

Town of Alta

ORDINANCE NO. 2022-O-7

AN ORDINANCE AMENDING TITLE 10 “LAND USE REGULATIONS,” CHAPTER 4 “PLANNING COMMISSION,” TO CLARIFY PLANNING COMMISSION MEMBERS APPOINTMENTS, TERMS, AND VOTING.

WHEREAS, the Alta Town Council ("Council) previously enacted an ordinance creating and regulating the appointment and terms of Planning Commission members; and

WHEREAS, the existing code language was ambiguous and internally conflicted with other code language; and

WHEREAS, the expiration and/or appointment of prior Planning Commission members' terms resulted in the non-staggered expiration of terms; and

WHEREAS, three current terms of the Planning Commission expire on January 1, 2023; and

WHEREAS, the Council has determined that amending the current language governing Planning Commission members will correct the ambiguity and internal conflict of the code and allow for efficient operation of the Planning Commission.

NOW, THEREFORE, BE IT ORDAINED by the Alta Town Council that:

SECTION I. Amendment. Title 10 “Land Use Regulations,” Chapter 4 “Planning Commission,” Sections 2, 3, 11, and 12 are hereby amended as set forth as follows:

10-4-2: CREATED; MEMBERSHIP; APPOINTMENT:

- A. Specified: There is hereby created a planning commission, to consist of five (5) members. Members shall be appointed by the mayor, with the ~~advice of the planning commission and the~~ advice and consent of the town council. Alternate members may also be appointed, which the mayor may appoint with the advice and consent of the town council.

The mayor shall, with the advice and consent of the town council, appoint a new planning commission member, or reappoint an incumbent Member, to fill a position on the planning commission that has expired. The Mayor shall appoint a new Planning Commission member, with the advice and consent of the town council, to fill vacancies that might arise and such appointments shall be to the end of the vacating member's term.

- B. Community Representation: To the extent possible, appointments to the planning commission shall be made on a basis which represents the interests of residents of the town, and, in the event that they are available, should include at least one member representing the business community, one member representing the environmental community, one member representing the architecture/building community, one member representing the planning community, and one member who is an at large representative.

10-4-3: TERMS, ELIGIBILITY OF MEMBERS:

Terms: Members of the planning commission shall serve terms of five (5) years. There is no limitation on the length of time a member may to serve if they are reappointed. Terms shall be

~~staggered with one seat expiring each year and shall expire on March~~September 1 of the respective year. Members shall continue to serve until their successors are appointed.

~~In the event that the expiration of planning commissioners' terms are not staggered, the mayor may appoint members for a term shorter than five (5) years to ensure the staggered expiration of terms.~~

~~Members of the planning commission shall serve terms of five (5) years, and may serve consecutive terms until, at the end of a five (5) year term, the mayor appoints a successor planning commission member to that position. Members shall continue to serve until their successors are appointed. If the mayor does not reappoint a new planning commission member at the end of a planning commission member's five (5) year term, that planning commission member shall continue to serve, unless such planning commission member elects to step down. The mayor shall appoint a new planning commission member to fill vacancies that might arise and such appointments shall serve until the end of the vacating member's term. Terms shall be staggered and expire on January 1 of the respective year.~~

10-4-11: VOTING:

Actions of the planning commission pass by a vote in the affirmative of three (3) members.

10-4-12: DECISIONS:

All decisions and all findings for the decision of the planning commission ~~shall be final upon a vote by a majority of the planning commission members present at the meeting, and all findings for the decision~~ shall be included and incorporated in the minutes.

SECTION II. Effective Date. This ordinance shall go into effect upon publication.

PASSED AND APPROVED this 14 Day of December, 2022.

TOWN OF ALTA

Roger Bourke, Mayor

ATTEST:

Jen Clancy, Town Clerk

Certification

Ordinance/summary published on Utah state noticing website on December 15, 2022.

Effective date of Ordinance: December 15, 2022.