffic;

3. Is not identified as a supplementary to a collector or other higher system classified street in an approved city street or transportation master plan;

4. Has a posted speed limit of 25 miles per hour or less;

5. Does not have higher traffic volumes resulting from connecting previously separated areas of the city road network;

6. Cannot have a primary access, but can have a secondary access, and does not abut lots intended to high volume traffic or community centers, including schools, recreation centers, sports complexes, or libraries; and

7. Primarily serves traffic within a neighborhood or limited residential area and is not necessarily continuous through several residential areas.

F. Service Road: A street or road paralleling and abutting major highway to provide access to adjacent property so that each adjacent lot or parcel will not have direct access to the major highway.

G. Stub: A street or road extending from within a subdivision and which terminates at the subdivision boundary with no provision for a vehicular turnaround. Stub streets are normally required to connect to street systems of adjacent developments.

RESUBDIVISION:

The changing or amending of any existing lot or lots of any subdivision plat previously recorded in the records of the county recorder as provided in section 11-51 of this title.

REVIEW CYCLE:

The steps required to complete the subdivision review process, including:

A. The applicant's submittal of a complete subdivision land use application;

B. The city's review of that subdivision land use application;

C. The city's response to that subdivision land use application; and

D. The applicant's reply to the city's response that addresses each of the city's required modifications or request for additional information.

SANITARY SEWER AUTHORITY:

The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems.

SITE:

Any lot or parcel of land.

SKETCH PLAN:

~~A voluntary, informal, conceptual drawing submitted by a subdivider to illustrate the layout and general features of a proposed subdivision, and having sufficient detail to illustrate on site characteristics of the proposed subdivision and adjacent parcels. A sketch plan is not required by law and does not constitute a complete land use application under Utah Code section 10-9a-604.1, preliminary map or preapplication plat, showing the concept of the proposed development or subdivision, having sufficient detail to illustrate on site characteristics of the proposed subdivision and adjacent parcels.~~

SPECIFIED PUBLIC UTILITY:

An electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1 of Utah Code.

STATE:

Any department, division, or agency of the state.

STREET:

See Public Street

STREET RIGHT OF WAY:

That portion of land dedicated to public use for street and utility purposes.

SUBDIVIDER:

Any person or legal entity laying out or making a land division, amending or resubdividing an existing subdivision for the purpose of sale, offering for sale or selling for himself or others, any subdivision or any part of it.

SUBDIVISION:

Any land that is divided, resubdivided, or proposed to be divided into two (2) or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.

A. Subdivision includes

1. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and

2. Except as provided in B (below), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

B. Subdivision does not include

1. A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance.

2. A boundary line agreement recorded with the county recorder's office between owners of adjoining parcels adjusting the mutual boundary in accordance with 10-2-4 if no new parcel is created;

3. A recorded document, executed by the owner of record:

a. Revising the legal descriptions of multiple parcels into one legal description encompassing all such parcels; or

b. Joining a lot(s) to a parcel.

4. A boundary line agreement between owners of adjoining subdivided properties adjusting the mutual lot line boundary in accordance with sections 10-2-3 and 10-2-4 if:

- a. No new dwelling lot or housing unit will result from the adjustment; and
- b. The adjustment will not violate any applicable land use ordinance;

5. A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:

- a. Is in anticipation of future land use approvals on the parcel or parcels;
- b. Does not confer any land use approvals; and
- c. Has not been approved by the land use authority.

6. A parcel boundary adjustment;

7. A lot line adjustment;

8. A road, street, or highway dedication plat;

9. A deed or easement for a road, street, or highway purpose; or

10. Any other division of land authorized by law.

SUBDIVISION AMENDMENT:

An amendment to a recorded subdivision in accordance with Title 11, Chapter 5 that:

A. Vacates all or a portion of the subdivision;

B. Alters the outside boundary of the subdivision;

C. Changes the number of lots within the subdivision by means other than combining lots (see 11-1-E);

D. Alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or

E. Alters a common area or other common amenity within the subdivision.

F. Subdivision amendment does not include a lot line adjustment, between a single lot and an adjoining lot or parcel, that alters the outside boundary of the subdivision.

SUBDIVISION IMPROVEMENT PLAN:

The civil engineering plans associated with required infrastructure and city-controlled utilities required for a subdivision.

SUBDIVISION ORDINANCE REVIEW:

Review by the city to verify that a subdivision land use application meets the criteria of the city's subdivision ordinances.

SUBDIVISION PLAN REVIEW:

The city's review of the applicant's subdivision improvement plans and other aspects of the subdivision land use application to verify that the application complies with city ordinances and applicable standards and specifications.

SUSPECT SOIL:

Soil that has:

A. A High susceptibility for volumetric change, typically clay rich, having more than a 3% swell potential;

B. Bedrock units with high shrink or swell susceptibility; or

C. Gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

VICINITY PLAN:

See Sketch Plan

ZONING MAP:

A map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts. (Ord. 2012-01, 7-10-2012; amd. Ord. 2024-02, 2-27-2024)

11-1-4: AMENDMENTS:

Amendments to this title may be made from time to time as it is deemed necessary and shall comply with section 11-1-2 of this title. (Ord. 2012-01, 7-10-2012; amd. ord. 2024-02, 2-27-2024)

11-1-5: PROHIBITED ACTS:

A. A person may not submit a subdivision plat to the county recorder's office for recording unless the plat has been prepared and approved according to Title 11, Chapter 2 Subdivision Approval and Platting Process.

1. A subdivision plat recorded without the signatures required under Title 11 of city code is void.
2. Transfer of land pursuant to a void plat is voidable by the city.

B. Sale or transfer of land prior to approval of final plat:

1. If a subdivision requires a plat, an owner of any land located in a subdivision who transfers or sells any land in that subdivision before a plat of the subdivision has been approved and recorded violates this part for each lot or parcel transferred or sold.

2. A violation of Subsection B(1) is an infraction.

C. The description by metes and bounds in an instrument of transfer or other documents used in the process of selling or transferring does not exempt the transaction from being a violation of Subsection (B)(1) or from the penalties or remedies provided in this chapter.

D. Notwithstanding any other provision of Subsection (B), the recording of an instrument of transfer or other document used in the process of selling or transferring real property that violates this part:

1. Does not affect the validity of the instrument or other document; and

2. Does not affect whether the property that is the subject of the instrument or other document complies with applicable city ordinances on land use and development.

E. The city may bring an action against an owner to require the property to conform to the provisions of this part or an ordinance enacted under the authority of this part.

1. An action under this Subsection (E) may include an injunction or any other appropriate action or proceeding to prevent or enjoin the violation.

2. The city need only establish the violation to obtain the injunction. (Ord. 2024-02, 2-27-2024)

11-1-6: RESIDENTIAL INFILLING:

A. All of the following requirements must be met in order to be considered residential infilling.

1. All created lots or parcels must front an existing city street, and have at least eighty six feet (6080') of frontage on said street. If the lot falls under the description of a "Flag Lot" under 11-1-3 Monticello City Cod. frontage must be twenty five feet (25'); and

2. All created lots or parcels must meet the minimum square footage requirements of ten thousand five thousand four hundred and forty five (10,005,445) square feet.

B. If the creation of multiple parcels requires the creation of a new street or private drive to access any of the parcels, residential infilling will not be allowed and the subdivision code must be followed.

C. If no utilities are present on the existing city street on which the proposed infill would occur then the residential infilling will not be allowed and the subdivision code must be followed. (Ord. 2024-02, 2-27-2024)

D. Administrative Approval Residential infill applications meeting the requirements of this section shall be reviewed and acted upon by the Administrative Land Use Authority, who shall approve the application if all objective standards are satisfied. Applications failing to meet the standards shall be denied without prejudice.

E. Residential Infill Plats shall comply with the requirements of Section 11-2-4 of Monticello City Code.

11-1-7: COMMON WALL SUBDIVISION:

A. Purpose: The purpose of this title shall be to allow a business owner to purchase a portion of a building, causing a subdivision within an existing property/structure.

B. Requirements:

1. The purchase shall include the portion of the building and the property on which it sits.

2. The Planning Commission shall review a subdivision application submitted by the subdivision requestor along with a plat map showing legal ownership, legal description and survey of proposed subdivision, townsite block, and surrounding streets.

3. Common Wall Agreement: A signed agreement shall be presented to the Planning Commission as follows:

a. Definition of properties to include legal survey and legal description of proposed subdivision;

b. Establishment of Common Facilities;

c. Repair and Maintenance;

d. Maintenance of Non-Common Areas;

e. No Right of Modification/Alteration;

f. Covenant Running with the Land;

g. Restriction on Amendment to this Agreement;

h. Lien Rights;

i. Maintenance and Repair of Individual Conjoining Property;

j. Insurance;

k. Cross-Easement;

l. Common Wall;

m. Power of Attorney;

n. Limitations of Use; and

o. Attorney Fees.

4. The Planning Commission shall consider recommendation of the requested subdivision to the Monticello City Council for final approval. (Ord. 2024-02, 2-27-2024)

11-1-8: SUBDIVISION OF AGRICULTURAL LAND:

A. A lot or parcel resulting from a division of agricultural land is exempt from plat requirements of Title 11 Chapter 2 if the lot or parcel:

1. Qualified as land in the A-1 Agricultural zone;

2. Meets the minimum size requirement of applicable land use ordinances; and

3. Is not used and will not be used for any non-agricultural purpose.

B. The boundaries of each lot or parcel exempted under subsection A shall be graphically illustrated on a record of survey map that:

- 1. Shall receive the same approvals as required for a plat under Title 11 Chapter 2; and
- 2. Is or shall be recorded with the county recorder.

C. If a lot or parcel exempted in subsection A is used for a non-agricultural purpose the city shall require the lot or parcel to comply with the requirements of Title 11 Chapter 2 of city code.

D. Documents recorded in the county recorder's office that divide property by a metes and bounds description do not create an approved subdivision allowed by Title 11 unless the city's certificate or written approval as required in subsection A is attached to the document.

E. The absence of the certificate or written approval required in subsection A does not:

- 1. Prohibit the county recorder from recording a document; or
- 2. affect the validity of a recorded document.

F. A document which does not meet the requirements of subsection A may be corrected by the recording of an affidavit to which the required certificate or written approval is attached. (Ord. 2024-02, 2-27-2024)

11-1-9 APPLICATION COMPLETENESS DETERMINATION

A. Initial Review. Upon receipt of a land use application, the Administrative Land Use Authority shall review the application for completeness in accordance with Title 10, Chapter 20 of Utah Code.

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B. Completeness Determination. As soon as reasonably practicable, the Administrative Land Use Authority shall issue a written determination that the application is either:

- 1. Complete, identifying the date of completeness for purposes of vesting; or
- 2. Incomplete, identifying all missing or deficient items.

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C. Effect of Completeness. When an application is determined complete, the City shall process the application under the land use regulations in effect on the date the application was complete.

D. Resubmittals. An applicant may resubmit an incomplete application at any time. The resubmittal shall be reviewed in the same manner as an initial submission.

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CHAPTER 2
SUBDIVISION APPROVAL AND PLATTING PROCESS

SECTION:

11-2-1: Procedure For Approval

11-2-2: Sketch Plan

11-2-3: Preliminary Plat

11-2-4: Final Plat

11-2-5: Exemption From Plat Requirement

11-2-6: Failure To Comply

11-2-1: PROCEDURE FOR APPROVAL:

A. All subdivision codes must be adhered to and followed whenever a property owner splits one (1) parcel or lot into two (2) or more parcels or lots.

B. Before beginning work on or recording any subdivision a subdivider shall request a pre-application meeting with the city zoning administrator. Within fifteen (15) days of the request, the city zoning administrator shall schedule the pre-application meeting to discuss:

1. The type of subdivision proposed;
2. Provide a subdivision plat land use application form;
3. Provide and discuss existing zoning regulations and zoning map for the area in which the subdivision is proposed; and
4. If the proposal includes single-family, two-family, or townhomes, provide copies of Title 11 and checklists for preliminary and final plat approvals; ~~and~~.

C. Unless the proposed subdivision meets one of the following criteria, the subdivider shall follow the process set forth in this title.

1. If the proposed subdivision meets the requirements for residential infill the subdivider shall conform with the requirements at 11-1-6 Residential Infill of this title.
2. If the proposed subdivision meets the requirements of a common wall subdivision the subdivider shall conform with the requirements at 11-1-7 Common Wall Subdivision of this title.
3. If the proposed subdivision meets the requirements of a planned unit development (PUD), the subdivider shall conform with the requirements at Title 10 Chapter 14 Planned Unit Development.

4. If the proposed subdivision is a division of agricultural land, the subdivider shall conform with the requirements at 11-1-8 Subdivision of Agricultural Land of this title.

D. Before beginning work on or recording any subdivision, a subdivider shall request to meet with the planning commission no less than thirty (30) days prior to the next regularly scheduled Planning Commission meeting for a review and discussion of:

1. The subdivision plat land use application form for the proposed subdivision, prepared in conformance with 11-2-1(B) of this title.
2. A sketch plan of the proposed subdivision, if the subdivider chooses to submit one, as in the form required in section 11-2-2 of this title.
3. The intent of this meeting is to provide a mutual exchange of information that will help avoid future problems and misunderstandings

E. City to Notify Water Conveyance Facility Owner.

1. Within twenty (20) days of receiving a completed plat land use application and sketch plan, the city shall provide written notice of the proposed subdivision to the facility owner of any water conveyance facility located entirely or partially within one hundred feet (100') of the subdivision, as determined using information made available to the city:

- a. From the facility owner using mapping-grade global positioning satellite units or digitized data from the most recent aerial photo available to the facility owner;
- b. In the state engineer's inventory of canals; or
- c. From a surveyor.

2. The city shall not approve the subdivision plat for at least twenty (20) days after the day on which the city mails to each facility owner the notice required in 11-2-1(B)(4), in order to receive any comments from each facility owner regarding:

- a. Access to the water conveyance facility;
- b. Maintenance of the water conveyance facility;
- c. Protection of the water conveyance facility;
- d. Safety of the water conveyance facility; or
- e. Any other issue related to water conveyance facility operations.

3. When applicable, the owner of the land seeking subdivision plat approval shall comply with Utah Code annotated 73-1-15.5, Relocation of easements for a water conveyance facility.

4. The facility owner's failure to provide comments to the city in accordance with this section does not affect or impair the city's authority to approve the subdivision plat.

F. Submit Preliminary Plat: The subdivider shall prepare a preliminary plat of the proposed subdivision following the requirements at subsection 11-2-3(A) and submit the preliminary plat and documents required by subsection 11-2-3(B) to the planning commission for review. The planning commission may require changes as allowed in subsection 11-2-3(C) of this title. If the proposed subdivision includes any flag lots, the application shall include evidence that the standards of Section 11-3-XX have been met.

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G. Submit Final Plat: The subdivider shall prepare a final plat of the subdivision following the requirements at section 11-2-4, Final Plat and submit the final plat to the planning commission.

H. IMPROVEMENT COMPLETION ASSURANCE: The subdivider shall post an improvement completion assurance as required by section 11-4, Subdivision Improvements. (Ord. 2024-02, 2-27-2024)

I. Nothing in this chapter shall be construed to require submission or approval of a sketch plan as a condition of determining application completeness or initiating the preliminary plat review process, consistent with Utah Code section 10-9a-604.1.

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11-2-2: SKETCH PLAN:

A. ~~The A~~ subdivider ~~shall may choose to prepare a sketch plan for informal review. If submitted, the sketch plan should be prepared prepare a sketch plan~~ on 8-1/2 x 11-inch paper (multiple sheets accepted) with a bar scale and which displays the following characteristics of the proposed subdivision and abutting lots, parcels, or streets:

1. Existing vegetation;
2. Topography and north arrow;
3. Existing Buildings and Structures;
4. Recorded Road and Utility Easements;
5. Existing and proposed public Streets;
6. Drainage corridors;
7. Existing above ground and below ground utility lines;
8. Existing land uses; and
9. Proposed subdivision layout.

B. Where the sketch submitted covers only one phase of a subdivider's proposed subdivision, a separate sketch map shall show the proposed street system for the entire area to be subdivided and the intersections with existing city streets. (Ord. 2024-02, 2-27-2024)

11-2-3: PRELIMINARY PLAT:

A. The preliminary plat shall comply with the following requirements:

1. A title block shall be located in the lower right-hand corner of the sheet, and contain the following information:
 - a. The proposed name of the subdivision, which shall be distinct from any subdivision name on a plat recorded in the county recorder's office;
 - b. The location of the subdivision, including the address, section, township and range;
 - c. The names and addresses of the owner, or subdivider if other than the owner, and the surveyor of the subdivision; and
 - d. Date of preparation, scale (not greater than fifty (50) feet to the inch), and north point.
2. The preliminary plat shall show:
 - a. Existing Conditions:
 - (1) The location of the nearest benchmark or monument;
 - (2) The boundary, length, and width of the proposed subdivision and the acreage included;
 - (3) All property under the control of the subdivider within and abutting the proposed subdivision;
 - (4) The location, width, and names of all existing streets and future road corridors within four hundred fifty feet (450') of the subdivision. Also, all prior platted streets or other public open spaces, permanent easements and sections, and corporation lines, within and next to the tract;
 - (5) The location of all wells proposed, active, and abandoned, and of all reservoirs within the tract and to a distance of at least two hundred feet (200') beyond the tract boundaries;
 - (6) Rights-of-way and recorded easements within and to a distance of at least two hundred feet (200') beyond the tract boundaries showing pipe sizes and grades, manholes, and exact locations for existing:
 - (A) Water conveyance facilities;
 - (B) Underground facilities; and
 - (C) Any other utility facility;
 - (7) Any water convenience facility located, entirely or partially, within the proposed subdivision that:

(A) Is not recorded; and

(B) Of which the owner of the land has actual or constructive knowledge, including from information made available to the owner of the land by the state engineer's inventory of canals or from a surveyor.

(8) Boundary lines of adjacent tracts of unsubdivided land, showing ownership where possible; and

(9) Contour at vertical intervals of not more than two feet (2'). High water levels of all watercourses, if any, shall be shown in the same datum for contour elevations.

b. Proposed development:

(1) The layout of streets, showing location, widths and other dimensions of proposed streets, crosswalks, alleys and easements, designated by actual or proposed names and numbers.

(A) Street names shall comply with title 7 chapter 4 of city code;

(B) Joining of proposed streets with existing streets shall serve as a continuation of existing streets from adjoining areas; From 11-3-3;

(C) Design, placement, and layout of streets shall meet minimum standards a of section 11-3-3.

2) The layout, numbers and typical dimensions of lots, blocks, or buildings.

(A) All lots shall front on a city street;

(B) Lot numbers or addresses shall comply with title 7 chapter 4 of city code;

(C) Dimensions shall include length, width, and acreage or square footage for each lot and block intended for sale;

(D) Lot sizes and widths shall conform with the minimum requirements of the zone in which the subdivision is located. Lots below minimum size left from subdividing a larger tract shall be redrawn to be attached to an abutting lot and become part of the abutting lot;

(E) Where the land covered by a subdivision includes two (2) or more parcels in separate ownership and the lot arrangement is such that a property ownership line divides one or more lots, the land in each lot so divided shall be transferred by deed to single ownership before approval of the final plat, and such transfer recorded in the county recorder's office before being certified to the planning commission by the subdivider;

(F) Lots may include flag lot configurations, subject to the standards of Section 11-3-XX of this title.

(3) Size of blocks.

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(A) Length: The maximum length of a block shall be one thousand two hundred feet (1,200') and the minimum length of a block shall be two hundred fifteen feet (215');

(B) Width: The width of a block shall be sufficient to allow two (2) tiers of lots.

(4) Tracts of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in the subdivision.

(5) Building setback lines as required by the zone in which the subdivision is located.

(6) Easements for water, sewer, drainage, utility lines and other purposes shall be a minimum of ten feet (10') in width (see subsection 11-3-3(D)).

(7) If a proposed subdivision or lots within a proposed subdivision include a drainage corridor recognized in title 10, chapter 12, Overlay Zones, an engineering drawing shall be prepared to show how the function of the corridor will be protected.

B. In addition to the preliminary plat requirements at subsection 11-2-3(A), the subdivider shall provide:

1. Title Report documenting ownership of land included within the proposed subdivision.

2. For residential development the subdivider shall provide proof of ownership of irrigation water shares for deeding to city:

a. Any subdivider who owns water rights to irrigation water shares not already vested in the city corporation, shall deed to the city water shares equivalent to forty-five hundredth (0.45) acre-foot of water per year for each dwelling unit to be constructed. Such water shares shall be used for conversion to the culinary water system of the city as it is deemed necessary;

b. Any subdivider who does not own irrigation water shares must purchase the equivalent shares and deed them to the city; and

c. If no water rights are immediately available for purchase, the subdivider shall pay to the city an amount equal to the market value of said water shares and, as such time as water stock becomes available, the city shall purchase the equivalent shares.

3. For commercial or industrial development, the proponent shall provide proof of ownership of water rights to irrigation water shares not already vested in the city corporation and shall deed to the city water shares as required by the Utah Division of Water Rights for the type of commercial or industrial development proposed. Such water shares shall be used for conversion to the culinary water system of the city as it is deemed necessary.

4. Copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the planning commission.

5. Preliminary engineering drawings, including typical cross sections and plans, and/or written statements regarding width and type of proposed off-site and on-site water mains, sanitary sewers, drainage facilities and other proposed improvements, such as streets, sidewalks, curbs, gutters, parks, and fire hydrants.

6. Preliminary grading and drainage plans, as required by the city engineer, showing existing grades with solid line contours and proposed grades superimposed with dashed line contours. However, plans in all hillside area subdivisions shall also show:

- a. Areas with eight percent (8%) or greater natural slope by cross hatching; and
- b. The location of proposed cuts and fills.

7. Environmental impact statement, when required by the city engineer, shall be prepared indicating or describing the measures that will be taken for;

- a. Control of erosion within the subdivided area;
- b. Reseeding of cuts and fills;
- c. Disposition of any geologic hazard and/or soil conditions which may cause injury or damage to improvements which may be constructed on the subdivision such as buildings, water and sewer lines and streets;
- d. Prevention of fire and control of dust;
- e. Prevention of accumulation of weeds and debris;
- f. Disposal of surface water and disposition of flood hazards; and
- g. Preservation of natural drainage channels.

C. Amendments May Be Required:

1. Prior To Approval: Before approving a preliminary plat of a subdivision, the planning commission may require amendments or modification of the plan, including requiring:

- a. Additional information relating to an applicant's plans to ensure compliance with city ordinances and approved standards and specifications for construction of public improvements; and
- b. Modifications to plans that do not meet current ordinances, applicable standards or specifications, or do not contain complete information.
- c. The city's request for additional information or modifications shall be specific and include citations to ordinances, standards, or specifications that require the modifications to plans, and shall be logged in an index of requested modifications or additions.

2. Conform To Requirements: The subdivider shall make such amendments or modifications to the satisfaction of the planning commission and sufficient in all cases to correct the inadequacies so that the subdivision will conform to the requirements of this title.

D. Approval Of Preliminary Plat:

1. Review:

- a. The subdivider shall provide six (6) copies of the preliminary plat for use by the city in its review of the proposed subdivision.
- b. Within fifteen (15) business days after the day on which an applicant submits a complete preliminary subdivision land use application for a residential subdivision for single-family dwellings, two-family dwellings, or townhomes the administrative land use authorities shall complete the initial review of the application including subdivision improvement plans.
- c. Within thirty (30) business days after the day on which an applicant submits a complete preliminary subdivision land use application for commercial or industrial development the administrative land use authorities shall complete the initial review of the application including subdivision improvement plans.
- d. As part of the review cycle the planning commission may:
 - (1) Receive public input in a public meeting;
 - (2) Hold one public hearing;
 - (3) Request additional information from the subdivider; or
 - (4) Review the preliminary plan at the staff level.
 - (5) No more than four review cycles may be required unless:
 - (A) A modification or correction is necessary to protect public health and safety or to enforce state or federal law.
 - (B) Subject to subsection 11-2-3(D)(1)(d)(5)(i), a change or correction is necessitated by the applicant's adjustment to a plan set or an update to a phasing plan that adjusts the infrastructure needed for the specific development.
 - (C) An applicant makes a material change to a plan set, in which case the city has the discretion to restart the review process at the first review of the final application, but only with respect to the portion of the plan set that the materials change substantively effects.
 - (6) If the applicant does not submit a revised plan within twenty (20) business days after the city requires modification or correction, the city shall have an additional twenty (20) business days to respond to the plans.
 - (7) Except as indicated in subsection 11-2-3(D)(1)(5) above, after the applicant has responded to the final review cycle and has complied with each modification requested by the city's previous review cycle, the city may not require additional reviews if the applicant has not materially changed the plan other than changes that were in response to requested modifications or corrections.

(8) The applicant's response to city's requested modifications or corrections shall include:

(A) A written explanation in response to the city's review comments, identifying and explaining the applicant's revisions and reasons for declining to made revisions, if any; and

(B) The applicant's written explanation shall be comprehensive and specific, including citations to applicable standards and ordinances for the design and an index of requested revisions or additions for each required correction.

(C) If an applicant fails to address a review comment in the response, the review cycle is not complete and the subsequent review cycle may not begin until all comments are addressed.

e. If upon the fourth or final review the city fails to respond within twenty (20) business days, the city shall, upon request of the property owner and within ten (10) business days after the request is received:

(1) For disputes arising from the subdivision improvement plan, assemble an appeal panel in according with Utah code subsection 10-9a-508(5)(d) to review and approve or deny the final revised set of plans; or

(2) For disputes arising from the subdivision ordinance review, advise the applicant in writing of the deficiency in the application and of the right to appeal the determination to a designated appeal authority.

f. Following review and if the preliminary plat complies with requirements in this section, the planning commission will approve the preliminary subdivision application.

g. The planning commission shall not approve the plat until signature acceptance is received from each of the interested administrative land use authorities.

2. Copies Of Plat Forwarded:

a. If the preliminary plat is recommended for approval, the planning commission shall return one copy of the plat signed by the planning commission chairman to the subdivider with any conditions attached.

b. Other signed copies shall be forwarded to each of the interested authorities.

c. One (1) signed copy shall be retained in the office of the city recorder/clerk.

d. The planning commission shall retain one (1) signed copy of the plat for its files.

e. If the preliminary plat is recommended for disapproval, the planning commission shall indicate its disapproval by distributing signed copies of the plat to the subdivider and interested authorities bearing the reasons for disapproval.

3. Limits on Signature Authority: The city shall not require that a plat be approved or signed by a person or entity who:

- a. Is not an employee or agent of the city;
 - b. Does not have a legal or equitable interest in the property within the proposed subdivision;
 - c. Does not provide a utility or other service directly to a lot within the subdivision;
 - d. Does not own an easement or right-of-way adjacent to the proposed subdivision who signs for the purpose of confirming the accuracy of the location of the easement or right-of-way in relation to the plat; or
 - e. Does not provide culinary public water service whose source protection zone is included, in whole or in part, within the proposed subdivision.
4. City to Maintain and Publish Certain Items: The city shall maintain and publish a list of the items comprising the complete preliminary subdivision land use application, including:
- a. The;
 - b. The owner's affidavit;
 - c. An electronic copy of all plans in PDF format;
 - d. The preliminary subdivision plat drawing; and
 - e. A breakdown of fees due upon approval of the application.
5. Receipt of a signed copy of an approved preliminary plat shall be authorization for the subdivider to proceed with the preparation of plans and specifications required by this title in preparation of the final plat.
- E. Duration Of Preliminary Approval:
- 1. Maximum Period Valid: Approval of the preliminary plat by the planning commission shall be valid for a maximum period of twelve (12) months. After approval and upon application from the developer, the planning commission may grant an extension.
 - 2. If the final plat has not been recorded within the twelve (12) month period, or granted extension, the preliminary plat must again be submitted to the city council or planning commission for reapproval.
 - 3. Large Tract Extension: Preliminary approval of a large tract shall not be voided if the final plat of the first phase is submitted for final approval within one year and an extension of time is granted as to the remainder thereof. (Ord. 2024-02, 2-27-2024)

11-2-4: FINAL PLAT:

A. Approval Required Prior To Recording: No plat shall be recorded or offered for record, nor shall any land be offered for sale with reference to such a plat until said plat has been so approved in writing and recorded.

B. Form: A final plat shall be prepared by a certified land surveyor on all subdivisions.

1. Said plat shall consist of a sheet of mylar, having outside or trim line dimensions of twenty-four inches by thirty-six inches (24" x 36").

2. The border line of the plat shall be drawn in heavy lines, leaving a margin of at least one and one-half inches (1-1/2") on the left-hand side of the sheet.

3. The plat shall be so drawn that the top of the sheet either faces north or east, whichever accommodates the drawings best.

4. All lines, dimensions and markings shall be made on the mylar, with approved waterproof drawing ink or equivalent. Details and workmanship on finished drawings shall be neat, clean cut, and readable. A poorly drawn or illegible plat is sufficient cause for rejection.

5. Certification blocks that include:

a. A licensed land surveyor's "certificate of survey";

b. The owner's "certificate of dedication";

c. A notary public's "acknowledgment";

d. The city planning commission's "certificate of approval";

e. The city engineer's "certificate of approval"; and

f. The city attorney's "certificate of approval";

~~g. The city council's "certificate of approval"; and,~~

h. A one and one-half inch by five-inch (1-1/2" x 5") space in the lower right-hand corner of the drawing for the county recorder's use.

C. Content: The final plat shall show:

1. The name of the subdivision, which name must be approved by the planning commission;

2. Accurate angular and linear dimensions for all lines, angles and curves used to describe boundaries, streets, easements, areas to be reserved for public use and other important features. All dimensions shall be determined by an accurate field survey which shall balance and close within a limit of one in ten thousand (1 in 10,000) feet;

3. An identification system for all lots, blocks and names of streets. Lot lines shall show dimensions in feet and hundredths;

4. True angles and distances to the nearest established street lines or official monuments, which shall be accurately described in the plat and shown by appropriate symbol. Basis for bearings used shall be clearly stated;

5. Total dimensions of all lines, whether curved or straight, including lengths, bearings, radii, chords, internal angles, and location of points of curvature;

6. The accurate location of all monuments to be installed shown by the appropriate symbol. All United States, state, county, or other official benchmarks, monuments or triangulation stations, in or adjacent to the property, shall be preserved in precise position;

7. The dedication to the public of all streets and highways included in the proposed subdivision;

a. Street monuments shall be installed by the subdivider's land surveyor at such points designated on the final plat as required by the city engineer. Standard precast monuments will be furnished by the subdivider and must be placed prior to the release of the improvement bond.

b. The city shall not accept or maintain streets or public ways unless said streets have been constructed in accordance with standards and specifications which have been adopted by the city council.

8. Pipes or iron rod markers shall be placed at each lot corner;

9. Location of all planned stubs or service tees to each lot for culinary and secondary water connections and sewer connections.

10. Accurate outlines and legal descriptions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common uses of all property owners; ~~and~~

11. Where it is proposed that streets be constructed on property controlled by a public agent or utility company, approval for the location, improvement and maintenance of such streets shall be obtained from the public agency or utility company and entered on the final plat in a form approved by the city attorney; and

12. The final plat shall show any flag lot access strips and label themn accordingly. Flag lots shall comply with the standards set forth in Section 11-3-XX.

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D. Amendments May Be Required:

1. Prior To Approval: Before approving a final plat of a subdivision, the planning commission may require amendments or modification of the plan if it finds that: a. The layout of the subdivision does not conform to acceptable standards of design as set forth in this title;

b. The subdivision is not provided with adequate ingress or egress;

c. The subdivision contains geologic, soil, water, or other hazards, which would be detrimental to the subdivision surrounding area, or to the city.

d. The subdivision does not provide the required improvements or quality of improvements or does not comply with other requirements as set forth in city code; and

e. The dimensions of the subdivision or any lot do not mathematically close.

2. Conform To Requirements: The subdivider shall make such amendments or modifications to the satisfaction of the planning commission and sufficient in all cases to correct the inadequacies so that the subdivision will conform to the requirements of this title.

E. Approval of Final Plat:

1. Subdivider supplied documents.

a. Within one (1) year after the approval of the preliminary plat, or within the time for which an extension to make such filing has been granted, the preliminary plat and two (2) mylar originals of the final plat shall be submitted for review; one of which will be retained for the city files, the other will be returned to the subdivider.

b. Submittal of an up to date abstract or policy of title insurance shall be submitted to the city prior to final plat approval.

c. A statement that all taxes or special assessments payable on all property within the limits of the subdivision are paid in full.

d. An itemized estimate of the cost of all proposed or required improvements, including labor and material.

e. One copy of any proposed restrictive covenants in final form and signed by all of the owners of any interest in the subdivision who signed the final plat This copy shall be acknowledged by a notary public and shall be recorded in the office of the county recorder along with the final plat.

2. Filing Fee: There shall be a city filing fee and inspection fee for the filing of a final plat of a subdivision, which shall be borne by the subdivider, and paid to the city in accordance with the provisions of title 11, chapter 6 and title 1, chapter 7, Consolidated Fee Schedule.

3. When the subdivider has supplied the required materials and paid the city filing fee.

a. For a subdivision containing single-family dwellings, two-family dwellings, or townhomes, the review shall be conducted no later than twenty (20) business days from the date the city receives the required materials and filing fee.

b. For all other subdivisions, including those for commercial or industrial purposes, the review shall be conducted no later than thirty (30) business days from the date the city receives the required materials and filing fee.

4. After reviewing the final plat and confirming compliance, the Planning Commission shall approve or deny the final plat. ~~planning, the commission shall make a~~

recommendation to the city council for approval of the final plat if all conditions of title 11 and applicable city code have been satisfied.

5. ~~The Planning Commission shall approve the final plat if it complies with all applicable city ordinances and requirements. After receiving recommendations from the planning commission and approvals as required in subsection 11-2-4(E)(3), the city council shall approve the final plat.~~

F. Recordation of Final Plat:

1. Following city council approval of the final plat, the subdivider shall:

- a. Present to the county recorder the final mylar plat, bearing all required signatures, and pay all recording fees; or
- b. Present to the county recorder the final plat in electronic format as required at Utah code Title 17 Chapter 21a Uniform Real Property Electronic Recording Act, and pay all recording fees.

2. The subdivider shall file with the city recorder:

- a. One paper copy of the signed final plat bearing the county recorder's stamp; and
 - b. A copy of the final plat in electronic format as required at Utah Code Title 17 Chapter 21a Uniform Real Property Electronic Recording Act and city code 11-2-4(G).
3. ~~The city council~~ ~~Planning Commission's~~ approval of the final plat shall be void if not recorded within one year after the date of approval, unless application for an extension of time is made in writing to the planning commission and granted during the one (1) year period.

G. City to Submit Data to Utah Geospatial Resource Center:

1. Within thirty (30) days after approving the final plat under this section the city shall submit to the Utah Geospatial Resource Center:

- a. An electronic copy of the approved plat; or
- b. Preliminary geospatial data that depict any new streets and situs addresses proposed for construction within the bounds of the approved plat.

2. If requested by the Utah Geospatial Resource Center, the city shall:

- a. Coordinate with the Utah Geospatial Resource Center to validate the information described in subsection 11-2-5(G)(1); and
- b. Assist the Utah Geospatial Resource Center in creating electronic files that contain the information described in subsection 11-2-5(G)(1) for inclusion in the unified statewide 911 emergency service database. (Ord. 2024-02, 2-27-2024)

11-2-5: EXEMPTION FROM PLAT REQUIREMENT:

A. A lot or parcel resulting from a division of agricultural land is exempt from the plat requirements of this chapter if:

1. The parcel qualifies as land in the A-1 Agricultural-Residential Zone;
2. Meets the minimum size requirements of the A-1 Agricultural-Residential Zone; and
3. The lot or parcel is not used and will not be used for any non-agricultural purpose.

B. If a lot or parcel resulting from a division of agricultural land is or will be used for non-agricultural purposes, the subdivider will comply with all the requirements in title 11 of city code.

C. The boundaries of each lot or parcel exempted under subsection 11-2-5(A) shall be graphically illustrated on a record of survey map that has been approved as required for a plat under title 11, chapter 2.

D. The graphically illustrated record of survey map shall be recorded by the subdivider with the county recorder.

E. Documents recorded in the county recorder's office that divide a property by a metes and bounds description do not create an approved subdivision allowed by this title unless the city's certificate or written approval is attached to the document and includes:

1. The city's affidavit that public notice was provided as required by ordinance; and
2. The proposed subdivision:

a. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the city has approved the location and dedication of any public street, city utility easement, and other easement, or any other land for public purposes as required by city code;

b. Has been approved by the culinary water authority and the sanitary sewer authority;

c. Is located in a zoned area; and

d. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.

F. The absence of the certificate or written approval required in subsection 11-2-5(E) does not:

1. Prohibit the county recorder from recording the document; or
2. Affect the validity of a recorded document.

G. A document which does not meet the requirements of subsection 11-2-5(E) may be corrected by the recording of an affidavit to which the required certificate or written approval is attached. (Ord. 2024-02, 2-27-2024)

11-2-6: FAILURE TO COMPLY WITH APPROVAL PROCEDURE:

A. A person may not submit a subdivision plat to the county recorder's office for recording unless:

1. The person has complied with the requirements of title 11 of city code;
2. The plat has been approved by:

a. The land use authority of the municipality in which the land described in the plat is located; and

b. Other officers that the municipality designates in its ordinance;

3. All approvals described in Subsection (A)(2) are entered in writing on the plat by the designated officers; and

4. If the person submitting the plat intends the plat to be or if the plat is part of a community association subject to Utah Code Title 57, Chapter 8a, Community Association Act, the plat includes language conveying to the association, as that term is defined in Section 57-8a-102, all common areas, as that term is defined in Section 57-8a-102.

B. A subdivision plat recorded without the signatures required under this section is void.

C. A transfer of land pursuant to a void plat is voidable by the land use authority. (Ord. 2024-02, 2-27-2024)

Effective 11/6/2025**10-21-201 Moderate income housing plan required.**

- (1) A moderate income housing element of a general plan shall include a moderate income housing plan that meets the requirements of this section.
- (2) A moderate income housing plan:
 - (a) shall provide a realistic opportunity to meet the need for additional moderate income housing within the municipality during the next five years;
 - (b) for a municipality that is not a specified municipality, may include a recommendation to implement three or more of the moderate income housing strategies described in Subsection (3)(a)(iii);
 - (c) for a specified municipality that does not have a fixed guideway public transit station, shall include a recommendation to implement three or more of the moderate income housing strategies described in Subsection (3)(a)(iii) or at least one of the moderate income housing strategies described in Subsections (3)(a)(iii)(X) through (CC);
 - (d) for a specified municipality that has a fixed guideway public transit station, shall include:
 - (i) a recommendation to implement five or more of the moderate income housing strategies described in Subsection (3)(a)(iii), of which one shall be the moderate income housing strategy described in Subsection (3)(a)(iii)(U) and one shall be a moderate income housing strategy described in Subsection (3)(a)(iii)(G) or (H); or
 - (ii) a recommendation to implement the moderate income housing strategy described in Subsection (3)(a)(iii)(U), one of the moderate income housing strategies described in Subsections (3)(a)(iii)(X) through (CC), and one moderate income housing strategy described in Subsection (3)(a)(iii); and
 - (e) for a specified municipality shall include an implementation plan as provided in Subsection (4).
- (3)
 - (a) In drafting the moderate income housing element, the planning commission:
 - (i) shall consider the Legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing:
 - (A) to meet the needs of people of various income levels living, working, or desiring to live or work in the community; and
 - (B) to allow people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life;
 - (ii) for a municipality that is not a specified municipality, may include, and for a specified municipality shall include, an analysis of how the municipality will provide a realistic opportunity for the development of moderate income housing within the next five years;
 - (iii) for a municipality that is not a specified municipality, may include, and for a specified municipality shall include, a recommendation to implement the required number of any of the following moderate income housing strategies as specified in Subsection (2):
 - (A) rezone for densities necessary to facilitate the production of moderate income housing;
 - (B) demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate income housing;
 - (C) demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing;
 - (D) identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the municipality for the construction or rehabilitation of moderate income housing;

- (E) create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones;
- (F) zone or rezone for higher density or moderate income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers;
- (G) amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors;
- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities;
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (K) preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-21-301, establishing a housing loss mitigation fund;
- (L) reduce, waive, or eliminate impact fees related to moderate income housing;
- (M) demonstrate creation of, or participation in, a community land trust program for moderate income housing;
- (N) implement a mortgage assistance program for employees of the municipality, an employer that provides contracted services to the municipality, or any other public employer that operates within the municipality;
- (O) apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within the Utah Housing Corporation's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing;
- (P) demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing;
- (Q) eliminate impact fees for any accessory dwelling unit that is not an internal accessory dwelling unit as defined in Section 10-21-101;
- (R) create a program to transfer development rights for moderate income housing;
- (S) ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing;
- (T) develop a moderate income housing project for residents who are disabled or 55 years old or older;
- (U) develop and adopt a station area plan in accordance with Section 10-21-203;
- (V) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;
- (W) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median

- income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;
- (X) create a housing and transit reinvestment zone in accordance with Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act;
 - (Y) create a home ownership promotion zone in accordance with Part 5, Home Ownership Promotion Zone for Municipalities;
 - (Z) create a first home investment zone in accordance with Title 63N, Chapter 3, Part 16, First Home Investment Zone Act;
 - (AA) approve a project that receives funding from, or qualifies to receive funding from, the Utah Homes Investment Program created in Title 51, Chapter 12, Utah Homes Investment Program;
 - (BB) adopt or approve a qualifying affordable home ownership density bonus for single-family residential units, as described in Section 10-21-401; and
 - (CC) adopt or approve a qualifying affordable home ownership density bonus for multi-family residential units, as described in Section 10-21-402; and
- (b) the planning commission shall identify each moderate income housing strategy recommended to the legislative body for implementation by restating the exact language used to describe the strategy in Subsection (3)(a)(iii).
- (4)
- (a) In drafting the implementation plan portion of the moderate income housing element as described in Subsection (2)(c), the planning commission shall recommend to the legislative body the establishment of a five-year timeline for implementing each of the moderate income housing strategies selected by the municipality for implementation.
 - (b) The timeline described in Subsection (4)(a) shall:
 - (i) identify specific measures and benchmarks for implementing each moderate income housing strategy selected by the municipality, whether one-time or ongoing; and
 - (ii) provide flexibility for the municipality to make adjustments as needed.

Enacted by Chapter 15, 2025 Special Session 1

Effective 11/6/2025

10-21-401 Affordable home ownership density bonus for single-family residential units.

- (1) As used in this section:
 - (a) "Affordable housing" means a dwelling:
 - (i) offered for sale to an owner-occupier at a purchase price affordable to a household with a gross income of no more than 120% of area median income for the county in which the residential unit is offered for sale; or
 - (ii) offered for rent at a rental price affordable to a household with a gross income of no more than 80% of area median income for the county in which the residential unit is offered for rent.
 - (b) "Owner-occupier" means an individual who owns, solely or jointly, a housing unit in which the individual lives as the individual's primary residence.
 - (c) "Qualifying affordable home ownership single-family density bonus" means:
 - (i) for an area with an underlying zoning density of less than six residential units per acre, municipal approval of a density at least six residential units per acre; or
 - (ii) for an area with an underlying zoning density of six residential units per acre or more, municipal approval of a density at least 0.5 residential units per acre greater than the underlying zoning density for the area.
- (2) If a municipality approves a qualifying affordable home ownership single-family density bonus, either through a zoning ordinance or a development agreement, the municipality may adopt requirements for the qualifying affordable home ownership single-family density bonus area to ensure:
 - (a) at least 60% of the total single-family residential units be deed-restricted to owner-occupancy for at least five years;
 - (b) at least 25% of the total single-family residential units qualify as affordable housing;
 - (c) at least 25% of the single-family residential units per acre to be no larger than 1,600 square feet; or
 - (d) the applicant creates a preferential qualifying buyer program in which a single-family residential unit is initially offered for sale, for up to 30 days, to a category of preferred qualifying buyers established by the municipality, in accordance with provisions of the Fair Housing Act, 42 U.S.C. Sec. 3601.
- (3) A municipality may offer additional incentives in a qualifying affordable home ownership single-family density bonus area approved for single-family residential units to promote owner-occupied, affordable housing.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

Effective 11/6/2025

10-21-402 Affordable home ownership density bonus for multi-family residential units.

- (1) As used in this section:
 - (a) "Affordable housing" means the same as that term is defined in Section 10-21-401.
 - (b) "Owner-occupier" means the same as that term is defined in Section 10-21-401.
 - (c) "Qualifying affordable home ownership multi-family density bonus" means municipal approval of a density of at least 20 residential units per acre.
- (2) If a municipality approves a qualifying affordable home ownership multi-family density bonus, either through a zoning ordinance or a development agreement, the municipality may adopt requirements for the qualifying affordable home ownership multi-family density bonus area to ensure:
 - (a) at least 20% more residential units per acre than are otherwise allowed in the area;
 - (b) at least 60% of the total units in the multi-family residential building be deed-restricted to owner-occupancy for at least five years;
 - (c) at least 25% of the total units in the multi-family residential building qualify as affordable housing;
 - (d) at least 25% of the total units in a multi-family residential building to be no larger than 1,600 square feet; or
 - (e) the applicant creates a preferential qualifying buyer program in which a unit in a multi-family residential building is initially offered for sale, for up to 30 days, to a category of preferred qualifying buyers established by the municipality, in accordance with provisions of the Fair Housing Act, 42 U.S.C. Sec. 3601.
- (3) A municipality may offer additional incentives in a qualifying affordable home ownership multi-family density bonus area for multi-family residential units to promote owner-occupied, affordable housing.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

Effective 11/6/2025

10-21-502 Applicability, requirements, and limitations.

- (1) A home ownership promotion zone shall promote the following objectives:
 - (a) increasing availability of housing, including affordable housing;
 - (b) promotion of home ownership;
 - (c) overcoming development impediments and market conditions that render an affordable housing development cost prohibitive absent the incentives resulting from a home ownership promotion zone; and
 - (d) conservation of water resources through efficient land use.
- (2) In order to accomplish the objectives described in Subsection (1), a municipality shall ensure that:
 - (a) land inside the proposed home ownership promotion zone is zoned as residential, with at least six planned housing units per acre;
 - (b) at least 60% of the proposed housing units within the home ownership promotion zone are affordable housing units; and
 - (c) all of the proposed housing units within the home ownership promotion zone are deed restricted to require owner occupation for at least five years.
- (3) A municipality may restrict short term rentals in a home ownership promotion zone.
- (4) A municipality may not create a home ownership promotion zone if:
 - (a) the proposed home ownership promotion zone would overlap with a school district and:
 - (i)
 - (A) the school district has more than one municipality within the school district's boundaries; and
 - (B) the school district already has 100 acres designated as home ownership promotion zone within the school district's boundaries; or
 - (ii)
 - (A) the school district has one municipality within the school district's boundaries; and
 - (B) the school district already has 50 acres designated as home ownership promotion zone within the school district's boundaries; or
 - (b) the area in the proposed home ownership zone would overlap with:
 - (i) a project area, as that term is defined in Section 17C-1-102, and created under Title 17C, Chapter 1, Agency Operations, until the project area is dissolved in accordance with Section 17C-1-702; or
 - (ii) an existing housing and transit reinvestment zone.

Renumbered and Amended by Chapter 15, 2025 Special Session 1

City of Monticello, Utah
SUMMARY OF COMMUNITY GENERAL PLAN SURVEY
No. Survey Responses: 219 • Percent of City represented: 12%

SUMMARY OF REASONS TO LIKE MONTICELLO

- 38% appreciate the small, close-knit, quiet and safe feel of the community
- It is easy to get to outdoor recreation and the setting is beautiful
- City has good parks, trails, golf course, and Loyd's Lake
- City hosts public programs and events and people are supportive of them

SUMMARY OF WHAT MONTICELLO NEEDS

- 30% or more want more businesses in Monticello
- 11% want an affordable recreation center
- Improve community pride and invite everyone
- 6% want more and upgraded City parks, trails, and playgrounds
- More activities for all age groups, but especially teens
- City pool open year-long
- Water supply

SUMMARY OF MONTICELLO'S GROWTH OVER THE NEXT 10 YEARS

- 78% believe the City will have more housing and businesses, expanded educational facilities, and will look better
- 52% believe that future growth requires both more businesses and a greater quantity and variety of housing
- Downtown will have numerous business and be pedestrian friendly
- A recreation center will anchor a variety of programs and events with both indoor and outdoor experiences

SUMMARY OF CITY-HOSTED PARTICIPATION OPPORTUNITIES

- 60% participated in City-hosted events
- 30% participated in City-hosted activities
- Most opportunities reached all age groups and many income brackets
- The most attended event was Pioneer Day
- The most attended activities were youth sports

SUMMARY OF CITY SERVICES RANKING

- Respondents acknowledged the connectedness of all City services
- Economic Development was the top ranked service
- City Parks & Trails ranked second
- Youth Recreation ranked third
- The lowest ranked service was Code Enforcement

SUMMARY OF SATISFACTION WITH CITY SERVICES

- 75% are satisfied with the services
- 34% said street and sidewalk maintenance needs to be a higher priority
- 16% want assurance that the City has sufficient water

SUMMARY OF CITY COUNCIL MEETING ATTENDANCE

- 55% do not attend or listen to the meetings
- 36% attended or listened to 1-4 meetings each year
- Most common reasons for not attending were too busy, lack of interest, or unaware of meeting schedule

SUMMARY OF PREFERRED COMMUNICATION METHODS

- 73.1% preferred more than one method
- 61.6% used the newspaper in combination with an electronic media
- 26.9% used only a single method
- 24.7% used email and social media (Facebook)
- 9.6% used the City website and local postings at the library, post office, and City office

SUMMARY OF CITY TRANSPARENCY

- 59.9% believe the City is transparent
- 24.6% believe the City needs to improve its transparency
- 16.2% want more frequent updates on decisions and projects

SUMMARY OF HOUSING DEVELOPMENT

- 62% believe Monticello has a housing shortage
- 32% believe local housing is over priced
- 53% believe private developers are the best way forward
- 44% believe the City should adjust zoning codes and fees

HIGHLIGHTS OF ADDITIONAL COMMENTS

- Current City administration, council, and volunteers are doing a great job
- Remember that people live here because it is small, quiet, and safe
- Hurry up with economic development and housing before we become a ghost town
- Develop a stronger sense of community
- There is always room for improvement

TAKE AWAYS FOR THE TRANSPORTATION ELEMENT

- 54% appreciate ease of access within with City
- 25% want repairs and upgrades to existing streets and sidewalks
- Emphasize pedestrian and bicycle use of City streets
- Make safer crossings on US-191 and US-491
- Plan carefully for future development to retain connectedness and safety
- Work with UDOT on uniform street lights and traffic calming devices

TAKE AWAYS FOR LAND USE ELEMENT

- Business expansion should not jeopardize the small town feel of Monticello
- Expand areas designated for residential use
- Allow a greater variety of housing for purchase and rent
- Simplify and minimize zoning and building requirements

TAKE AWAYS FOR MODERATE INCOME HOUSING ELEMENT

- Use as many options as possible but keep citizen needs at the heart of plans
- Include incentives in ordinances
- Reduce fees where possible
- Streamline zoning and building rules to reduce barriers and speed up construction

TAKE AWAYS FOR WATER USE & PRESERVATION ELEMENT

- 9.5% made comments about water
- Only one comment about water and yards
- No one referred to existing ordinances affecting drainage, flooding, and water sources
- Small number of responses may indicate a need for education and outreach
- Residential landscaping options for low-water use will need greater emphasis

TAKE AWAYS FOR THE ECONOMIC DEVELOPMENT ELEMENT

- Expand the number and variety of locally owned businesses
- Assure housing development keeps pace with business growth
- Stimulate business-to-business communications and cooperative marketing
- Business growth needs to respect the character of the community

TAKE AWAYS FOR PARKS & RECREATION ELEMENT

- Explore financing for a recreation center
- Improve and expand trail system
- Upgrade and maintain playground equipment
- Provide recreation activities year-round
- Provide activities suitable for each age group (youngsters, children, teens, adults)
- Include activities for non-athletes

TAKE AWAYS FOR PUBLIC SERVICES & FACILITIES ELEMENT

- Plan for future growth and increased demand
- Review and adjust fees for services
- Coordinate with county sheriff for increased presence in City
- Provide more information to public on these services

TAKE AWAYS FOR ENERGY CONSERVATION

- Revise zoning ordinances to include wind turbines for home use
- Update City energy conservation plans for its buildings and vehicle fleet
- Investigate how the City can encourage energy efficient construction

TAKE AWAYS FOR PROVIDING INFORMATION TO THE PUBLIC

- Place a high priority on keeping the City website current
- Display agenda on Facebook in addition to the town cloud link
- Continue the multi-media methods of communicating with the public
- Gather and keep current lists of email addresses for people wanting to be contacted via email
- Consider adding processes like building permits, financial accountability, etc., to the "101" courses offered occasionally by the City and invite the public to participate

TAKE AWAYS FOR CITY ADMINISTRATION

- Provide information about implementation of City Council decisions
- Help residents better understand tracking of City revenues and expenditures
- Consider how City Council decisions will affect our small, quiet, and safe community
- Develop long-term plans for growth and the expansion of city facilities

Add to Packet

Transportation Network Goal

Objective	Expected Result	Current	Future	Notes
Conduct study of how guest aircraft can be stored at the airport.	City costs for providing tie-down spaces and/or covered storage are minimized, and revenue from space rentals is maximized.	No progress		
Make the airport self-supporting	City does not bear the full burden of maintenance and operational expenses	No progress		
Expand airport facilities	Self-serve fuel station is reliable and easy to maintain hangars are available for rent or lease.	No progress		
Conduct cost-benefit analysis of an alternate truck route for the City	City Council makes informed decisions about a truck route and coordinates with UDOT accordingly	City council reviewed and dismissed idea.		
Coordinate with UDOT to assure that lighting on Main and Center streets is of the same design and well-maintained	The major thoroughways are attractively lighted, and lights operate reliably	No Progress		
Prepare a maintenance and upgrade plan for street lighting and signs	City streets are appropriate lighted and safe. Street signs are accurate and easy to read.	No Progress		
Continue implementation of plan to repair/replace sidewalks, curb, and gutter in on	City makes annual progress on safe pedestrian-friendly business district and eliminates broken	Some progress more needs to be done.		

Main and Center streets.	and uneven sidewalks.			
Establish & sign ATV routes within the City	Riders safely and legally move through and within the City.	No Progress		
Establish & sign bicycle routes connecting residential neighborhoods with schools, parks, recreation facilities, and businesses	Bicyclists have safe routes within the City.	No Progress		
Develop a Master Streetscape Plan for Main & Center Streets	Coordinated and planned/designed sidewalks, lighting, curb & gutter, and intersection control.	No Progress		

City Services Goal

Objective: Water System	Expected Result	Current	Future	Notes
City coordinates with the Forest Service to assure water quality does not diminish	City is consulted, and input considered in Forest resource plans and project implementation	No Progress/Meetings started		
City coordinates with the San Juan Water Conservancy District to add water to Loyds Lake	Expand the City's water resources	No Progress – But open communication		
Develop a plan with budget for the repair, replacement, and improvement of the water system within the City	City has a basis for loan and grant applications and setting budget priorities for this system. Progress is made annually to reduce the miles of outdated pipe.	Some Progress		
Provide a consistent source of water	Snowpack variations do not impact the availability of City water	Snowpack variations do not impact the availability of City water		
Determine cost-benefit of acquiring Empire Electric system	City makes informed decision about renewing agreement or buying the electrical system and provides competitive pricing for electricity	Recently done		
Objective: Sewer System	Expected Result	Current	Future	Notes

Develop a plan with budget for the repair, replacement, and improvement of the sewer systems within the City	City has a basis for loan and grant applications and setting budget priorities for this system. Progress is made annually to reduce the miles of outdated pipe.	Some Progress		
Objective: Storm Water Control	Expected Result	Current	Future	Notes
Complete implementation of Storm Water Drain Master Plan	Storm water is efficiently controlled and directed away from the city	Storm water is efficiently controlled and directed away from the city		
Objective: Streets, Curb, Gutter and Sidewalks	Expected Result	Current	Future	Notes
Acquire land owner agreements to help fund paving city streets where development outpaces the City's ability to provide pavement	Cost for pavement is shared with property owners and City	What is the cost break down between city and property owners?		
Continue implementation of plan to install/repair sidewalks, curb, and gutter in areas not fronting Main and Center streets.	City makes annual progress on safe pedestrian-friendly connections between schools, business district, and residential neighborhoods.	City makes annual progress of safe pedestrian friendly connections between schools, business district, and residential neighborhoods		
Establish a fund to secure rights-of-way for future city streets	All lots within the City will have access to highways or City streets	All lots will have access to city streets of highways		

Public Safety Goal

Objective Police Dept.	Expected Result	Current	Future	Notes
Hire a fourth full-time police officer	Police Department includes one chief and 4 full-time officers	Non applicable		
Install and maintain a camera system on Main and Center streets	Police officers spend more time in public contact and patrol, and traffic violations can still be addressed	Non applicable		
Revise or update policies for the Police Department	Procedures are professional current, consistent, and applied without prejudice	Non applicable		
Schedule & participate in public safety programs at local schools	Police officers are known to students and there is more mutual respect.	Non applicable		
Objective Fire Dept.	Expected Result	Current	Future	Notes
Create cost-recovery ordinances for fire suppression and rescue truck callouts	City is authorized to recover expenses for firefighting and rescue operations outside of City limits	We do bill the county now but not sure if we have an ordinance		

Establish an incentive plan for the Fire Department	Firefighters will have benefits based on years with the Fire Department	remove		
Recruit & train more firefighters	City has a larger firefighting force and is not impeded by loss or absence of present personnel	City has a larger force and is not impeded by loss or absence of present personnel		
Revise or replace the current pay structure for fire fighters	Firefighters are paid for hours away from their fulltime employment	The pay per call has increased, and continues to be reviewed		
Schedule & participate in public safety programs at local schools	Firefighters are known to students and there is more mutual respect.	Firefighters get to know students, and the students might consider joining when older		
Objective: Emergency Response	Expected Result	Current	Future	Notes
Complete the Emergency Response Plan	City will have clear policies and procedures in the event of an emergency	City Currently has an emergency response plan, but updates are always needed to clarify		

Moderate Income Housing Goal

Objective	Expected Result	Current	Future	Notes
Develop and keep current a page on the City web site that provides information about programs that help low to moderate income persons	Citizens and potential residents have the information they need to find or build low/moderate income housing in the City	Residents have the information they need to find/build low to moderate income housing (Southeastern Utah Housing Survey)		
Consider a zoning classification for low and moderate income housing	City provides a cost effective opportunity with smaller lots for smaller homes	R-2 Zone Multifamily-tiny home 10-7-4		
Expand areas zoned as R-1 and R-2	Developers have more land area for single-family and multi-unit housing	Not Done – No annexation requests		
Obtain & retain a place on the board of the Housing Authority of Southeastern Utah	City interests are represented and City Council makes informed decisions affecting housing needs	Mayor Hedglin is on the Southeastern Utah Housing Authority		
Offer incentives for development of multiple-family rental units	City waives or reduces fees for construction of multiplefamily	None as of date		

	rental units (apartments)			
Review & revise as needed, City codes to facilitate construction of moderate income housing	City codes are not barriers to development of moderate income and affordable housing, and sufficient area is available for new construction	None as of date		

Community Promotional Goal

Objective	Expected Result	Current	Future	Notes
Analyze A-1, R-1 and R-2 zones, revise as needed to assure adequate room for housing growth	Conflicts between business and residential uses are minimal and areas are properly zoned for residential expansion	Revisions to permitted uses began in 2024 and continues		
Create a way-finding system for the City	Signs clearly indicate how to reach specific places in the city.	No progress		
Maintain and keep current a web site about City activities and events	Residents and visitors can find things to do and read minutes of committee and City Council meetings	Done		
Organize & host an inter-faith committee to improve inclusion in City events	All religions feel welcome and respected at City events	No progress		
Revise animal keeping	Under specified circumstances	Revisions to permitted uses		

ordinances and residential zoning to be consistent with the City's rural setting	some farm animals are allowed within the city.	began in 2024 and continues		
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Economic Development Goal

Objective	Expected Result	Current	Future	Notes
Analyze existing A-1, C-1, C-2, and I-1 zones, revise as needed to foster business growth	Commercial, industrial, and residential uses are separated and have room for growth	Revisions to permitted uses began in 2024 and continues		
Develop & implement a business recruitment plan	City has planned growth and an expanded tax base	No progress		
Develop & implement a downtown master plan	City retains a business district that is inviting and viable	No progress		
Develop & implement a marketing plan for Monticello as a year-round destination for tourists	City is consistent in promotions and new businesses come to provide year-round service	No progress		
Coordinate with the Manti-La Sal National Forest to	Outline of the Horsehead is maintained and	No action taken		

maintain the vegetation feature called Horsehead	remains recognizable			
Prepare & implement an economic development plan	City helps business owners to connect with funding sources	Completed as the Blueprint Program		
Recruit a variety of new businesses and install the infrastructure to suit in a new industrial park	City has a suitable development for new industry or relocation of existing industries.	No Progress		
Retain the services of a building inspector for residential and commercial construction	Builders have prompt inspections and City is assured that buildings are constructed to standards	Inspections and back-up now provided		
Review & revise as needed, City codes to favor business growth and retention	City codes are business friendly to the extent compatible with other goals in this plan	Revisions to permitted uses began in 2024 and continues. No progress on way-finding signage.		
Review & revise as needed, City sign ordinance to maximize a business owner's options for making the business easily seen	City sign ordinance supports the way-finding system and visitors and residents can quickly find the business they seek	Sign ordinance revised in 2022 and 2024 and permits are required under most circumstances. Limits on size, placement, and lighting.		
Waive sign and fence permit fees for new businesses and expansion of existing businesses	City demonstrates support for business development while still upholding standards	Consolidated fee schedule of 10/10/2025 does not list fees for sign and fence permits		

Parks & Recreation Goals

Objective	Expected Result	Current	Future	Notes
Complete & implement a master plan for parks and recreation assets	City makes informed decisions about maintenance, improvements, and upgrades	No progress		
Complete a feasibility study for year round operation of the swimming pool	City makes most effective use of asset	Minor exploration into this option but a full deep dive is still needed		
Develop & implement a plan to connect parks and facilities by trail	Residents and visitors can move safely among the City facilities	No progress		
Develop & implement an events plan to expand recreation	City actively drives more business to the town and makes effective	Haven't developed a plan. But Recreation Director &		

to year-round activities and events	use of recreational assets	Committee have basically accomplished this		
Keep events calendar up to date on City website	Participants, families, and visitors find complete and current information about events	Done		
Maintain an event registration page on the City web site	Participants can register and pay for events on-line	Done		

Community Aesthetics Goal

Objective	Expected Result	Current	Future	Notes
Coordinate with UDOT to replace old street lights on Main & Center to match those installed most recently	Street lighting on principal highways is uniform and inviting	Discussed with UDOT but funding not available		
Create a theme or brand for the City	Citizens are united in how the city appears	No progress		
Develop & implement a City Center master plan	City has new space for businesses in a pedestrian friendly setting, and large truck traffic may diminish	No progress		

Develop a picnic area or/and vendor booths at the Welcome Center complex	The area will be used by locals and visitors and will no longer be an empty lot on Main Street.	Discussed but no progress		
Develop a Master Streetscape Plan for Main & Center Streets	Coordinated and planned/designed sidewalks, lighting, curb & gutter, and intersection control.	No Progress		

Historic Preservation Goal

Objective	Expected Result	Current	Future	Notes
Become a Certified Local Government	City is eligible for funds to be used for a variety of historic preservation actions.	No Progress		
Complete an inventory of historic buildings in Monticello	City assists property owners to find tax incentives and funds for preserving identified buildings	Done		
Prepare & implement a	City and owners of the objects at the	The Frontier Museum is ran by		

collections management plan for the Frontier Museum	museum make informed decisions about the preservation of artifacts.	Ginger Tracy, There is no committee anymore		
Prepare & implement an operations & maintenance plan for the Big Four tractor	Tractor continues to be operable and its historic qualities are maintained	Done, but we don't have a committee or group that would like to take it on		
Prepare & submit nomination of the Big Four tractor to the National Register of Historic Places	Tractor is nationally acknowledged and draws visitors to the city. City uses the tractor's status for advertising and grant leverage.	No Progress has been made		
Prepare a self-guided walking tour of town, highlighting places of historical importance	Visitors can see more of the town and enjoy its history	Done		

Energy Conservation Goal

Objective	Expected Result	Current	Future	Notes
Review & revise zoning ordinances to allow small wind turbines within the City	Residents and business will use wind energy and reduce their consumption of electricity from the grid	Revisions to permitted uses began in 2024 and continues		
Implement an award program to recognize residents, business people, and institutions	Conservation measures are appreciated and recognized	No progress		

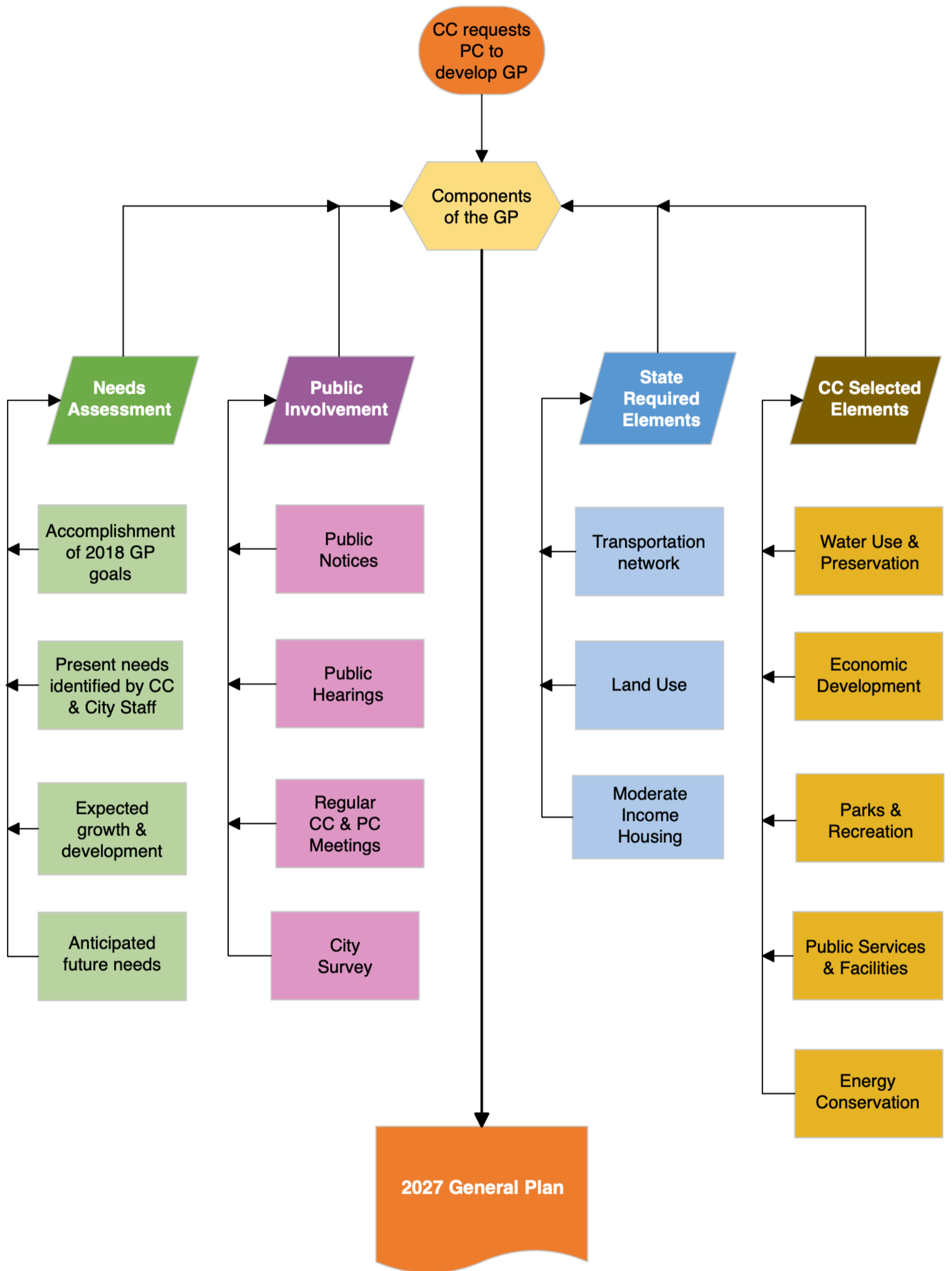
that are leaders in energy conservation				
Add solar panels to City buildings	Reduce consumption of electricity from the grid and provide an example for energy conservation	No progress		
Review & revise building permit requirements to encourage energy efficient remodeling and rehabilitation of existing residences and businesses	Energy conservation is part of all remodels and building rehabilitations	City follows current IBC. Changes to building permit requirements under review to find effective ways city can influence builders		
Develop & implement an energy conservation plan for City-owned building and vehicle fleet	City leads the community in energy conservation, reduces electrical costs and gas and diesel consumption.	No progress		
Update the City web site to include energy conservation strategies for home owners	Residents have a current and reliable source for how they can reduce their own energy consumption	No progress		
Review & revise subdivision & PUD ordinances to encourage energy efficient design	Energy conservation is part of all new residential construction	Subdivision ordinance currently under review. PUD ordinance has not been updated since it was created.		

Land Use & Zoning Goal

Objective	Expected Result	Current	Future	Notes
Analyze A-1, R-1 and R-2 zones, revise as needed to assure adequate room for housing growth (from 3.5)	Conflicts between business and residential uses are minimal and areas are properly zoned for residential expansion	Revisions to permitted uses began in 2024 and continues		

Consider a zone for low and moderate income housing (from 3.4)	City provides a cost effective opportunity with smaller lots for smaller homes	Revision of R-2 permitted uses begun in 2024 is on-going and may expand building types		
Expand areas zoned as R-1 and R-2 (from 3.4)	Developers have more land area for single-family and multi-unit housing	None as of date – No annexation requests		
Review & revise as needed, City codes to facilitate construction of moderate income housing (from 3.4)	City codes are not barriers to development of moderate income and affordable housing, and sufficient area is available for new construction	None as of date		
Revise animal keeping ordinances and residential zoning to be consistent with the City's rural setting (from 3.5)	Under specified circumstances some farm animals are allowed within the city	Revisions to permitted uses began in 2024 and continues		
Analyze existing A-1, C-1, C-2, and I-1 zones, revise as needed to foster business growth (from 3.6)	Commercial, industrial, and residential uses are separated and have room for growth	Revisions to permitted uses began in 2024 and continues		
Review & revise subdivision & PUD ordinances to encourage energy efficient design (from 3.10)	Energy conservation is part of all new residential construction	Subdivision ordinance currently under review. PUD ordinance has not been updated since it was created.		
Revise as needed the City sign ordinance to maximize a business owner's options for making the business	City sign ordinance supports the way-finding system and visitors and residents can quickly find the	City sign ordinance supports the way-finding system and visitors and residents can quickly find the		

easily seen (from 3.6)	businesses they seek	business they seek		
Revise City code to allow alternative hard surfaces for driveways and off-street parking (from 3.8)	Land owners and City have less costly options, and storm water runoff may decrease	Code requires cement or asphalt		
Revise zoning ordinances to allow small wind turbines within the City (from 3.10)	Residents and business will use wind energy and reduce their consumption of electricity from the grid	Revisions to permitted uses began in 2024 and continues		
Consider revising ordinances for accessory buildings and portable storage units	Ordinance is clear, consistent, and easier to administer	Review is part of on-going revision of permitted uses begun in 2024		
Revise future streets map to conform with zoning changes necessitated by implementation of this plan	Future street corridors are appropriate to zones and clearly defined	Done		
Revise the City zoning map to conform with zoning changes necessitated by implementation of this plan	City and citizens have access to a map that is current and accurate with zones clearly identified	Done		



Overview of process for preparing the 2027 General Plan

