

CHAPTER 3. PLANNING COMMISSION

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2-3-1. Planning commission created.

There is herewith created a commission to be hereafter called the Planning Commission. (Ord. 1978-26, 10-26-1978)

2-3-2. Duties of planning commission.

The duties of the Planning Commission shall be as follows:

(1) To make and certify to the City Council a zoning plan, including the text of zoning ordinances, and maps designating the boundaries of the various zoning districts of the City.

(2) To recommend changes, amendments, additions, and deletions to the zoning ordinances or maps within thirty days of any proposal being submitted to the Commission by the Community Development Director (Director). Failure of the Commission to make a recommendation within said thirty day period or to obtain an extension from the City Council prior to the expiration of said period shall be considered as the approval of the proposal for all purposes.

(3) To hold public hearings, make recommendations and certify to the City Council a master plan for at least the uses of the land within the boundaries of Tooele City.

The Commission may include in any master plan proposal areas outside the geographic boundaries of the City, if the Commission finds said areas bear relation to the proper or expected development of the community and the concurrence of the governing body of the county or municipality having jurisdiction to govern the area proposed to be included is first obtained.

(4) To amend, change, add to, delete or alter the master plan from time to time as the Commission shall see fit, with the concurrence of the City Council.

(5) To review all applications for building permits proposals of any person, company, corporation, partnership or other legal entity for all uses requiring a conditional use permit. Commercial buildings are buildings used for commercial purposes including residential structures greater than a fourplex. Said proposals include but are not limited to proposals to construct, erect, reconstruct, improve, repair, alter, move, divide, subdivide or use any improvement, fixture or parcel of real property within the City and the review shall be for the purpose of determining, if the proposal complies with the ordinances, codes,

specifications, regulation or requirements of Tooele City and its departments. No construction, erection, reconstruction, improvement, repair, alteration, move, division or subdivision proposal for other than standard single family residences shall be implemented or commenced until said proposal has been approved by the Commission in accordance with this Code.

(6) To adopt a Major Street Plan for Tooele City indicating the existing and proposed major streets, roads, and thoroughfares of the community.

(7) To amend, change and to delete or alter the Master Street Plan, from time to time as the Commission shall see fit, with the concurrence of the City Council.

(8) To review all redevelopment agency recommendations regarding the selection and designation of a redevelopment project area and project plans to make its recommendation regarding the selection and designation thereof to the City Council.

(9) In general, to have all powers as may be necessary or convenient to provide for, promote, and perform municipal planning.

All city staff personnel, private consultants, and planners shall be under the immediate supervision of the Director.

The Commission shall also have among its powers, the right and authority to enter upon any land, at reasonable times, to make examinations, surveys, or to place markers and monuments; to make reports and recommendations to the City Council or other public agencies and bodies, and the public in general, regarding the planning and development of the City. (Ord. 2018-05, 02-21-2018) (Ord. 2004-10, 09-15-2004) (Ord. 1981-35, 01-07-1982) (Ord. 1978-26, 10-26-1978)

2-3-3. Organization.

There shall be seven members of the City Planning Commission, three of whom shall be appointed by the City Council, and four of whom shall be appointed by the Mayor. The City Council and Mayor may each appoint an Alternate Commissioner, to act with full authority for an absent Commissioner. The initial appointment shall be for staggered terms as determined by the Mayor. All appointments after the initial appointments shall be for periods of four (4) years each, beginning on January 1 of even-numbered years.

(Ord. 2006-09, 03-29-2006) (Ord. 2005-04, 02-02-2005) (Ord. 2004-10, 09-15-2004) (Ord. 1999-31, 12-01-1999) (Ord. 1979-03, 04-05-1979)

2-3-4. Assignments to each member.

The chairman may assign specific areas of concern to each member of the Commission and said members of a subcommittee of such composition as the member and the Mayor shall see fit. The Commission member shall be the Chairperson of the subcommittee he/she is appointed to, and the subcommittee shall assist the

commission member in the area of his special concern as designated by the Commission Chairperson.
(Ord. 2004-10, 09-15-2004) (Ord. 1978-26, 10-26-1978)

2-3-5. Compensation.

The members of the Commission shall receive such salary and reimbursement for expenses as the City Council shall from time to time by resolution determine. Any subcommittee members appointed shall serve without compensation other than for reimbursement of out-of-pocket expenses incurred with the prior approval of the Chairman of the Commission.
(Ord. 1979-03, 04-05-1979)

2-3-6. Meetings.

The Commission shall meet at least once each month and all meetings shall comply with the Open and Public Meeting Law of the State of Utah, Section 52-4-1 et seq. Should any member of the Commission fail to attend three consecutive meetings without first having made arrangements to be excused, he shall be automatically ineligible for membership on the Commission; and his position shall vacate, to be filled by appointment of the Mayor in the manner heretofore prescribed.
(Ord. 2004-10, 09-15-2004) (Ord. 1978-26, 10-26-1978)

2-3-7. Proceedings and records.

The Commission proceedings and records, the comprehensive plan, and the ordinances administered and enforced by the Commission shall be available for public inspection at all times during regular business hours. Copies of all ordinances shall be available for purchase at such cost as the Mayor shall determine to be adequate to reimburse the general fund for the cost of the preparation and administration of selling the documents.

The Director shall see that the Commission Secretary or other designee prepares the minutes of all meetings of the Commission and that the same are prepared and preserved by the Director.

Minutes shall be deemed the official record of the meeting upon the approving vote of the Commission and the approving signature of the Commission chairperson or designee.

On or before the 31st day of June of each year, the Director shall present to the City Council and the Mayor an annual report covering the activities of the Engineer's Office and the Commission.
(Ord. 2009-14, 10-21-2009) (Ord. 2004-10, 09-15-2004) (Ord. 1978-26, 10-26-1978)

2-3-8. Removal from office.

(1) Members of the Planning Commission serve at the pleasure of the appointing authority, whether the Mayor or the City Council. Members of the Planning

Commission do not have a property interest in their position on the Planning Commission.

(2) Members of the Planning Commission may be removed from office by the appointing authority, whether the Mayor or the City Council, for cause. Cause shall include unprofessional conduct, dishonesty, insulting or abusive behavior, conflicts of interest that remain unresolved after notice, criminal acts, and malfeasance in office.

(Ord. 2014-06, 05-07-2014)