



Planning Commission Meeting

Tuesday, June 7, 2022 at 6:30 pm

Attendees: Chairperson Lee Bennett, Commissioner Robert Christensen, Commissioner Mary Cokenour, Commissioner George Matocha, Commissioner Julie Bailey, City Manager Evan Bolt, City Recorder Melissa Gill

Meeting Location: 648 S Main

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

Attachments:

- **2022-05-03 PC Minutes Draft** (2022-05-03_PC_Minutes_Draft.pdf)

- 3. Public Comment**
- 4. Review Title 11 Chapters 1 and 2 Subdivision Code (discussion)**

Attachments:

- **2022-05-03 PC Subdivision Definitions** (2022-05-03_PC_Subdivision_Definitions.pdf)

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

Audio File

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, May 3, 2022 at 6:30 pm

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

Meeting Location: 648 S Main

1. Call to Order

Minutes:

Chairperson Bennett opened the regularly scheduled Planning Commission Meeting at p.m. The following visitors were present: City Councilmember Kevin Dunn

2. Minutes Review/Approval (action)

Minutes:

MOTION was made by Commissioner Matocha to approve the minutes of April 4, 2022, as presented. The motion was seconded by Commissioner Christensen and passed unanimously. MOTION was made by Commissioner Cokenour to approve the minutes of April 19, 2022, as presented. The motion was seconded by Commissioner Matocha and passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

3. Public Comment

Minutes:

There was no public comment.

4. Review Subdivision Code (discussion)

Minutes:

Commissioner Matocha presented the Chapter 1 General Provisions Draft drawn up in January 2020 before the Utah State Regulations changed. The Commission went through the chapter and flagged revisions that needed to be made along with terms that needed clarification from the City's Attorney. Commissioner Bennett asked Recorder Black to reach out to City Attorney Goble for those definition clarifications so they can continue with redefining the Subdivision code.

5. Consider Recommendation of Adoption of Amendments to Zoning Ordinance

Title 10 Chapter 5: A-1 Residential-Agricultural (action)

Minutes:

MOTION was made by Commissioner George Matocha to recommend to the City Council to adopt Amendments to Zoning Ordinance Title 10 Chapter 5: A-1 Agricultural. The motion was Seconded by Commissioner Robert Christensen. Roll Call Vote: Commissioner Christensen, Aye Commissioner Cokenour, Aye Commissioner Matocha, Aye Commissioner Bennett, Aye Commissioner Bailey, Not Present The Recommendation passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

6. Consider Recommendation of Adoption of Amendments to Zoning Ordinance Title 10 Chapter 10: I-1 Industrial (action)

Minutes:

MOTION was made by Commissioner Robert Christensen to recommend to the City Council to adopt Amendments to Zoning Ordinance Title 10 Chapter 10: I-1 Industrial. The motion was Seconded by Commissioner Mary Cokenour. Roll Call Vote: Commissioner Cokenour, Aye Commissioner Matocha, Aye Commissioner Christensen, Aye Commissioner Bennett, Aye Commissioner Bailey, Not Present The Recommendation passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

7. Consider Recommendation of Adoption of Amendments to the Subdivision Regulations Ordinance Title 11 Chapter 1 Section 9: Residential Infilling (action)

Minutes:

RECOMMENDATION was made by Commissioner Cokenour to City Council to approve Title 11 CH 1-9-Residential Infilling with the understanding that Title 11 is currently in the revision process but this section can stand alone and be considered in concert with approvals to the R-1 and R-2 changes and was seconded by Commissioner Christensen. Roll Call Vote: Commissioner Matocha, Aye Commissioner Christensen, Aye Commissioner Cokenour, Aye Commissioner Bennett, Aye Commissioner Bailey, Not Present The Recommendation passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

8. Administrative Communications

Minutes:

City Recorder Black reported that she received a new building permit application. City Councilmember Dunn reported to the Planning Commission that the City Council was re-evaluating personnel rules and codes and would like feedback regarding changes within the Planning Commission. The questions presented were: Should members of the Planning Commission live within the city limits of Monticello? Should the length of

term be shortened to three years due to potential burnout or remain at five years? Commissioner Cokenour stated that when she applied for the position she believed a condition of appointment was that you must be residential and that she had learned a lot during her tenure. She will let us know when she is ready to leave the Commission and that it takes a great deal of time to learn all the laws necessary to do the job properly. Commissioner Bennett stated concerns regarding limiting the Commission to only those within the city limits. Not only is it hard to fill the seats of the commission, you will prevent the city from gaining valuable insight from those who live outside the city limits if the council decides to make this change. Commissioner Matocha stated that Monticello city limit residency was not a requirement when he joined the Commission and agreed with City Councilmember Dunn that having three members living within the city limits and two members outside of the city limits would be a good balance that would provide valuable input from both sides. Commissioner Christensen stated that he was born and raised here and he believed all involved in the Planning Commission loved this area and had a common desire to improve the City of Monticello. He agreed that there is a learning curve involved and that the five years allowed all involved to learn the things necessary to do their jobs properly. City Councilmember Dunn stated he would report to the City Council that the Commission would like to see: no term limits, the representation of those outside the city limits, and also recommend other members of the Council come to the meetings to see the complexity of those meetings.

9. Next Meeting Agenda

Minutes:

The next Planning Commission Meeting will be held on June 7, 2022. Continue discussion of Title 11 Chapters 1 and 2 changes with feedback from City Attorney Goble regarding definitions before the meeting on Title 11 Chapter 1.

10. Adjournment (action)

Minutes:

MOTION was made by Commissioner Christensen to adjourn the meeting at 8:22 p.m. and Seconded by Commissioner Cokenour. The motion passed unanimously.

Vote results:

Ayes: 4 / Nays: 0

Audio File

https://soundcloud.com/user-250815044/2022-05-03-planning-commission-meeting?utm_source=clipboard&utm_medium=text&utm_campaign=social_sharing

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

SERVICE FACILITY - Title 11
Cities, Counties, and Local Taxing Units
Chapter 13
Interlocal Cooperation Act
Part 2
Public Agencies' Joint Exercise of Powers
Section 202

Agreements for joint or cooperative undertaking, for providing or exchanging services, or for law enforcement services -- Effective date of agreement -- Public agencies may restrict their authority or exempt each other regarding permits and fees. (Effective 5/14/2019)

Effective 5/14/2019

11-13-202. Agreements for joint or cooperative undertaking, for providing or exchanging services, or for law enforcement services -- Effective date of agreement -- Public agencies may restrict their authority or exempt each other regarding permits and fees.

(1) Any two or more public agencies may enter into an agreement with one another under this chapter:

- (a) for joint or cooperative action;
- (b) to provide services that they are each authorized by statute to provide;
- (c) to exchange services that they are each authorized by statute to provide;
- (d) for a public agency to provide law enforcement services to one or more other public agencies, if the public agency providing law enforcement services under the interlocal agreement is authorized by law to provide those services, or to provide joint or cooperative law enforcement services between or among public agencies that are each authorized by law to provide those services;
- (e) to create a transportation reinvestment zone as defined in Section 11-13-103; or
- (f) to do anything else that they are each authorized by statute to do.

(2) An agreement under Subsection (1) does not take effect until each public agency that is a party to the agreement approves the agreement, as provided in Section 11-13-202.5.

(3)(a) In an agreement under Subsection (1), a public agency that is a party to the agreement may agree:

- (i) to restrict its authority to issue permits to or assess fees from another public agency that is a party to the agreement; and
- (ii) to exempt another public agency that is a party to the agreement from permit or fee requirements.

(b) A provision in an agreement under Subsection (1) whereby the parties agree as provided in Subsection (3)(a) is subject to all remedies provided by law and in the agreement, including injunction, mandamus, abatement, or other remedy to prevent, enjoin, abate, or enforce the provision.

(4) In an interlocal agreement between a county and one or more municipalities for law enforcement service within an area that includes some or all of the unincorporated area of the county, each county and municipality that is a party to the agreement shall ensure that the agreement requires:

- (a) in a county of the second through sixth class, the county sheriff to provide or direct the law enforcement service provided under the agreement; or
- (b) in a county of the first class, the chief executive for law enforcement services is appointed to provide or direct the law enforcement service provided under the agreement.

UTILITY - easement shall mean the area designated for access to construct or maintain utilities on privately or publicly owned land.

OTHER PROPERTIES - I couldn't find this definition anywhere - I put out a UMCA blast to other recorders and this was all I got back. No one had a definition for this in the subdivision code.

12.04.160 Dwelling

"Dwelling" means any building or structure, or portion thereof, intended for residential use.

12.04.190 Flag Lot

"Flag lot" means a lot not fronting on or abutting a public roadway and where access to the public roadway is limited to a narrow private right-of-way.

12.04.230 Lot

"Lot" means a portion of a subdivision or parcel of land intended as a unit for building development or transfer of ownership.

12.04.330 Parcel Of Land

"Parcel of land" means a contiguous quantity of land, in the possession of, or owned by, or recorded as the property of the same claimant or person.

Hopefully one of these might help.

POLITICAL SUBDIVISION -

"Political subdivision" means a county, city, town, improvement district, water conservancy district, special service district, drainage district, metropolitan water district, irrigation district, separate legal or administrative entity created under Title 11, Chapter 13, Interlocal Cooperation Act, or any other entity constituting a political subdivision under the laws of this state.

TRACT OF LAND - 10-9a-103. "Lot" means 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.