

**BOARD OF COUNTY COMMISSIONERS OF UINTAH COUNTY, UTAH
ORDINANCE NO. 2-22-2010 O1
PLANNING COMMISSION**

**AN ORDINANCE AMENDING TITLE 17, “ZONING” CHAPTER 17.16
“PLANNING COMMISSION” IN THE UINTAH COUNTY CODE;**

Section 1. Purpose of Ordinance. The purpose of this ordinance is to amend Title 17 “Zoning” Chapter 17.16 “Planning Commission”.

Section 2. Authority for Ordinance. Section 17-27a-102 and 501 of the Utah Code Annotated (1953, as amended) which expressly mandates that the legislative body of each Utah County may enact land use ordinances.

Section 3. Modification. The Uintah County Code, Title 17, Chapter 17.16 “Planning Commission” is hereby amended as follows, to wit:

Chapter 17.16 PLANNING COMMISSION

- 17.16.010 Appointment, term and removal.
- 17.16.020 Organization, meetings and records.
- 17.16.030 Members serve without compensation.
- 17.16.040 Reports and recommendations--Entry upon land.
- 17.16.050 Zoning plan.
- 17.16.060 General plan.
- 17.16.070 General plan to act as guide for development.
- 17.16.080 Other powers and duties.

17.16.010 Appointment, term and removal.

The planning commission shall consist of seven members and two alternate members. One member may be a County Commissioner, all other members shall be appointed by the county commission from among the residents of the county. Planning commission members shall be appointed to serve for a period of three years. Terms shall commence on January 1st of each year. Terms of at least two (2) members, and not more than three (3), shall expire each year. Each member of the planning commission shall serve until the expiration of the term for which he is appointed, and until they are reappointed or a successor is appointed and qualified. Any vacancy occurring during the term of any member of the planning commission by reason of death, resignation, removal or disqualification shall be promptly filled by the county commission for the unexpired portion of the term. Any member may be removed for cause by the county commission upon written charges, and after a public hearing, if such hearing is requested. Alternate members shall be authorized to vote on all matters when one or more regular members are not present. Each alternate shall only be permitted to exercise such vote(s) for one such absent regular member.

17.16.020 Organization, meetings and records.

The planning commission shall organize and elect a chairperson and vice chairperson, whose terms shall be for one year. A member may serve as chair or vice chair for more than one term, as may be determined annually by the members of the Planning

Commission. They may adopt rules and regulations in accordance with the provisions of this title and may create and fill any other necessary offices. The chairperson, when in attendance, shall preside at all meetings of the commission and shall be a voting member only in the case of a tie vote or if needed to constitute a quorum. A quorum of the planning commission shall consist of four or more members. Meetings of the commission shall be at the call of the chairperson, and at such other times as the commission may determine. All meetings of the commission shall be open to the public. The commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such facts, all of which shall be filed in the office of the commission and shall be a public record. The planning commission may adopt policies and procedures for the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the planning commission. These policies and procedures shall be submitted to the county commission before taking effect.

17.16.030 Members serve without compensation.

Members of the planning commission shall serve without compensation except that they may be reimbursed for reasonable expenses incurred with the approval of the county commission.

17.16.040 Reports and recommendations--Entry upon land.

The planning commission may make reports and recommendations relating to the plan and development of the county to county officials and agencies, other organizations and citizens. It may recommend to the county commission programs for public improvements and the financing thereof. When an application has been filed, for the consideration of the Planning Commission, the members of the Planning Commission may enter upon such property only when reasonable notice has been given to the owner of such property.

17.16.050 Zoning plan.

A. The planning commission, through its own initiative or by order of the county commission, shall make and certify to the county commission a zoning ordinance, including both the full text of the zoning ordinance and maps, and any amendments thereto, representing the planning commission's recommendations for zoning all or part of the unincorporated area of the county. Adoption of the zoning ordinance shall comply with Utah Code Annotated, Title 17-27-402.

B. The county commission may amend the number, shape, boundaries or area of zones, regulations of or within zones, or any other provisions defined in the zoning ordinance after being proposed by or submitted to the planning commission for its approval, disapproval or recommendations. The amendment process shall comply with Utah Code Annotated, Titles 17-27-402 and 17-27-403.

17.16.060 General plan.

It shall be the function and duty of the planning commission, in accordance with Utah Code Annotated, Titles 17-27-302 and 17-27-303, to make and adopt and certify to the county commission a general plan for the physical development of the county. The planning commission, after holding a public hearing thereon, may from time to time

recommend to the county commission an amendment, extension or addition to the plan or in carrying any part or subject matter into greater detail.

17.16.070 General plan to act as guide for development.

The general plan shall be a guide for the physical development of the county. All land use decisions shall conform to the adopted general plan. The general plan should be reviewed and updated from time to time to reflect new circumstances.

17.16.080 Other powers and duties.

The planning commission shall have such other powers and functions and shall perform such duties as are prescribed by Title 17, Chapter 27, Utah Code.

Section 4. Effective Date. This ordinance shall take effect, fifteen (15) days after enactment, and after depositing of a copy in the Clerk-Auditor’s Office and publication in a newspaper having general circulation in the County, as required by Utah Code Annotated section 17-53-208.

ENACTED this eighth (8th) day of March, 2010.

IN WITNESS THEREOF:

DARLENE BURNS, Chair

Darlene Burns	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Michael McKee	_____ Aye	_____ Nay	_____ Abstain	_____ Absent
Mark Raymond	_____ Aye	_____ Nay	_____ Abstain	_____ Absent

ATTEST:

REVIEWED:

MICHAEL W. WILKINS
Clerk Auditor

JOHN H. GOTHARD
Deputy County Attorney