



## TOWN OF PORTAGE - LAND USE ORDINANCES

1	b. Does the development blend well with complimentary adjacent land uses, either existing or proposed in the Comprehensive Plan?
1	c. Are the building elevation designs outstanding from an aesthetic viewpoint and, where appropriate, in harmony with adjacent building design?
1	d. Does the development successfully cope with the physical limitations of the site?
2	e. Does the project relate well to the traffic problems are not created or intensified? Is internal circulation adequate
1	f. Does the open space on the site exceed 40% of the site? Is it usable? Is it well integrated with the overall site design so as to be convenient for use by residents?
1	Total Points = Percent Density Bonus to be Granted

### 110.0 PLANNING COMMISSION

#### 110.1 Appointment

(Change 1-9-2019)

The Planning Commission shall consist of seven (7) members. The applicant(s) receiving the majority votes shall then be appointed by the Mayor. One member shall be from the Town Council and shall serve as the chairman, as well as a nonvoting member of the Planning Commission except in the case of a tie vote or when he/she is needed to make a quorum. The chairman shall be utilized before the alternate to make a quorum and vote. All new members shall be voted on by the Planning Commission/ Town Council with the exception of the Town Council member who shall be elected by a public vote or appointed by a majority vote from the Town Council to fill the remainder of the term vacated by the said member. There will be one (1) alternate member. The alternate member(s) shall be appointed by the Mayor after he/she receives a majority vote from the Planning Commission/ Town Council. The alternate member shall attend all meetings, so that he/she can be up to date on all matters of the Planning Commission. The alternate member shall automatically be placed on the commission board when a vacancy occurs.

An advertisement will then be posted to fill the alternate member position opening. The new alternate member application(s) will be reviewed and voted on by the Planning Commission and Town Council after a majority vote the new alternate shall be appointed by the Mayor.



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### **110.2 Term and Vacancies**

The terms of members of the original Planning Commission, excluding the Town Council representative to the Planning Commission, shall expire in consecutive years from January 1, 1981 to January 1, 1985. The term of the Town Council representative to the Planning Commission shall coincide with his/her elected term of office. Appointments made to fill vacancies created by expiring terms, excluding the Town Council representative, shall be for a period of five years. Any vacancy occurring during the term of any Planning Commission member shall be promptly filled for the unexpired portion of the term.

### **110.3 Removal for Cause**

The Town Council may remove any member of the Planning Commission for cause, after a public hearing upon written charges.

### **110.4 Compensation**

The members of the Planning Commission shall serve without compensation except for such reasonable expenses as are approved by the Town Council.

### **110.5 Organization and Meetings**

The Planning Commission shall adopt rules and regulations as necessary subject to the laws of the State of Utah, the laws of Portage and the Portage Zoning Ordinance. The Planning Commission may amend the rules and regulations as necessary. All rules and regulations shall be filed with the Town Clerk. Meetings shall be held at least once a month at a time to be decided in January of each year. Notification of the regularly scheduled meeting time and place for the Planning Commission shall be published once each year in a newspaper of general circulation and posted at the Town Hall and Post Office.

### **110.6 Contracts and Employment**

The Planning Commission may appoint such employees and staff as it may deem necessary for its work, and may contract with city planners and other consultants for such services, as it requires, providing the expenditures of the commission shall not be in excess of such sums as may be appropriated by the Town Council and/or be placed at the disposal of the Planning Commission through gift or otherwise.

### **110.7 Record of Proceedings**

The Planning Commission shall keep a written record of proceedings, which shall be filed with the Town Clerk.

### **110.8 Functions and Duties of Planning Commission**

The Planning Commission shall have such powers and duties as prescribed by Sections 10-9-4, 10-9-5, 10-9-19, 10-9-20, 10-9-21, 10-9-22, 10-9-23 and 10-9-25, Utah Code Annotated, 1953, as amended.

In addition, the Planning Commission shall review and make recommendations on all conditional uses and all proposed changes to the Zoning Ordinance.



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### **110.9 Quorums and Decisions**

(Change 1-9-2019)

Four members shall constitute a quorum for the Planning Commission. Recommendations to the Town Council shall be based on a majority vote of the Planning Commission. If no majority decision can be reached the matter will be taken to the Town Council for vote. Four votes are required for a majority vote. The chairman/nonvoting council member and/or an alternate member may be utilized when necessary to make a quorum/majority vote. The chairman will be utilized first followed by the alternate. The alternate member shall automatically be placed on the commission when a vacancy needs to be filled.

### **111.0 CONDITIONAL USES**

#### **111.1 Intent and Purpose**

The intent of conditional uses is to allow uses not normally permitted in a zone to occur if certain conditions and specifications are met. These conditions and specifications ensure that the use fits in with the intent of the zone, is a desirable use related to the permitted uses for that zone, and does not cause hardships for neighboring properties.

#### **111.2 Conditional Use Permit**

A conditional use permit is required for all uses listed as conditional uses in the Land Use Chart. A conditional use permit may be revoked by the Town Council upon failure of the applicant to comply with the conditions imposed with the original approval of the permit.

#### **111.3 Review Procedure**

1. Application for a conditional use permit shall be made to the Planning Commission. Appropriate forms may be secured from the Town Clerk.
2. Detailed location map and site and building plans shall be part of the completed application forms.
3. The application, together with all information required by the Planning Commission, shall be considered by the Planning Commission at its next regularly scheduled meeting.
4. The Planning Commission may call a special public hearing on any conditional use permit application if they determine the hearing to be in the public interest. The public hearing shall be held after two weeks of public notice. The record of the public hearing, if held, and the recommendation of the Planning Commission, together with any conditions of approval or reasons for denial, shall be forwarded in writing to the Town Council within thirty  
(30) days after the application is first reviewed by the Planning Commission.