Planning Commission Meeting

Tuesday, November 16, 2021 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen - Not Present, Commissioner Mary Cokenour, Commissioner George Matocha, City Manager Evan Bolt, City Recorder Shalena Black, Deputy City Recorder Melissa Gill

Meeting Location: 17 N 100 E

1. **Call to Order**
2. **Public Comment**
3. **Review Monticello City Codes Title 10 Chapter 8 C-1 Commercial and Chapter 9 C-2 Light Commercial Combination (discussion)**

   The Planning Commission is reviewing both the C-1 Commercial and C-2 Light Commercial zoning ordinances for updates and is considering combining the two commercial zones into one zone. The suggested changes will be submitted to the Monticello City Council. There will be public hearings scheduled in the future; the final decision will be made by the Council.

   Attachments:

   - **Title 10 Ch 8-9 Combined** (Title_10_Ch_8-9_Combined.docx)

4. **Administrative Communications**
5. **Next Meeting Agenda**
6. **Adjournment**

Audio File

https://soundcloud.com/user-250815044/2021-11-16-pcmp3?si=26b987e90cda43709daca9b15a341854

Notice of Special Accomodations

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

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10
ZONING REGULATIONS

Blue = Changes to be discussed by Planning Commission

CHAPTER 8
C-1 COMMERCIAL ZONE

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

10-8-1: REGULATIONS:
The use, location, height and size of buildings and structures, the use of land and size of lots, yards, courts and other open spaces and the density of population are regulated as hereinafter set forth. (Ord. 2012-01, 7-10-2012)

10-8-2: INTENT:
~~The intent in establishing the C-1 commercial zone is to provide~~ The C-1 zone has been established for the purpose of providing a place where office, retail, and service uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain the central business district as the "heart of the city" and, to these ends, to promote its development in step with the increase in population within the trading area. ~~The uses characteristic of this zone are retail stores, banks, office buildings, theaters, motels and a wide variety of specialty shops. Conversely,~~ Uses which tend to create business dead spots, cause undue scattering of business, and generally tend to thwart the use of the land for its primary purpose have been excluded from this zone. (Ord. 2012-01, 7-10-2012)

10-8-3: PERMITTED USES:

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

Accessory uses and structures that are customarily used in conjunction with and incidental to a principal use or structure permitted section 10-8-3.

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and that there will be no outside storage or parts of nonoperative vehicles.

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

Automotive service establishments, including gasoline stations, bulk petroleum storage, car washes, parking lots and storage garages, impound yards, and minor automotive repair establishments.

Banks, insurance, and financial services.

Cabinet, taxidermy, and welding and metalsmithing shops.

Convenience goods stores (minimarkets) for the sale of food and variety products.

Establishments for the sale of hardware, lumber, plumbing and heating equipment and similar building products, provided storage activities shall be within a building or within an enclosure surrounded by a fence not less than six feet (6') in height.

Funeral homes.

General retail stores and shops providing goods and services for sale at retail in the customary manner, provided, that all storage and sales activity shall be contained within the main structure or permitted accessor structure.

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Office buildings, medical clinics, hospitals.

Live-Work units.

Personal service establishments, including but not limited to barber and beauty shops, reception centers, photographic and digital art studios, shoe repair, and similar establishments.

Public buildings, not including storage yards or repair shops.

Public parks and grounds.

Recreational enterprises including bowling alleys, recreation centers, skating rinks, motion picture theaters (indoor only), athletic clubs, private clubs, bars, taverns, pubs and fraternal lodges.

Restaurants and food drive-ins.

Shopping centers, supermarkets, clothing stores.

Utility lines and buildings

Warehouses and storage units.

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

Diagonal parking in conformance with section 10-2-13 of this title.

Portable Storage Containers shall conform with section 10-2-11 of this title

Temporary uses subject to section 10-2-10 of this title.

All signs shall conform with section 10-2-6 of this title.
Off-street parking and parking lots shall conform with section 10-2-5 of this title

C. The following uses are permitted as conditional uses (see section 10-2-8).
Communications towers.
Growing of field crops, garden produce, and fruit for sale or trade.
Home occupations
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Recreational vehicle courts (RV parks) subject to the requirements set forth under chapters 13 and 15 of this title. >>check code refs<<
Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

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

A. There shall be no area, width and location requirements for commercial buildings and structures constructed, provided

1. All buildings and structures conform with the building code adopted by the city; and
2. An area sufficient to accommodate parking, loading, unloading, and vehicular access shall be provided and maintained (see 10-8-3B of this section).

B. No space needed to meet the parking or other requirements of this title may be sold or leased apart from such lot or parcel or building unless other space so complying is provided.

10-8-5: LOCATION OF GASOLINE PUMPS:

A. Gasoline pump islands shall be set back not less than twenty feet (20') from any property line.
B. Lots from which gasoline is dispensed to customers at retail shall be not less than seventy five by one hundred feet (75 x 100') in size.
C. Canopies over pump islands may extend to within five feet (5') of the property lines. (Ord. 2012-01, 7-10-2012)

10-8-6: MOTOR VEHICLE ACCESS:

Access to all lots and parcels of land having a frontage on a city street shall be controlled as follows:

A. Access shall be by not more than two (2) driveways from any one street.
B. Driveways shall be not closer to each other than twenty feet (20').
C. On corner lots, no driveways shall be less than fifteen feet (15') to the point of intersection of the front property line with the side property line which abuts upon a street.
D. Where there is no existing curb and gutter or sidewalk, a curb or fence may be required by the city. (Ord. 2012-01, 7-10-2012)

10-8-7: POLLUTION PREVENTION:

Any use which emits or discharges gases, fumes, dust, glare, noise or other pollutants into the atmosphere in amounts which exceed the standards as prescribed by Utah state air conservation board or the board of health, and any use which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering groundwater in amounts exceeding the standards prescribed by the Utah state water pollution control board or the board of health, shall be prohibited. (Ord. 2012-01, 7-10-2012)

10-8-8: SEWAGE DISPOSAL:

A. Sewer connections shall comply with 8-4-2.

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

10-8-9: WATER CONNECTION:

A. Where municipal water is available, all users in this zone shall be connected.

B. Where no public water is available, approval of such facilities shall be obtained from the state health department before a building permit or certificate of occupancy is issued.

10-8-10: DRAINAGE:

A. The owners and users of ditches shall not divert more water into the ditch than it's carrying capacity.

B. Runoff from new rooftops or lots shall not exceed the carrying capacity of the natural or previous drainage system. (Ord. 2012-01, 7-10-2012)

C. Drainage corridors shall be protected in accordance with 10-12-2.

10-8-11: CLEAR VIEW OF INTERSECTING STREETS:

No obstruction which will obscure the view of automobile drivers shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points of ~~forty five feet (45')~~ forty feet (40’) from the intersection of the street lines. (Ord. 2012-01, 7-10-2012)

10-8-12: SPECIAL PROVISIONS:

A. All material, merchandise and equipment (except vehicles in running order) shall be stored within an enclosed building or surrounded by a fence not less than six feet (6') in height.
B. All display, sale and repair activities shall be conducted within a fully enclosed building, except those activities that are customarily and appropriately conducted in the open, including, but not limited to, automobile sales lots and automobile service stations.

C. Temporary sales of Christmas trees and nursery stock shall be permitted outside a building unless otherwise prohibited under the terms of this title.

D. No dust, odor, smoke, vibration or intermittent light, glare or noise shall be emitted which is discernible beyond the premises except for normal traffic movements.

~~E. All off street parking shall be hard surfaced. See section 10-2-1, "Off Street Parking Requirements", of this title.~~

F. All buildings located adjacent to a major street shall have at least one entranceway facing onto said street. (Ord. 2012-01, 7-10-2012)

~~G. All buildings and uses shall comply with all applicable supplementary development standards as set forth in this title.~~

~~H. All residents in a C-1 zone will comply with residential zone setbacks, as follows: (Ord. 2013-5, 4-23-2013, eff. 4-23-2013)~~

~~1. Front Setback:~~

~~a. Main Buildings: All dwellings and other main buildings and structures shall be set back not less than twenty feet (20') from the front lot line.~~

~~b. Accessory Buildings: All accessory buildings shall be set back not less than twelve feet (12') to the rear of the closest rear wall line of the main building and not less than twelve feet (12') from any side wall of the main building. Accessory buildings which are located twelve feet (12') or closer to a main building shall be considered as part of the main building. Where no main building exists on a lot, a detached accessory building shall be set back not less than sixty feet (60') from the front lot line.~~

~~2. Side Setback; Interior Lots:~~

~~a. Main Buildings: All dwellings and other main buildings shall be set back at least eight feet (8') from the side lot line.~~

~~b. Accessory Buildings: All accessory buildings shall be set back at least five feet (5') from the lot line, except that no minimum side setback shall be required when all the following conditions are met:~~

~~(1) The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~

~~(2) The accessory building contains no openings on the side contiguous to the lot line;~~

~~(3) No drainage from the roof will be discharged onto an adjacent lot.~~

~~3. Side Setback; Corner Lot:~~

~~a. Side Abutting Street: All dwellings and other main and accessory buildings shall be set back at least twenty feet (20') from the side lot line which abuts on a street.~~

~~b. Interior Side: Same as required for interior lots.~~

~~4. Rear Setback; Interior Lots:~~

~~a. Main Buildings: All dwellings or other main buildings shall be set back at least thirty feet (30') from the rear lot line.~~

~~b. Accessory Building: Same as required under subsection G2, "Side Setback; Interior Lots", of this section.~~

~~5. Rear Setback; Corner Lots:~~

~~a. Main Buildings: All dwellings and other main buildings shall be set back at least thirty feet (30') from the rear lot line, except that where a carport or garage is attached to the rear of the dwelling, the required rear setback for said carport or garage may be reduced to twenty feet (20') or more as measured from the rear lot line to the closest part of the building.~~

~~b. Accessory Building: All accessory buildings shall be set back at least five feet (5') from the rear lot line, except that no minimum rear setback shall be required when all the following conditions are met:~~

~~(1) The accessory building is located more than twelve feet (12') from any existing dwelling on the same or an adjacent lot;~~

~~(2) The accessory building contains no openings on the side contiguous to the lot line;~~

~~(3) No drainage from the roof will be discharged onto an adjacent lot;~~

~~(4) The accessory building will be set back at least fifty feet (50') from the side lot line abutting the street. (Ord. 2012-01, 7-10-2012; amd. Ord. 2013-5, 4-23-2013, eff. 4-23-2013)~~