



Planning Commission Meeting

Tuesday, January 4, 2022 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen, 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. Minutes Review/Approval (action)

Attachments:

- **2021-12-07 PC Minutes Draft** (2021-12-07_PC_Minutes_Draft.pdf)

3. Public Comment

4. Public Hearing: A-1 to C-1 and R-2 Zone Change Request

The purpose of the hearing will be to receive comment on the following zone change application:

1) For parcel A33230250005 located northeast of 700 N Main St. Requesting change from A-1 Residential-Agricultural to C-1 Commercial (approximately 3 acres) and R-2 Residential (approximately 6 acres).

Attachments:

- **Monticello mixed use plan Shik Han** (Monticello_mixed_use_plan_Shik_Han.pdf)
- **Shik Han Zone Change Request 121721** (Shik_Han_Zone_Change_Request_121721.pdf)
- **Zoning and Parcel Map** (Zoning_and_Parcel_Map.pdf)

5. Review Proposed R-2 Frontage Requirements (discussion)

Attachments:

- **R-2 Frontage Requirements** (R-2_Frontage_Requirements.pdf)

6. Review Monticello City Code Title 10 Chapter 5 A-1 Residential-Agricultural Zone (discussion)

The Planning Commission will review A-1 Residential-Agricultural zoning ordinance for updates. 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.

7. Consider Recommendation of New Planning Commissioner (action)

The Planning Commission will review letters of intent submitted for the Planning Commission vacancy and make a recommendation for the City Council.

Attachments:

- **Elaine Gizler Letter** (Elaine_Gizler_Letter.pdf)
- **Jeremy Hoggard Letter** (Jeremy_Hoggard_Letter.pdf)
- **Julie Bailey Letter** (Julie_Bailey_Letter.pdf)

8. Review Monticello City Code Title 10 Chapter 8 C-1 Commercial (discussion)

The Planning Commission will review C-1 Commercial zoning ordinance updates. 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:

- **2022 10 Ch 8 v1 01032022** (2022_10_Ch_8_v1_01032022.docx)

9. Review Monticello City Codes Title 10 Chapter 9 C-2 Light Commercial (discussion)

The Planning Commission will review C-2 Light Commercial zoning ordinance updates. 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:

- **2022 10 Ch 9 v1 01032022** (2022_10_Ch_9_v1_01032022.docx)

10. Administrative Communications

Schedule hearings

11. Next Meeting Agenda

12. Adjournment (action)

Audio File

[https://soundcloud.com/user-250815044/2022-01-04-pc?](https://soundcloud.com/user-250815044/2022-01-04-pc?si=9564450efab14e4dbe6a568ff1c32e4c&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing)

[si=9564450efab14e4dbe6a568ff1c32e4c&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing](https://soundcloud.com/user-250815044/2022-01-04-pc?si=9564450efab14e4dbe6a568ff1c32e4c&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing)

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



Planning Commission Meeting Minutes

Tuesday, December 7, 2021 at 6:30 pm

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

Meeting Location: 17 N 100 E

1. Call to Order

Minutes:

Chairperson Bennett opened the regularly scheduled Planning Commission Meeting at 6:33 p.m. There were no visitors.

2. Minutes Review/Approval

Minutes:

MOTION was made by Commissioner George Matocha to approve the November 4, 2021, minutes as presented. The motion was seconded by Commissioner Mary Cokenour and passed unanimously.

MOTION was made by Commissioner Mary Cokenour to approve the November 16, 2021, minutes as presented. The motion was seconded by Commissioner George Matocha and passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

3. Public Comment

Minutes:

There was no public comment.

4. Review City Attorney's Recommended Changes to Title 10 Chapter 1 General Provisions (discussion)

Minutes:

The Planning Commission reviewed the city attorney's recommended changes and agreed with all but one. They didn't agree with changing the family definition to the city attorney's suggested wording.

5. Review City Attorney's Recommended Changes to Title 10 Chapter 2 Supplementary Requirements and Procedures Applicable Within Zones (discussion)

Minutes:

After reviewing the city attorney's recommended changes, the Planning Commission disagreed with allowing private drives, granting the land use authority discretion to make determinations concerning permitted uses, and only requiring a fence permit if the fence is over 6 feet in height. All other suggestions were approved unless they didn't pertain to the Planning Commission.

6. Review Monticello City Code Title 10 Chapter 8 C-1 Commercial (discussion)

Minutes:

The Planning Commission would like C-1 to be more of a business district area. They agreed it would be easier for the City to move in the right direction by keeping the two commercial zones separate. The changes to permitted uses in both zones were what the Planning Commission would like to see moving forward. There was discussion about adding to 10-2-14: Fences to include all zones not just residential.

7. Review Monticello City Codes Title 10 Chapter 9 C-2 Light Commercial (discussion)

Minutes:

Comments on this agenda item were included in the previous agenda item.

8. Review Monticello City Code Title 10 Chapter 5 A-1 Residential-Agricultural Zone (discussion)

Minutes:

Commissioner Matocha left the meeting at 8:32 p.m. Discussion on this agenda item was moved to the next meeting.

9. Review Monticello City Code Title 10 Chapter 10 I-1 Industrial Zone (discussion)

Minutes:

Commissioners Matocha and Cokenour worked on this section of the zoning code. They reviewed permitted uses and many definitions were requested to be removed by both commissioners. The Planning Commission agreed to add definitions that no longer work in the commercial zones to the industrial zone and mobile home parks were omitted from 10-10-12: Special Provisions.

10. Administrative Communications

Minutes:

Recorder Black requested that the Planning Commission consider reducing the minimum frontage from 80 feet to 45 or 50 feet in the R-2 zone to accommodate denser residential infilling. Reducing frontage requirements would create more affordable housing as well as address the city's housing shortage. The Planning Commission will review R-2 frontage requirements at the next meeting.

11. Next Meeting Agenda

Minutes:

Discussion on A-1 permitted uses and R-2 frontage requirements.

12. Adjournment

Minutes:

MOTION was made by Commissioner Mary Cokenour to adjourn the meeting at 9:31 p.m. The motion was seconded by Commissioner Robert Christensen and passed unanimously.

Vote results:

Ayes: 3 / Nays: 0

Audio File

[https://soundcloud.com/user-250815044/2021-12-08-planning-commission-meeting?](https://soundcloud.com/user-250815044/2021-12-08-planning-commission-meeting?si=6f2da59714194c93bee5008afac22210&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing)

[si=6f2da59714194c93bee5008afac22210&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing](https://soundcloud.com/user-250815044/2021-12-08-planning-commission-meeting?si=6f2da59714194c93bee5008afac22210&utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing)

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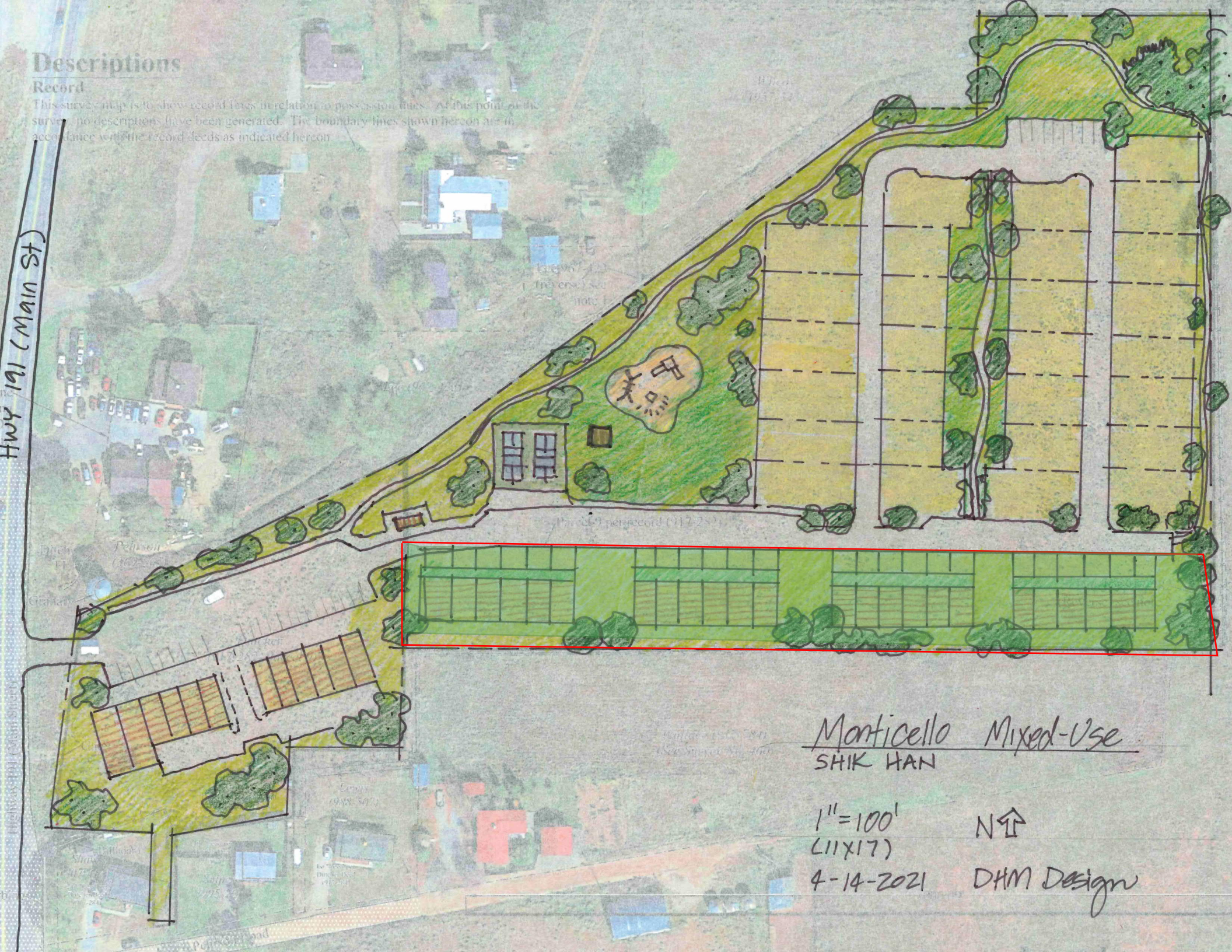
Contact: Shalena Black (shalena@monticelloutah.org 435-587-2271) | Minutes published on
01/04/2022 at 5:44 PM

Descriptions

Record

This survey map is to show record lines in relation to possession lines. At this point of the survey, no descriptions have been generated. The boundary lines shown hereon are in accordance with the record deeds as indicated hereon.

Hwy 191 (Main St)



Monticello Mixed-Use
SHIK HAN

1"=100'
(11x17)

4-14-2021

N ↑

DHM Design

Monticello City Zone Change

APPLICATION

Email *

shan@shikhan.com

Date *

MM DD YYYY

12 / 17 / 2020

PROPERTY ADDRESS *

81 E 100 S

Applicant Name *

KKS Investments, LLC - Shik Han (Manager)

PROPERTY TAX PARCEL NUMBER *

A33230250005

Current Zone *

- ☐ R-1 RESIDENTIAL
- ☐ R-2 RESIDENTIAL
- ☒ A-1 AGRICULTURE
- ☐ C-1 COMMERCIAL
- ☐ C-2 COMMERCIAL
- ☐ I-1 INDUSTRIAL

CHANGE ZONE TO: *

- ☐ R-1 RESIDENTIAL
- ☐ R-2 RESIDENTIAL
- ☐ A-1 AGRICULTURE
- ☒ C-1 COMMERCIAL
- ☐ C-2 COMMERCIAL
- ☐ I-1 INDUSTRIAL

USE OF PROPERTY *

- ☐ RESIDENTIAL
- ☐ COMMERCIAL
- ☐ INDUSTRIAL
- ☒ COMBINED COMMERCIAL/RESIDENTIAL
- ☐ AGRICULTURE

APPLICANT PHONE NUMBER *

4352003330

SIZE OF LOT (sq ft) *

392040

FILED DATE *

MM DD YYYY

12 / 17 / 2020

This section is for city staff use only.

Reviews Completed

- ☒ Future Road Corridors
- ☒ Drainage Corridors
- ☐ Permitted Use
- ☒ Adjacent zoning is contiguous to requested zone change

Filing Fees Collected

☐ 50.00

Zoning Administrator Signature

Shalene Black

DATE of Scheduled Planning Commission Public Hearing and Review

MM DD YYYY

01 / 04 / 22

DATE of City Council Review

MM DD YYYY

/ /

Zoning Administrator Comments

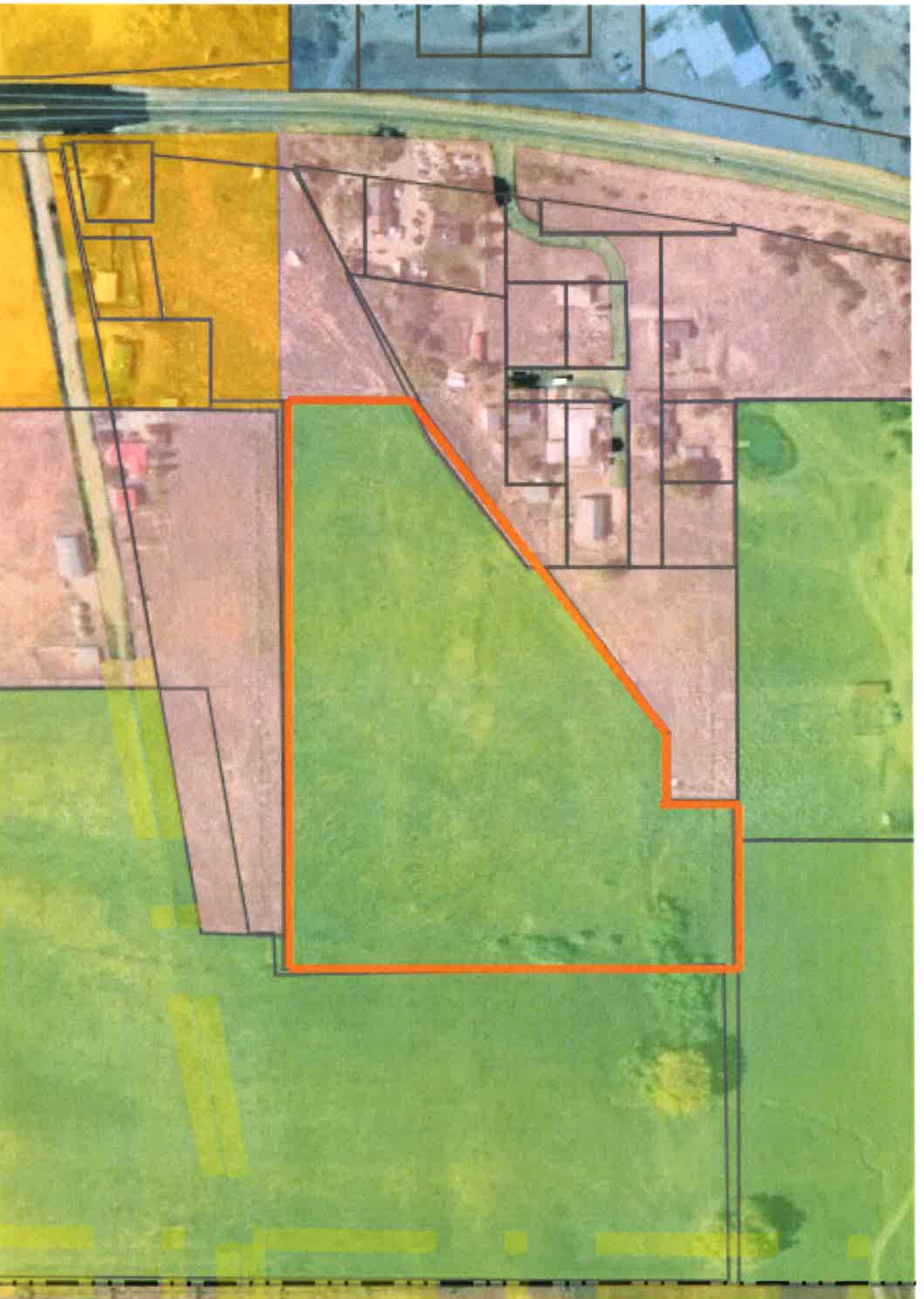
Applicant Signature

Shik Han

This content is neither created nor endorsed by Google.

Google Forms

Pink: R-2 Green: A-1 Yellow: C-1 Blue: I-1



DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Red = Changes required by Utah law

Blue = Changes previously discussed by PC & CC but not yet submitted to CC

CHAPTER 7 R-2 RESIDENTIAL ZONE

10-7-1: REGULATIONS:

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

10-7-2: INTENT:

The R-2 zone has been established for the purpose of providing a place where single-, two- and multiple-family dwellings and small homes can be constructed. (Ord. 2012-01, 7-10-2012)

10-7-3: PERMITTED USES:

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

Accessory Buildings

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

Single-family dwellings of conventional construction and manufactured homes

Multi-family dwellings, townhouses and condominiums.

Small homes erected on foundations

~~Boarding house, hostel, inn, hotel, or motel~~

Boarding house, lodging house, bed and breakfast, rooming house

Childcare

Churches, not including temporary revival tents or buildings

Daycare, Nursery, Preschool

Foster care homes

Household pets

Mobile homes on foundations with tie down

Public agency parks and playgrounds

~~Rest homes and daycare centers, and senior assisted living facilities. In approving such uses when approved by the city council. In approving such uses, the council may attach reasonable conditions in excess to those required within the zone including, but not limited to, an increase in minimum lot size, additional setbacks, and increased parking. (Ord. 2012-01, 7-10-2012)~~

Utility lines and buildings
Walls and hedges

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

Accessory signs conforming to section 10-2-6
Fences in conformance with section 10-2-14
Keeping of chickens in conformance with section 10-2-12
Long-term rental of a dwelling unit as permitted in 10-2-17
Short-term rental of a dwelling unit as permitted in 10-2-17
Solar electricity systems in conformance with 10-2-16
Temporary uses subject to the provisions of section 10-2-10

C. The following uses are permitted as conditional uses (see section 10-2-8).

Home occupations
Machinery sheds used for storage of equipment used in connection with agricultural activities performed on the premises.
Growing of field crops, garden produce, and fruit for sale or trade.
Rest homes, nursing homes, convalescent homes, assisted living homes.
Other uses that conform to 10-2-8 when approved by city council.

10-7-4: AREA AND FRONTAGE REQUIREMENTS:

Area and frontage requirements shall be as follows

Main Use	Minimum Lot or Parcel Area	Minimum Frontage (At Setback Line)
Single-family dwelling	~~10,000~~ 5,445 square feet	~~80~~ 60 feet
Small home	3,000 square feet	60 feet
Two-family dwelling	~~10,000~~ 7,000 square feet	85 feet
Multiple-family dwelling	10,000 square feet for first 2 units plus 2,500 square feet for each additional unit	85 feet for first 2 units plus 7.5 feet width for each additional unit
Churches	1 acre	125 feet
Other uses	None	None

10-7-5: LOCATION REQUIREMENTS:

Jan 3, 2022

Ms. Shalena Black
City Recorder and Building Official
Monticello City, Utah 84535

Ms. Black,

This letter is a request to apply for an open position on the Monticello City Planning Commission. I am currently a resident of Monticello City, residing at 165 East 200 South. Currently, I am working for San Juan County in the capacity of Economic Development and Visitor Services Director.

I recently moved to San Juan County from Grand County, Utah, where I spent six years as the Executive Director of Tourism and Economic Development. Before working for Grand and San Juan Counties, I spent several years as VP of Sales, Regional Director in the private sector. I have had the opportunity to travel extensively in my positions, providing insight into urban, rural, and resort communities.

While in Grand County, I worked closely with the Planning and Zoning Directors to better understand the best way to move the community forward for Economic Development. My husband and I enjoy living in Monticello City and hope to contribute to our community.

Let me know if you have any questions or require additional information?

Respectfully,

Elaine Gizler

Shalena

From: Evan Bolt
Sent: Tuesday, January 4, 2022 1:09 PM
To: Shalena
Subject: Fwd: Planning Commission opening

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From: Jeremy Hoggard <jhoggard1059@gmail.com>
Sent: Wednesday, December 1, 2021 7:42:01 AM
To: Evan Bolt <evan@monticelloutah.org>
Subject: Planning Commission opening

Evan,

I noticed that the city of looking for people to serve on the planning commission. I would like to be considered for the position. I believe that I have much to contribute to the planning and direction of the City of Monticello, I am a life long resident of Monticello and reside within the city limits.

Thank you for your consideration

Jeremy Hoggard
435-459-1478

Shalena

From: Julie Bailey <mikejuliebailey@gmail.com>
Sent: Monday, November 8, 2021 2:35 PM
To: shalena@monticelloutah.gov
Cc: Shalena
Subject: Re: Monticello city planning and zoning.

On Mon, Nov 8, 2021, 2:24 PM Julie Bailey <mikejuliebailey@gmail.com> wrote:

To Whom it may concern:

I have been a resident of Monticello for 43 years.

I love living here and I have enjoyed raising my family here.

I have always worked and not had alot of time to commit to city government. I have been on several committees with Church and with San Juan Health services which I was employed.

Now that I am retired I would love to be more involved.

I would ask you to please consider me as a member of the Planning and Zoning Board.

Sincerely
Julie Bailey

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Blue = Changes to be discussed by Planning Commission

CHAPTER 8 C-1 COMMERCIAL *BUSINESS?* 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: Special Provisions

10-8-1: REGULATIONS:

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

10-8-2: INTENT:

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

10-8-3: PERMITTED USES:

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

Accessory buildings and structures ~~shall be permitted in this zone, provided they are incidental to and do not substantially alter the character of the permitted dwelling. Such permitted accessory uses and structures include, but are not limited to, buildings such as garages, carports, equipment storage buildings, and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in this zone.~~

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

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure ~~and that there will be no outside storage of parts or nonoperative vehicles.~~

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

~~Cabinet, taxidermy, and welding and metalsmithing shops.~~

~~Communications towers.~~

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

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

~~Funeral homes.~~

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, ~~hospitals~~, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers, and similar establishments.

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

Recreational enterprises including bowling alleys, recreation centers, motion picture theaters (indoor only), athletic clubs, private clubs, ~~sororities~~, and fraternal lodges.

~~Recreational vehicle courts (RV parks) subject to the requirements set forth under chapters 13 and 15 of this title.~~

Restaurants, food drive-ins bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

~~Warehouses and storage units. (Ord. 2012-01, 7-10-2012; amd. Ord. 2013-5, 4-23-2013, eff. 4-23-2013)~~

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

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

Conditional uses shall conform with section 10-2-8 of this title.

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

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

Diagonal parking shall conform with section 10-2-13 of this title.

Fences shall conform with section 10-2-15 of this title.

- C. The following uses are permitted as conditional uses (see section 10-2-8).

All R-1 uses that conform to section 10-6-3 of this title, except rest homes, nursing homes, convalescent homes, and assisted living homes.

All R-2 uses that conform to section 10-703 of this title, except rest homes, nursing homes, convalescent homes, assisted living homes, growing of field crops, growing of garden produce and fruit for sale or trade and machinery sheds used for storage of agricultural equipment.

Recreational vehicle (RV) parks that conform to Title 10 Chapter 15 of city code

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.
- 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:

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

1. Access shall be by not more than two (2) driveways from any one street.
2. Driveways shall be not closer to each other than twenty feet (20').
3. 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.
4. 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 Title 8-4-2 of city code.
- B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

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. No accessory structures shall be used as living quarters.

~~I. 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)~~

DISCUSSION PAPER FOR PLANNING COMMISSION USE

TITLE 10 ZONING REGULATIONS

Blue = Changes to be discussed by Planning Commission

CHAPTER 9 C-2 LIGHT COMMERCIAL ZONE

SECTION:

- 10-9-1: Regulations
- 10-9-2: Intent
- 10-9-3: Permitted Uses
- 10-9-4: Area, Width And Location Requirements
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- 10-9-11: Clear View Of Intersecting Streets
- 10-9-12: Special Provisions

10-9-1: REGULATIONS:

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

10-9-2: INTENT:

The intent in establishing of the C-2 light commercial zone is to provide a place where small-scale fabrication, repair services, offices, and limited commercial uses can be constructed and maintained which will serve the needs of the citizens of the city and surrounding areas. It is the further intent in establishing this zone to maintain a buffer zone between C-1 and R-1 and R-2 zones to promote its development in step with the increase in population within the trading area. ~~The uses characteristic of this zone are banks, office buildings, a wide variety of specialty shops, service businesses and small businesses.~~ (Ord. 2012-01, 7-10-2012)

10-9-3: PERMITTED USES:

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

Accessory uses and structures ~~shall be permitted in the C-2 zone~~, provided they are incidental to and do not substantially alter the character of the permitted principal use or structure. ~~Such permitted accessory uses and structures include, but are not limited to, buildings such as garages, carports, equipment storage buildings and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the C-2 zone.~~

Automobile and truck repair establishments, provided all repair activities will be conducted within an enclosed structure and **any outside storage of parts or nonoperative vehicles will be surrounded by a fence not less than six feet (6') in height.**

Automobile, motorcycle, ATV, and snowmobile sales and rental structures and lots (for both new and used units). Also, the related repair facilities when such facilities are included as an integral part of the sales structure **and that any outside storage of parts or nonoperative vehicles will be surrounded by a fence not less than six feet (6') in height.**

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

Communications towers.

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

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

Funeral homes.

General retail stores and shops providing goods and services for sale at retail in the customary manner.

Hospitals

Hotels and motels.

Laundries and dry cleaning establishments, and laundromats.

Live-work units.

Office buildings, medical clinics, banks, insurance, and financial services.

Personal service establishments, such as barber and beauty shops, reception centers and similar establishments.

Public buildings and grounds, including shops and storage

Public parks and buildings.

Restaurants, food drive-ins bars, taverns, pubs.

Shopping centers, supermarkets, clothing stores.

Veterinary clinics for the treatment of household pets and the enclosed temporary boarding of same while receiving care.

~~Warehouses and storage units.~~

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

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

Conditional uses shall conform with section 10-2-8 of this title.

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

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

Diagonal parking shall conform with section 10-2-13 of this title.

Fences shall conform with section 10-2-15 of this title.

C. The following uses are permitted as conditional uses (see section 10-2-8).

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

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

Daycare, nursery, preschool.

Rest homes, nursing homes, convalescent homes, assisted living homes.

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

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

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.

10-9-5: 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)

10-9-6: MOTOR VEHICLE ACCESS:

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

1. Access shall be by not more than two (2) driveways from any one street.
2. Driveways shall be not closer to each other than twenty feet (20').
3. 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.
4. 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)

10-9-7: 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)

10-9-8: SEWAGE DISPOSAL:

- A. Sewer connections shall comply with Title 8-4-2 of city code.
- B. Where domestic sewage disposal facilities are used which are not connected to a public sewer, approval of such facilities shall be obtained from the state health department before a building permit shall be issued therefor. (Ord. 2012-01, 7-10-2012)

10-9-9: 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.

10-9-10: 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.

10-9-11: 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)

10-9-12: 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 [10-2-5](#), "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. [No accessory structures shall be used for living quarters](#)