



PLANNING COMMISSION AGENDA  
Thursday, November 10, 2016  
Morgan County Council Room  
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

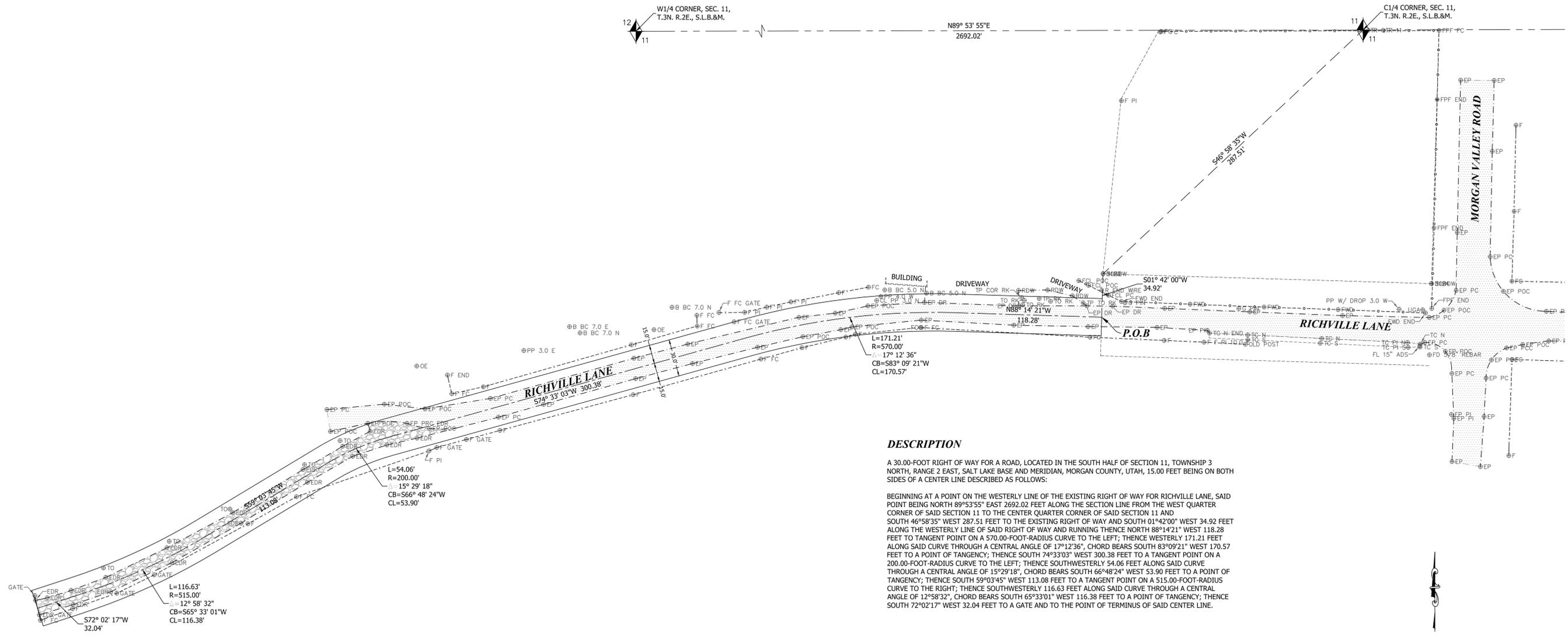
Legislative:

Postponed items from October 27<sup>th</sup>, 2016 meeting:

6. Discussion/Decision on the Dickson Future Land Use Map Amendment.
7. Discussion/Decision on Various Land Use Management Codes.

Administrative:

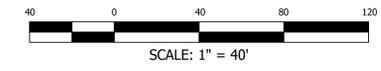
8. Discussion/Decision on Shady Creek Subdivision Concept Plan
9. Update on Mountain Green zoning maps, definitions and standards
10. Discussion on Commercial Use Table
11. Planning Commission Business/Questions for Staff
12. Approval of minutes from October 13, 2016 and October 27, 2016
13. Adjourn



**DESCRIPTION**

A 30.00-FOOT RIGHT OF WAY FOR A ROAD, LOCATED IN THE SOUTH HALF OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MORGAN COUNTY, UTAH, 15.00 FEET BEING ON BOTH SIDES OF A CENTER LINE DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WESTERLY LINE OF THE EXISTING RIGHT OF WAY FOR RICHVILLE LANE, SAID POINT BEING NORTH 89°53'55" EAST 2692.02 FEET ALONG THE SECTION LINE FROM THE WEST QUARTER CORNER OF SAID SECTION 11 TO THE CENTER QUARTER CORNER OF SAID SECTION 11 AND SOUTH 46°58'35" WEST 287.51 FEET TO THE EXISTING RIGHT OF WAY AND SOUTH 01°42'00" WEST 34.92 FEET ALONG THE WESTERLY LINE OF SAID RIGHT OF WAY AND RUNNING THENCE NORTH 88°14'21" WEST 118.28 FEET TO TANGENT POINT ON A 570.00-FOOT-RADIUS CURVE TO THE LEFT; THENCE WESTERLY 171.21 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 17°12'36", CHORD BEARS SOUTH 83°09'21" WEST 170.57 FEET TO A POINT OF TANGENCY; THENCE SOUTH 74°33'03" WEST 300.38 FEET TO A TANGENT POINT ON A 200.00-FOOT-RADIUS CURVE TO THE LEFT; THENCE SOUTHWESTERLY 54.06 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 15°29'18", CHORD BEARS SOUTH 66°48'24" WEST 53.90 FEET TO A POINT OF TANGENCY; THENCE SOUTH 59°03'45" WEST 113.08 FEET TO A TANGENT POINT ON A 515.00-FOOT-RADIUS CURVE TO THE RIGHT; THENCE SOUTHWESTERLY 116.63 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 12°58'32", CHORD BEARS SOUTH 65°33'01" WEST 116.38 FEET TO A POINT OF TANGENCY; THENCE SOUTH 72°02'17" WEST 32.04 FEET TO A GATE AND TO THE POINT OF TERMINUS OF SAID CENTER LINE.



LEGEND	
PROPERTY LINE	—————
ADJACENT PROPERTY	-----
ROAD CENTERLINE	—————
TIE TO MONUMENT	-----
EDGE OF PAVEMENT	-----
CURB, GUTTER, SIDEWALK	-----
WIRE FENCE LINE	-----
CHAIN LINE FENCE LINE	-----

181 North 200 West, Suite #4  
Bountiful, Utah 84010  
Phone 801-298-2236



**RICHVILLE ROAD SURVEY**

RICHVILLE ROAD  
LOCATED IN THE SW 1/4 OF SECTION 11, T.3N., R.2E., S.1B.&M.  
MORGAN COUNTY, UTAH

NO.	DATE	DESCRIPTION
DRAWN: JRC	10/18/2016	
APPYD: VRH	[DATE]	
PROJECT: 1024033		
1024033 ROAD SURVEY.dwg		
<b>C200</b>		
TOPOGRAPHIC SURVEY		

Shady Creek Subdivision – Concept Plan  
Public Meeting  
November 10, 2016

Application No.: 15.070  
Applicant: Bart Smith  
Owner: S and S Holding LLC (Bart Smith)  
Project Location: Approximately 6700 N Highland Drive (Between Highland Dr and Weber Dr, south of Woodland Dr)  
Mountain Green  
Current Zoning: R1-20  
General Plan Designation: Rural Residential/Village Low Density Residential  
Acreage: Approximately 16.92 acres  
Request: Concept Plan Approval  
Date of Application: December 23, 2016  
Date of Previous Meeting: N/A

Staff Recommendation

County Staff has reviewed the application for Concept Plan for the Shady Creek Subdivision. Staff is hereby recommending approval of the requested concept plan based on the following findings and with conditions listed below:

**Findings:**

1. The nature of the subdivision is in conformance with the current and land uses of the area.
2. The proposal complies with the Future Land Use designation and descriptions of the 2010 County General Plan.
3. The proposal complies with applicable zoning regulations.
4. That the developer will install any requisite infrastructure, including roadways, water lines, etc.
5. That the proposal is not detrimental to the health, safety, and welfare of the public.

**Conditions:**

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the required front, side and rear public utility easements are identified on all lots within the subdivision.
3. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
4. That all requirements and concerns of the County Engineer are met during the preliminary/final plat approval stages.
5. That the requirements of the County Surveyor are addressed.

6. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.
7. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
8. That all other local, state, and federal laws are adhered to.

## Background

The applicant is seeking approval of a subdivision concept plan for a 22 lot subdivision. The proposal is being reviewed for conceptual design standards as required by Morgan County Code (MCC). The purpose of a concept plan is to provide the subdivider an opportunity to consult with and receive assistance from the County regarding the regulations and design requirements applicable to the subdivision of property as required by MCC Section 8-12-16.

With the recommendations contained in this Staff Report, the application appears to meet the minimum of requirements for the conceptual subdivision plan of the zoning and subdivision ordinances. It is important to note that because this is a concept plan, there may be some compliance issues with certain specific elements of the subdivision code. These issues will be resolved/addressed as the subdivision progresses through its Preliminary and Final Plat processes. Recommendations regarding the concept plan shall not constitute an approval or disapproval of the proposed subdivision, but rather shall operate in such a manner as to give the subdivider general guidance as to the requirements and constraints for the subdivider's proposed subdivision. It should further be noted that there are no entitlements associated with a Concept Plan approval.

## Analysis

*General Plan and Zoning.* Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as lying in the Rural Residential area, allowing for 1 dwelling units per acre, and Village Low Density, allowing for 2 dwelling units per acre . According to the General Plan, the Rural Residential designation "accommodates rural large lot development with generous distances to streets and between residential dwelling units and a viable semi-rural character setting." The Village Low Density Residential designation "...provides for a lifestyle with planned single family residential communities, which include open space, recreation and cultural opportunities, including schools, churches and neighborhood facilities located in established village areas (formerly area plan boundaries) or master planned communities." The proposed concept plan appears to follow these designations in the General Plan and according to the Future Land Use Map, reflecting low density neighborhoods.

The zoning of the parcel is R1-20 (Residential – 20,000 minimum lot size). The purpose of the R1-20 zone is "provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character."

The proposed conceptual lot layout appears to conform to the requirements of the zoning district.

*Ordinance Evaluation.* The purpose statements in the General Plan and Zoning Ordinance do not provide actual development standards, but present the zoning context for the zone in which the proposed subdivision is located. The specific standards found in the adopted County Code govern development of the subject property.

Property Layout. As noted, as currently configured there would be 22 lots and the extensions of two roads southbound from Woodland Dr. This lot configuration is subject to revision due to slope stability and geologic hazard evaluation, as well as access to the respective lots. The lots range from just under ½ acre to just under 1 ½ acres. The overall density of the property is approximately 1.3 dwelling units per acre, well under the anticipated 2 dwelling units per acre and above the required 20,000 square feet per acre.

Roads and Access. Access to the property will be derived from Highland Dr, Woodland Dr, and Weber Dr. However, each lot will require access from the new roads to be installed. The slopes from Highland Dr, Woodland Dr, and Weber Dr are too steep to allow safe access. A note to this effect, together with the addition of a “no access” line, are reflected on the plat. As the preliminary plat progresses through the process, additional evaluations will be made.

Further, there are three lots (Lots 20, 21, and 22) that have frontage on Highland Drive, but due to steep slope issues no driveway may be constructed from Highland Drive. In order to gain access to these lots, two access and utility easements have been proposed – Lots 21 and 22 will gain access from Shady Creek Dr through Lot 7 (on the south) and Lot 22 will have an access easement through Lot 19. Staff is not in favor of this solution to this problem but can see no other viable alternative.

Grading and Land Disturbance. The property is extremely varied and therefore will require extensive grading both for access and road installation and to prepare home sites for building. Further, as this is an area of known geologic activity, particular care and attention will need to be given to the slope stability and geologic hazards. These will all be evaluated by engineering and recommendations made will be strictly followed.

Water Source. Water will be provided through water connections to the Highlands system. Proof of water will be required at the preliminary/final plat stage.

Fire Protection. The property is inside the Wildland Urban Interface Area.

Sanitary Sewer Systems. Sanitary sewer services will be handled by the Mountain Green Sewer District.

Storm Water. Storm water drainage will be handled in existing storm drain channels. A small detention basin is noted on the south end of the property.

Geologic and Geotechnical Evaluations. This parcel appears to be in the Tn, Qay, Qab, Qmsy, Qms, and Qmc geologic units, which are listed as areas of geologic hazard in the Morgan County ordinance. A complete geologic hazards evaluation that complies with Section 8-5I of the LUMC will be required with the Preliminary Plat submittal.

Staff continues to have significant concerns about the proposed layout of the project. Lacking specific analysis, it is difficult to make a complete and informed decision about the layout of the proposed lots. It is possible that the number of lots allowable will vary significantly from the number of lots currently depicted. While there is currently no specific and technical reason to reduce these lots, additional information may come to light that will reduce the number of lots.

Utilities. Other utilities (power, gas, etc.) will be addressed with the preliminary plat reviews.

Flood Plain: It appears that none of the property falls within the existing 100 year flood plain; however, there are a couple of areas noted on the plat that appear to be subject to periodic flooding. Notes should be placed on the final plat delineating these areas and indicating that they are "no build" areas.

#### Model Motion

Sample Motion for a *positive* recommendation– "I move we forward a positive recommendation for the Shady Creek Estates Subdivision Concept Plan, application number 15.070, allowing for a 22 lot subdivision of land located at approximately 6700 N Highland Dr, based on the findings and with the conditions listed in the staff report dated November 10, 2016."

Sample Motion for a *positive* recommendation *with additional conditions* – "I move we forward a positive recommendation for the Shady Creek Concept Plan, application number 16.070, allowing for a 22 lot subdivision of land located at approximately 6700 N Highland Dr, based on the findings and with the conditions listed in the staff report dated November 10, 2016, and with the following additional conditions:"

1. List any additional conditions

Sample Motion for a *negative* recommendation– "I move we forward a negative recommendation for the Shady Creek Concept Plan, application number 16.070, allowing for a 22 lot subdivision of land located at approximately 6700 N Highland Dr, based on the findings and with the conditions listed in the staff report dated November 10, 2016, *due to the following findings:*"

1. List any additional findings...

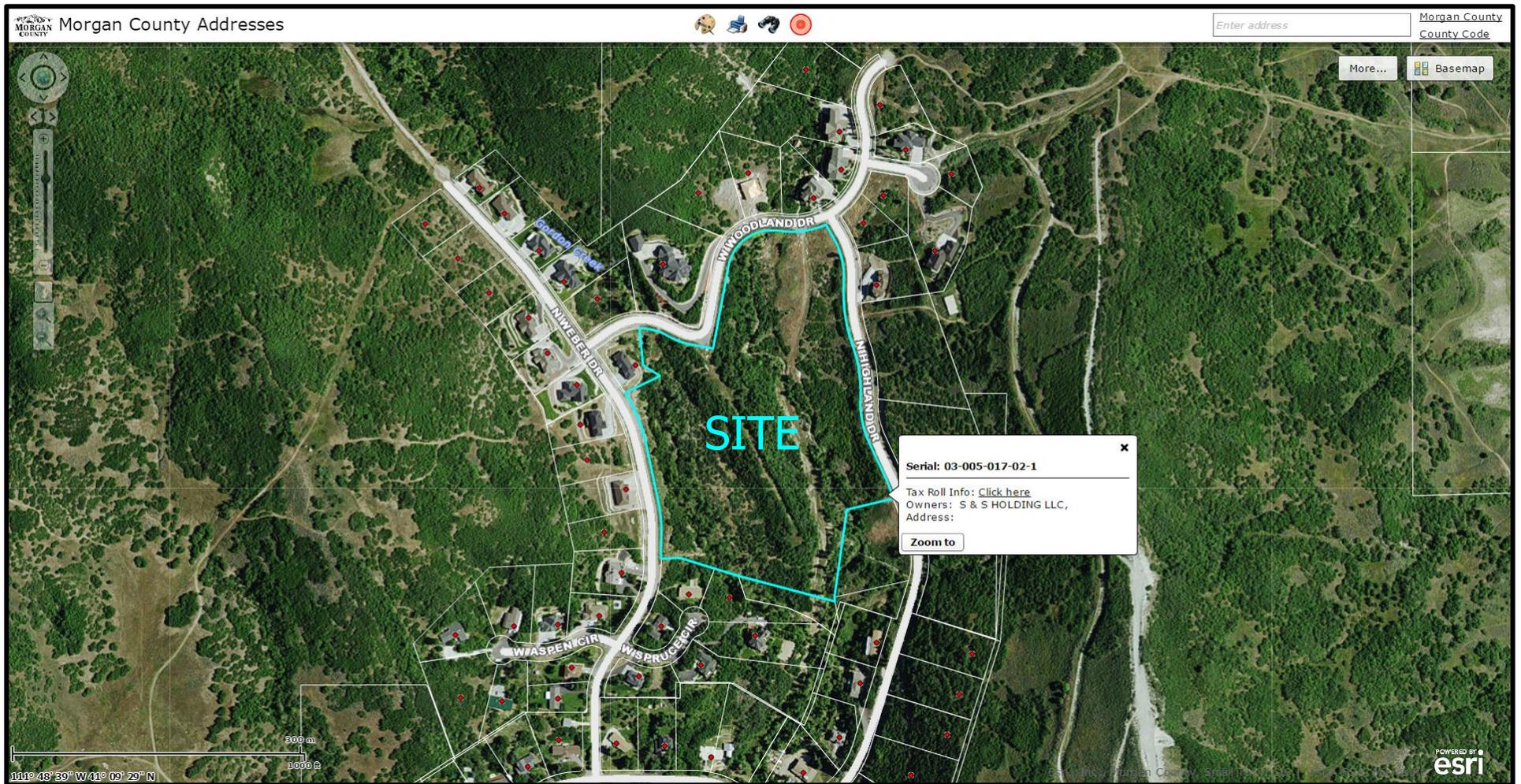
#### Supporting Information

Exhibit A: Vicinity Map  
Exhibit B: Future Land Use Map  
Exhibit C: Current Zoning Map  
Exhibit D: Proposed Concept Plan/Site Layout  
Exhibit E: Slope Analysis  
Exhibit F: Preliminary Geologic Hazards Map  
Exhibit G: Application Materials  
Exhibit H: County Engineer's Comments

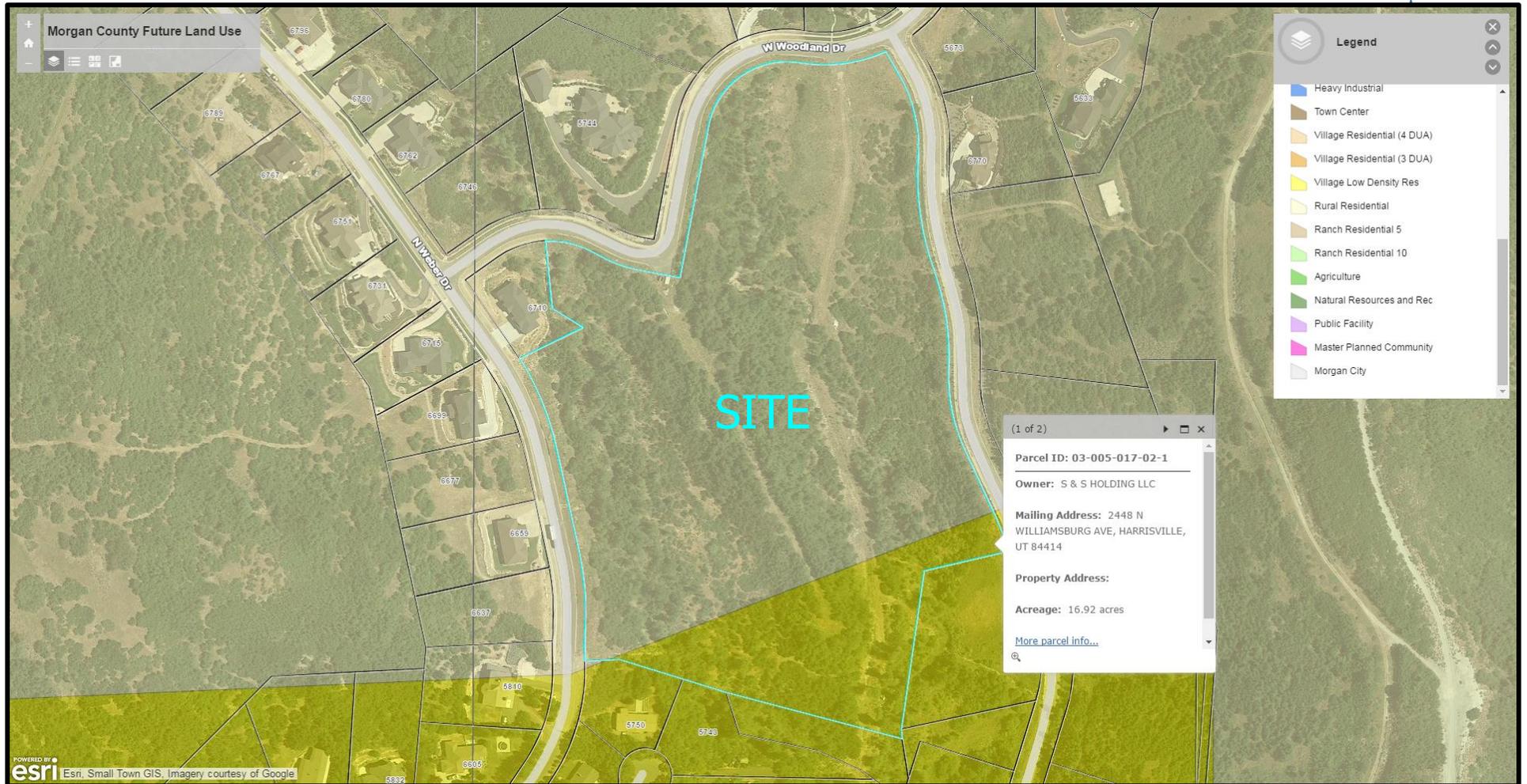
#### Staff Contact

Bill Cobabe, AICP  
801-845-4059  
bcobabe@morgan-county.net

# Exhibit A: Vicinity Map



## Exhibit B: Future Land Use Map



# Exhibit C: Existing Zoning Map

The screenshot displays a web-based GIS application titled "Morgan County Zoning Information". The interface includes a search bar at the top with the text "Search by parcel ID...". The main map area shows an aerial view of a residential subdivision with parcel boundaries and zoning designations. A specific parcel is highlighted with a cyan outline and labeled "SITE" in large cyan letters. The parcel is located near "W Woodland Dr" and "N Weber Dr". A popup window provides the following information for the selected parcel:

- Parcel ID: 03-005-017-02-1
- Owner: S & S HOLDING LLC
- Mailing Address: 2448 N WILLIAMSBURG AVE, HARRISVILLE, UT 84414
- Property Address:
- Acreage: 16.92 acres
- [More parcel info...](#)

On the right side, a legend panel titled "Legend" lists several categories:

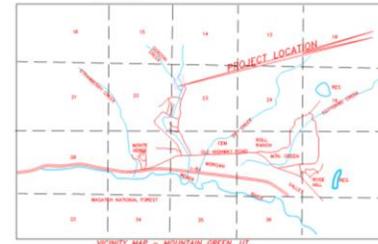
- PLSS - Sections
- Address Points
- Airport Overlay Zones
  - Approach Surface
  - Compatible Use Area
  - Horizontal Surface
  - Primary Surface
  - Runway Protection Zone (RPZ)
- Parcel Boundaries

The map also shows a zoning designation "R1-20" on the left side. The bottom left corner features the Esri logo and the text "Esri, Small Town GIS, Imagery courtesy of Google".

Exhibit D: Proposed Concept Plan/Site Layout



**CONCEPT PLAN**  
**SHADY CREEK ESTATES**  
 A PART OF THE NORTHWEST QUARTER OF SECTION 23,  
 TOWNSHIP 5 NORTH, RANGE 1 EAST, S11.B & M, U.S. SURVEY,  
 MORGAN COUNTY, UTAH



**WATER SUPPLY AND FIRE PROTECTION REQUIREMENTS**  
 WATER SUPPLY AND FIRE PROTECTION FACILITIES SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF MCC 8-12-4001. FIRE HYDRANTS ARE TO BE PLACED ALONG WOODLAND DRIVE AND ADDITIONAL FIRE HYDRANTS WILL BE PROVIDED TO ACCOMMODATE THE NEW LOTS.

**CERTIFICATE OF OCCUPANCY**  
 MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE ADOPTED BUILDING AND FIRE CODE. IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE COUNTY.

**NOTICE OF RIGHTS TO FARM**  
 MORGAN COUNTY IS A RIGHT TO FARM COMMUNITY. THIS SUBDIVISION IS LOCATED ADJACENT TO PROPERTY THAT IS FARM-ORIENTED. LOT OWNERS ARE HEREBY NOTICED THAT AGRICULTURAL OPERATIONS BEGINNING FROM EARLY AND SUN LATE AND THAT THESE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.

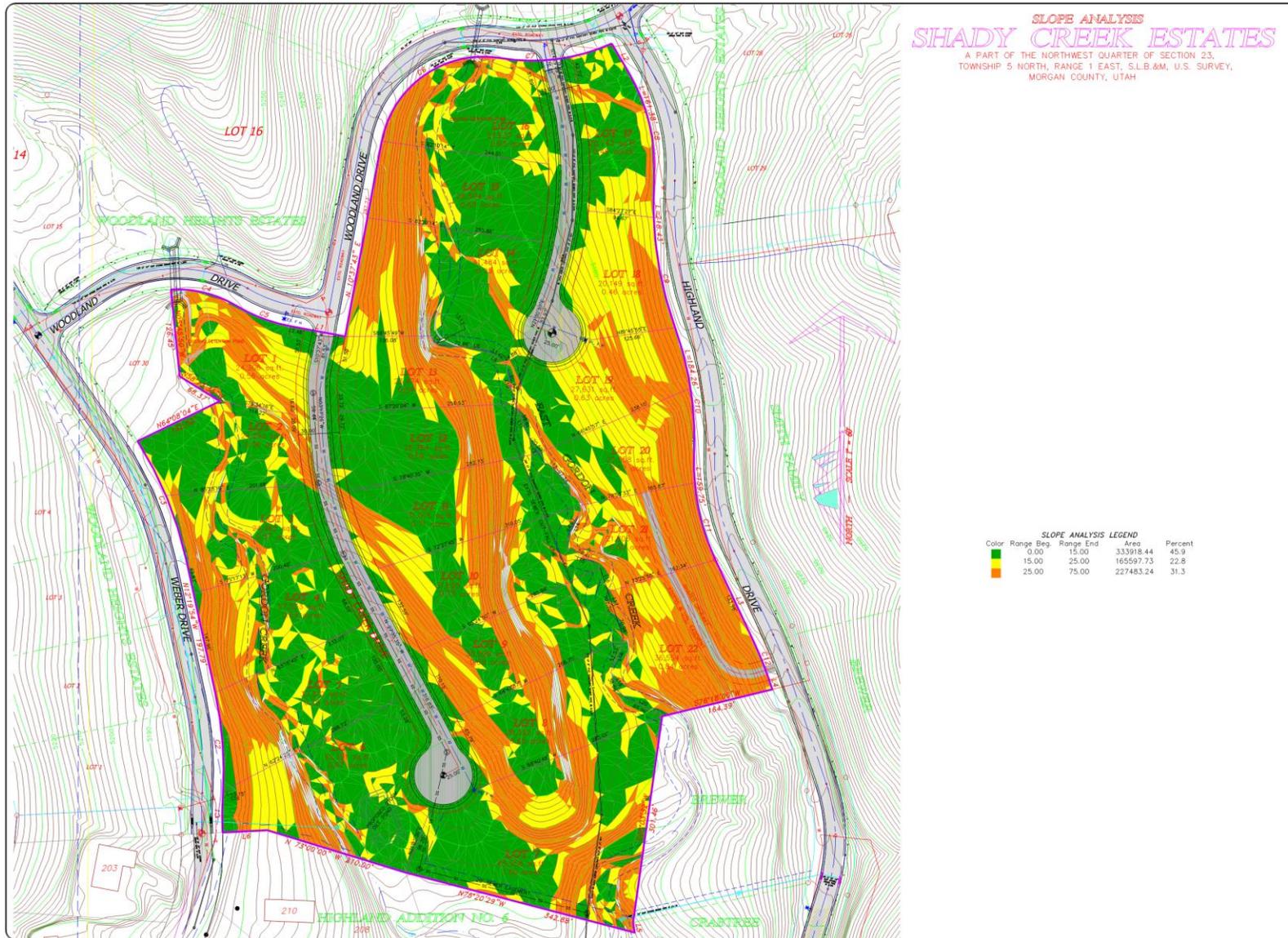
**GEOLOGIC HAZARDS**  
 ACCORDING TO THE RECENT GEOLOGIC MAP OF THE SHOW BROAD QUADRANGLE BY COOGLAN, VONKIE AND KING, THE GEOLOGIC CODES FOR THE MAJORITY OF THE PROJECT AREA ARE T<sub>1</sub>, Q<sub>1</sub>, Q<sub>2</sub>, Q<sub>3</sub>, Q<sub>4</sub>, Q<sub>5</sub>, Q<sub>6</sub>, Q<sub>7</sub>, Q<sub>8</sub>, Q<sub>9</sub>, Q<sub>10</sub>, Q<sub>11</sub>, Q<sub>12</sub>, Q<sub>13</sub>, Q<sub>14</sub>, Q<sub>15</sub>, Q<sub>16</sub>, Q<sub>17</sub>, Q<sub>18</sub>, Q<sub>19</sub>, Q<sub>20</sub>, Q<sub>21</sub>, Q<sub>22</sub>, Q<sub>23</sub>, Q<sub>24</sub>, Q<sub>25</sub>, Q<sub>26</sub>, Q<sub>27</sub>, Q<sub>28</sub>, Q<sub>29</sub>, Q<sub>30</sub>, Q<sub>31</sub>, Q<sub>32</sub>, Q<sub>33</sub>, Q<sub>34</sub>, Q<sub>35</sub>, Q<sub>36</sub>, Q<sub>37</sub>, Q<sub>38</sub>, Q<sub>39</sub>, Q<sub>40</sub>, Q<sub>41</sub>, Q<sub>42</sub>, Q<sub>43</sub>, Q<sub>44</sub>, Q<sub>45</sub>, Q<sub>46</sub>, Q<sub>47</sub>, Q<sub>48</sub>, Q<sub>49</sub>, Q<sub>50</sub>, Q<sub>51</sub>, Q<sub>52</sub>, 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**POTENTIAL SEASONAL FLOODING AREAS**  
 UNDESIRABLE AREAS OF POTENTIAL SEASONAL FLOODING BEYOND THE 30 FOOT CREEK PROTECTION CHANNEL SHALL BE IDENTIFIED AND STRUCTURES SHOULD NOT BE LOCATED WITHIN SAID AREAS TO REDUCE IMPACT OF FLOOD DAMAGE TO PROPERTY AND PRESERVE THE NATURAL ATTRIBUTES OF THE CHANNEL.

**GENERAL NOTES:**  
 1. FLOOD ZONE: THIS PROPERTY DOES NOT LIE WITHIN THE F.E.M.A. DESIGNATED FLOOD ZONE BOUNDARIES.  
 2. SANITARY SEWER: SEWER FACILITIES WILL BE PROVIDED BY THE MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT.  
 3. UTILITY SERVICES: POWER, TELEPHONE AND GAS ARE AVAILABLE ON WOODLAND DRIVE. SERVICE LINES FOR THE EXISTING WOODLAND HEIGHTS SUBDIVISION WILL NEED TO BE EXTENDED DOWN THE NEW STREETS.  
 4. ZONING: THE CURRENT ZONE FOR THIS PROPERTY IS DESIGNATED AS R-1-30 WHICH IS ALSO CONSISTENT WITH THE SURROUNDING AREA.  
 5. PROJECT AREA: 60 ACRES TOTAL WITH 23 LOTS. AVERAGE NET DENSITY = 0.77 ACRES PER LOT.  
**SURVEY NARRATIVE**  
 1. THIS SURVEY AND SUBDIVISION PLAN WAS PREPARED AT THE REQUEST OF BART SNEY, OWNER HIGHLAND DRIVE, MOUNTAIN GREEN, UTAH.  
 2. THE PURPOSE OF THIS SURVEY AND PLAN THEREOF IS TO SUBDIVIDE AND PROVIDE DOCUMENTATION ON A PARCEL OF LAND BELONGING TO THE SNEY FAMILY.  
 3. ALL MONUMENTS SET OR FOUND ARE AS INDICATED HEREON.  
 4. THE BASIS OF BEARING IS THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 23 CALLED "HIGHLAND DRIVE" EAST AS MONUMENTED.

LINE	LENGTH	BEARING
L1	115.74	S29°22'17"E
L2	48.80	N29°22'17"E
L3	115.74	S29°22'17"E
L4	115.74	S29°22'17"E
L5	115.74	S29°22'17"E
L6	115.74	S29°22'17"E
L7	115.74	S29°22'17"E
L8	115.74	S29°22'17"E
L9	115.74	S29°22'17"E
L10	115.74	S29°22'17"E
L11	115.74	S29°22'17"E
L12	115.74	S29°22'17"E
L13	115.74	S29°22'17"E
L14	115.74	S29°22'17"E
L15	115.74	S29°22'17"E
L16	115.74	S29°22'17"E
L17	115.74	S29°22'17"E
L18	115.74	S29°22'17"E
L19	115.74	S29°22'17"E
L20	115.74	S29°22'17"E
L21	115.74	S29°22'17"E
L22	115.74	S29°22'17"E
L23	115.74	S29°22'17"E
L24	115.74	S29°22'17"E
L25	115.74	S29°22'17"E
L26	115.74	S29°22'17"E
L27	115.74	S29°22'17"E
L28	115.74	S29°22'17"E
L29	115.74	S29°22'17"E
L30	115.74	S29°22'17"E
L31	115.74	S29°22'17"E
L32	115.74	S29°22'17"E
L33		

Exhibit E: Slope Analysis



**SLOPE ANALYSIS**  
**SHADY CREEK ESTATES**  
 A PART OF THE NORTHWEST QUARTER OF SECTION 23,  
 TOWNSHIP 5 NORTH, RANGE 1 EAST, S.L.B.&M. U.S. SURVEY,  
 MORGAN COUNTY, UTAH

**MOUNTAIN ENGINEERING**  
 P. O. BOX 309  
 MORGAN, UTAH 84050  
 TEL (801) 876-3978 FAX: 876-3979

DATE	BY	REVISION

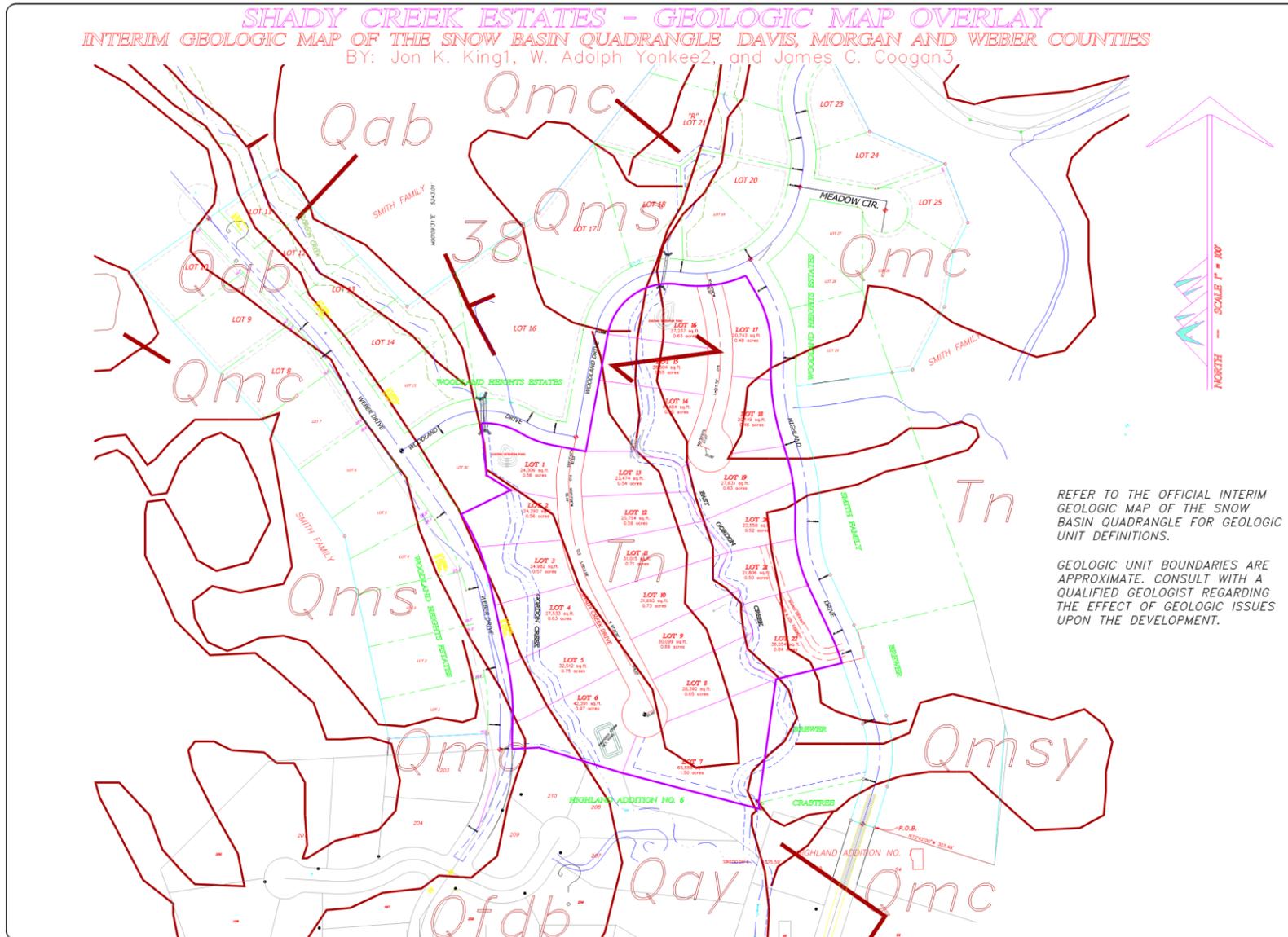
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 JMK  
 MARCH 2016

**SHADY CREEK ESTATES**  
 SLOPE ANALYSIS  
 A PART OF THE NORTHWEST QUARTER OF SECTION 23  
 TOWNSHIP 5 NORTH, RANGE 1 EAST, S.L.B.&M. U.S. SURVEY  
 MOUNTAIN ENGINEERING, MORGAN COUNTY, UTAH  
 SHEET NO. 1503 WALKER CREEK ROAD, MORGAN, UTAH 84050

DATE: 10/11/16

DRAWN BY: JMK  
 CHECKED BY: JMK  
 SHEET 1 OF 1  
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Exhibit F: Preliminary Geologic Hazards Map



<b>MOUNTAIN ENGINEERING</b> P. O. BOX 309 MORGAN, UTAH 84050 TEL: (801) 876-3978 FAX: 876-3979	
DATE: 11/10/16 DRAWN BY: JMK CHECKED BY: JMK SCALE: 1" = 100' SHEET: 1 OF 1 PROJECT: SHADY CREEK ESTATES	REVISIONS: NO. 1: 11/10/16 NO. 2: 11/10/16 NO. 3: 11/10/16 NO. 4: 11/10/16 NO. 5: 11/10/16 NO. 6: 11/10/16 NO. 7: 11/10/16 NO. 8: 11/10/16 NO. 9: 11/10/16 NO. 10: 11/10/16 NO. 11: 11/10/16 NO. 12: 11/10/16 NO. 13: 11/10/16 NO. 14: 11/10/16 NO. 15: 11/10/16 NO. 16: 11/10/16 NO. 17: 11/10/16 NO. 18: 11/10/16 NO. 19: 11/10/16 NO. 20: 11/10/16 NO. 21: 11/10/16 NO. 22: 11/10/16 NO. 23: 11/10/16 NO. 24: 11/10/16 NO. 25: 11/10/16 NO. 26: 11/10/16 NO. 27: 11/10/16 NO. 28: 11/10/16 NO. 29: 11/10/16 NO. 30: 11/10/16 NO. 31: 11/10/16 NO. 32: 11/10/16 NO. 33: 11/10/16 NO. 34: 11/10/16 NO. 35: 11/10/16 NO. 36: 11/10/16 NO. 37: 11/10/16 NO. 38: 11/10/16 NO. 39: 11/10/16 NO. 40: 11/10/16 NO. 41: 11/10/16 NO. 42: 11/10/16 NO. 43: 11/10/16 NO. 44: 11/10/16 NO. 45: 11/10/16 NO. 46: 11/10/16 NO. 47: 11/10/16 NO. 48: 11/10/16 NO. 49: 11/10/16 NO. 50: 11/10/16 NO. 51: 11/10/16 NO. 52: 11/10/16 NO. 53: 11/10/16 NO. 54: 11/10/16 NO. 55: 11/10/16 NO. 56: 11/10/16 NO. 57: 11/10/16 NO. 58: 11/10/16 NO. 59: 11/10/16 NO. 60: 11/10/16 NO. 61: 11/10/16 NO. 62: 11/10/16 NO. 63: 11/10/16 NO. 64: 11/10/16 NO. 65: 11/10/16 NO. 66: 11/10/16 NO. 67: 11/10/16 NO. 68: 11/10/16 NO. 69: 11/10/16 NO. 70: 11/10/16 NO. 71: 11/10/16 NO. 72: 11/10/16 NO. 73: 11/10/16 NO. 74: 11/10/16 NO. 75: 11/10/16 NO. 76: 11/10/16 NO. 77: 11/10/16 NO. 78: 11/10/16 NO. 79: 11/10/16 NO. 80: 11/10/16 NO. 81: 11/10/16 NO. 82: 11/10/16 NO. 83: 11/10/16 NO. 84: 11/10/16 NO. 85: 11/10/16 NO. 86: 11/10/16 NO. 87: 11/10/16 NO. 88: 11/10/16 NO. 89: 11/10/16 NO. 90: 11/10/16 NO. 91: 11/10/16 NO. 92: 11/10/16 NO. 93: 11/10/16 NO. 94: 11/10/16 NO. 95: 11/10/16 NO. 96: 11/10/16 NO. 97: 11/10/16 NO. 98: 11/10/16 NO. 99: 11/10/16 NO. 100: 11/10/16
<b>SHADY CREEK ESTATES</b> CONCEPT PLAN A PART OF THE NORTHWEST QUARTER OF SECTION 23 TOWNSHIP 5 NORTH, RANGE 2 EAST, SURVEY MOUNTAIN GREEN, MORGAN COUNTY, UTAH P.O.B. STICKNEY 3044	
DRAWING NO.: SHEET 1 OF 1 PROJECT: SHADY CREEK ESTATES	SHEET NO.: OF: PROJECT: SHADY CREEK ESTATES

Exhibit G: Application Materials

**Concept Plan Application**

Planning and Development Services  
 48 West Young Street, Morgan, UT 84050  
 (801) 845-4015 Fax (801) 845-6087  
[www.morgan-county.net](http://www.morgan-county.net)



*Notice:* The applicant must submit copies of the concept plan to be reviewed by the County in accordance with the terms of the Morgan County Code. Once a set of concept plans are submitted, the plans are subject to compliance reviews by the various county departments and contracted staff, and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the County Code and all other applicable laws. All submitted concept plan proposals shall be reviewed in accordance with Title 8 of the Morgan County Code. Submission of concept plans in no way guarantees placement of the application on any particular agenda of the county land use authority. It is **strongly** advised that all concept subdivision plans be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission:	Zone:	Serial#(s):	Parcel #(s):		
12-23-15	R-1-20	03-005-017-02-01	00-0067-1228		
Project Name:		Acres:			
SHADY CREEK ESTATES		16.92			
Project Address:					
5700 W. WOODLAND DRIVE, MTN. GREEN					
Project Description:					
22 LOT SUBDIVISION ON APPROX. 17 ACRES					
Property Owner(s):			Applicant(s):		
S & S HOLDING LLC			SAME		
Address:			Address:		
5880 HIGHLAND DR.					
City:	State:	Zip:	City:	State:	Zip:
MTN. GREEN	UTAH	84050			
Phone:			Phone:		
801-391-6241					
Contact Person:			Address:		
BART SMITH			5880 HIGHLAND DR.		
Phone:			City:	State:	Zip:
801-391-6241			MTN. GREEN	UTAH	84050
Cellular:	Fax:	Email:			
↑		BKS@READYTEK.NET			

\*The application you are submitting may become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the County employee accepting this information. Morgan County does not currently share your private, controlled or protected information with any other person or government entity.

**Concept Plan Fees**

Number of Lots: \_\_\_\_\_

960.00 Concept Plan Fee.....\$300.00 plus \$30.00 per lot  
 \_\_\_\_\_ Engineering Review Fees.....\$Actual Cost will be billed to applicant  
 \_\_\_\_\_ Surveyor Review Fees.....\$Actual Cost will be billed to applicant  
 \_\_\_\_\_ Outside Consultants or Outsourced Staff Fee..... \$Actual Cost will be billed to applicant  
 190.00 Noticing Fee..... \$190.00

For Office Use Only		
Received By:	Date Received:	App. #:
Bill Cobabe	12/23/15	15.070





## Memorandum

**To:** Bill Cobabe, Planning and Development Services Director  
Morgan County

**From:** Mark T. Miller, P.E.  
Wasatch Civil Consulting Engineering

**Date:** January 5, 2016

**Subject:** **Shady Creek Estates – Concept Plan Comments**

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We have reviewed the Concept drawing for Shady Creek Estates and have the followings observations and recommendations:

1. Standard Morgan County Residential Roadway cross-sections should be shown on the drawings. The proposed cross-sections do not exist so the plan will need to be re-drawn to reflect current standards.
2. Written verification from the water and sanitary sewer jurisdictions should be provided indicating their willingness and ability to serve the proposed subdivision in compliance with the Morgan County Subdivision Code requirements.
3. A geologic report should indicate soil types and areas with slopes between 15% & 25%, and slopes greater than 25%. Flood plain areas should also be indicated on the drawings. Building envelopes should be shown so it can be determined if the lots have adequate buildable areas.
4. Storm water drainage and detention will need to be analyzed and designed in accordance with 8-12-45. A storm water detention basin will likely be needed.

Once these major issues have been addressed, we can perform a more comprehensive review of the proposed subdivision. If you have any questions, please call.



## Memorandum

**To:** Bill Cobabe, Planning and Development Services Director  
Morgan County

**From:** Mark T. Miller, P.E.  
Wasatch Civil Consulting Engineering

**Date:** October 12, 2016

**Subject:** **Shady Creek Estates – Concept Plan Review**

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We have reviewed the concept plan drawing for Shady Creek Estates. Morgan County's Ordinance states that Concept Plans are to "provide the subdivider with an opportunity to consult with and receive assistance from the County regarding the regulations and design requirements applicable to the subdivision of property," and "Acceptance of a concept plan does not constitute final subdivision approval or vesting for a proposed subdivision."

Our observations are listed below:

1. Ordinance Section 8-12-43 LOTS, addresses the intent of conventional and acceptable lot design. Many of the lots do not appear to comply with this section because it states that lots shall not be created that would make improvement unfeasible due to size, shape, steepness of terrain, location of watercourses, problems with driveway grades or other physical conditions. It appears that many of the lots will have problems with at least one of these issues. Proposed accesses to Lots 20-22 are unconventional and do not appear to provide safe emergency vehicle access to the proposed homes. The intent of the ordinance seems to prefer all lots to have frontage on streets. Many of the lots have double frontage, which is not permitted without special approval of staff, Planning Commission and Council.
2. Buildable areas and slopes should be clearly indicated.
3. A professional engineering study of the creek floodways should be provided for our review as part of a Preliminary Plan. We suspect it may significantly affect some of the lots and reduce lot numbers.
4. The 5 foot walks and 6 foot park strips must be clearly shown on the Preliminary Plan.
5. A Geologic Hazards study will be required for this property. The concept plan does not show where the hazardous soils are located. A Geologic Hazards study will likely eliminate much of the buildable area and lot numbers.
6. Lot 16 does not appear to have a buildable area.
7. The Sewer District should review the proposed lines to see if they accept the location of lots with respect to their required access.
8. Street lights will be required on the Preliminary Plan.

9. Fire hydrant locations should be correctly shown on the Preliminary Plan.

The Preliminary Plan for this subdivision will need to consider many issues that will likely change lot numbers and layout. Once required studies are completed, and access issues identified (i.e. street double frontages and access to Lots 20-22), the final layout may not resemble this Concept Plan. We recommend the developer be advised of this issue even though Concept Plan does not vest the layout.

If you have any questions, please call.





## 1. Zoning District Definitions

- a) Neighborhood Commercial District (NC): To provide areas in appropriate locations where convenience-buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities, which in character and scale are necessary to meet day-to-day needs of area residents.
- b) General Commercial District (GC): To provide areas in appropriate locations where a combination of businesses, commercial, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development.
- c) Town Center District (TC): This district shares the same purposes as the General Commercial District, and the uses are the same. However, this district has more strict standards for architecture, landscaping, and other performance requirements as reflected in Section (?). A mix of commercial, retail, and residential uses, either in the same building (vertical mixed uses) or on the same site plan (horizontal mixed uses) is allowed in this zoning district.
- d) Business Park District (BP): To provide areas for appropriate transitions between commercial uses and residential uses. Developments are intended to reduce impact adjacent properties by using landscaping, setbacks, and building design.
- e) Technical and Professional Campus (TPC): To provide areas for the construction of research and development parks, educational facilities and campuses, trade and technical schools and colleges, health care facilities (including hospitals, clinics, and labs), and other associated and allied industries.
- f) Mountain Green Commercial Park (MG-CP): To provide areas of transition between Technical and Professional Campus Zoning and residential uses within the Mountain Green Area.
- g) Peterson Commercial Park (P-CP): To provide areas of transition between existing residential and agricultural uses and other zoning districts.
- h) Light Manufacturing (LM): To provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.
- i) Industrial District (I): To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

## 2. Standards

### Section 8-8-4:

#### A. Conditions Relating To Safety For Persons And Property:

- 1. Building elevations and grading plans which will prevent or minimize floodwater damage, where property may be subject to flooding.
- 2. The relocation, covering or fencing of irrigation ditches, drainage channels, and other potential attractive nuisances existing on or adjacent to the property. **These requirements shall apply only to the applicant's property.**
- 3. Increased setback distances from lot lines where ~~the planning commission determines it to be~~ necessary to ensure the public safety and to ensure compatibility with the intended characteristics of the district as outlined in this title.

4. Appropriate design, construction and location of structures, buildings and facilities in relation to any earthquake fault which may exist on the property, and limitations and/or restrictions on the use and/or location of uses due to special site conditions, including, but not limited to, geologically hazardous areas; floodplains; fault zones; landslide areas.
5. Limitations and control of the number, location, color, size, height, lighting and landscaping of outdoor advertising signs and structures in relation to the creation of traffic hazards and appearance and harmony with adjacent development.
6. Plans for the location, arrangement and dimensions of truck loading and unloading facilities.
7. Construction of curbs, gutters, drainage culverts, sidewalks, streets, fire hydrants and street lighting.
- ~~8. Reduction of permitted street grades for winter and storm conditions, or exposure.~~
9. Fences shall not create visual nor other safety hazards.
10. Backing movements, passing vehicles, sidewalk traffic, small children, etc., shall be considered in the location of fences and effects on circulation system.
11. Numbers and types of vehicles per time period associated with the conditional use activities **(see Section F below)**.
12. Time of day and days of the week conditional use may operate.
13. **Buildings and site perimeter shall be secured with locks, gates, and other barriers to access as appropriate to ensure safety and security.**

B. Conditions Relating To Health And Sanitation:

1. A guarantee of sufficient water to serve the intended land use and a water delivery system ~~meeting standards adopted by the governing body.~~ **All uses shall comply with applicable Federal, State, and local standards.**
2. A wastewater disposal system and a solid waste disposal system ~~meeting standards adopted by the governing body.~~ **All uses shall comply with applicable Federal, State, and local standards.**
3. Construction of water mains, sewer mains and drainage facilities serving the proposed use, in sizes necessary to protect existing utility users in the district and to provide for an orderly development of land in the county.

C. Environmental Concerns:

1. Limitations and/or restrictions on the use and/or location of uses in sensitive areas due to soils capabilities, wildlife and plant life.
2. Standards intended to conserve, enhance, restore, and maintain significant natural and manmade features which are of public value, including among other things, river corridors, streams, lakes and islands, domestic water supply watersheds, flood storage areas, natural shorelines and unique vegetation, wetlands, wildlife and fish habitats, significant geological features, tourist attractions, archaeological features and sites, historic features and sites and scenic views and vistas, and to establish criteria and standards for the development, change of use, or alteration of such features.
3. Processes for the control, elimination, or prevention of land, water, or air pollution; the prevention of soil erosion; and the control of objectionable odors. ~~Processes for the control, elimination or prevention of land, water, or air pollution; the prevention of soil erosion; and the control of objectionable odors.~~
  - a. These processes may include restrictions on degradation of water **and air** quality.
  - b. Developments which produce any **air pollution and/or** discharge to any watercourse shall demonstrate compliance with all federal, state and county **air and**

- water quality standards as evidenced by the issuance of any permits required for their discharge by the federal government, state and/or county.
- c. Whenever sedimentation is caused by stripping vegetation, regrading or other development, it shall be the responsibility of the person, corporation or other entity causing such sedimentation to remove it from all adjoining surfaces and drainage systems prior to final approvals for the project. It is the responsibility of any person, corporation or other entity doing any act on or across a stream, watercourse or swale, or upon the floodplain or right of way thereof, to maintain as nearly as possible in its present state the stream, watercourse, swale, floodplain or right of way during such activity. **No work shall be done prior to conformance with all Federal, State and Local mandates, requirements and permits.**
  4. The planting of ground cover or other surfacing to prevent dust and erosion.
    - a. The proposed land disturbing activity will ensure and provide an undisturbed vegetation buffer from the top of the bank of a stream, wetland or other water body, unless a mitigation plan is approved for alterations within the buffer area.
    - b. Whenever feasible, natural vegetation will be retained and protected.
    - c. Temporary vegetation and/or mulching shall be used to protect exposed critical areas during development.
    - d. Plans will be made to accommodate increased runoff and sedimentation caused by altered soil and surface conditions during and after the proposed activity.
  5. Restructuring of the land and planting of the same as directed by the ~~planning commission~~ **County Engineer** when the conditional use involves cutting and/or filling the land and where such land would be adversely affected if not restructured.
  6. Limitations and/or restrictions on construction and/or development on slopes in excess of ~~thirty percent (30%)~~ **twenty-five percent (25%)** to control erosion.
  7. If the proposed conditional use involves hillside construction and/or development, **or is required to submit a geologic hazards report according to Section 8-51 of the Code**, the application will be approved only after the applicant provides:
    - a. Topographic information showing that the proposed activity is on land with a slope less than ~~thirty percent (30%)~~ **twenty-five percent (25%)** and that it is located more than two hundred feet (200') from a known landslide.
    - ~~b. A geologic/geotechnical report which shall be in form and content approved by the county engineer, consisting of, among other things, a slope stability study, earthquake analysis and sedimentation analysis, prepared by a certified engineering geologist or geotechnical engineer approved by the county engineer, certifying that the site or route in its entirety is suitable for the proposed development.~~
    - c. **b.** Such other engineering or technical reports as may be required by the ~~planning commission or governing body~~ **County Engineer**.
    - d. **c.** Detailed construction plans, drawings and specifications which outline all construction methods proposed to be utilized.
  8. ~~d.~~ In all cases, the applicant may be required to supply ~~a geologic report, a geotechnical study,~~ a hydrological study, a civil engineering study and other applicable engineering studies required by the ~~planning commission or governing body~~ **and** acceptable in form and content to the county engineer.
  9. **e.** The applicant's conditional use may be limited or denied if blasting, drilling or any other construction activity involved will weaken, or cause, adjoining slopes, geologic formations and manmade improvements to become unstable or if the proposed construction or operation will result in the creation of a geologic hazard to surrounding properties, such as through slumping, sliding or drainage modifications.

10. **8.** Standards to maintain the integrity/existence of natural drainage patterns as determined by the ~~planning commission~~ **County Engineer**.
11. **9.** Construction methods, specifications, drawings, plans and practices as requested by the county engineer.
12. **10.** An environmental assessment and/or an environmental impact statement which includes an alternatives analysis performed by a company approved in advance by the ~~planning commission~~ **County Engineer** may be required.
  - a. The environmental assessment/environmental impact statement shall identify all environmental concerns, including, but not limited to, visual and auditory aesthetics, erosion control, land, water and air pollution, and an alternatives analysis.
  - b. The alternatives analysis in the environmental assessment/environmental impact statement will address all reasonably possible alternatives to the proposed project. In the event the proposed use is a utility line or pipeline for the transportation, transmission, delivery or receipt of water, natural gas, electricity, telephone, cable television or any other similar use, public property or roadway rights of way shall be utilized to the extent possible and the least damaging practical alternative is presumed to be such public property or roadway rights of way, **including placement of the utilities underground as an alternative**; condemnation of private property for such uses is not favored and will only be allowed if there is no other reasonably practical alternative. This analysis must demonstrate that the applicant's chosen alternative is the least environmentally damaging of those alternatives available.
  - c. A finding of no other practicable alternative for the proposed use may be made after demonstration by the applicant that:
    - (1) The basic purpose of the project cannot reasonably be accomplished using another alternative.
    - (2) The basic purpose of the project cannot be accomplished by a reduction in the size, scope, configuration or density of the project as proposed, or by changing the design of the project in a way that would result in fewer adverse effects.
    - (3) If the applicant has rejected other alternatives, the applicant shall show that a reasonable attempt has been made to remove or accommodate the constraints associated with the rejected alternative.
13. **Noise of such character, intensity or duration as to be detrimental to the life or health of any individual or in disturbance of the public peace and welfare is hereby prohibited. Safe noise levels may vary by use and location, but generally shall not exceed 85 decibels as measured fifty feet (50') from the property line where the noise is being generated.**
- 14.** Such other or additional, **reasonable** standards as may be established by the planning commission or governing body as they may deem necessary for the protection of the health, safety, convenience and general welfare of the present and future inhabitants of the county and the environment.

D. Conditions Relating To Compliance With Intent Of General Plan And Characteristics Of Vicinity (Or Neighborhood):

1. The removal of structures, debris or plant materials, incompatible with the intended characteristics of the district outlined in this title.
2. The screening of yards or other areas as protection from obnoxious land uses and activities.

3. Landscaping to ensure compatibility with the intended characteristics of the district as outlined in this title.
4. Limitations or controls on the location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development, or to conceal storage areas, utility installations or other unsightly development.
5. The relocation of proposed or existing structures as necessary to provide for future streets on the major street plan of the county, adequate sight distances for general safety, groundwater control, or similar problems.
- ~~6. Provision for or construction of recreational facilities necessary to satisfy needs of the conditional use.~~
7. Population density and intensity of land use limitations where land capability and/or vicinity relationships make it appropriate to do so to protect health, safety and welfare, or conservation of values.
8. Other improvements which serve the property in question and which may compensate in part or in whole for possible adverse impacts to the district from the proposed conditional use.
9. Conservation of values; community, neighborhood and property values.
10. The character of the neighborhood and aesthetics of the streetscape shall be considered in the location of fences and in determining the reduction of any front yard for fencing purposes.

E. Conditions Relating To Performance:

1. Time limits on the validity of the conditional use permit. Such time limits shall be determined by the following guidelines:
  - a. A conditional use permit for uses which are of a temporary nature only may be issued for the intended duration of the temporary use or for two (2) years, whichever period of time is shorter.
  - b. Unless there is substantial and positive development action under a conditional use permit within a period of one year of its issuance, said permit shall expire. The planning commission and governing body may grant a maximum extension for one year, when deemed in the public interest.
2. **a.** The **County Engineer**, planning commission and/or governing body may require the applicant to pay a performance and completion bond for ~~one hundred fifteen percent (115%)~~ **one hundred ten percent (110%)** of the cost of construction.
 

**b. As determined by County Engineer, The the** planning commission and/or governing body ~~may shall~~ also require a performance bond for ~~one hundred fifteen percent (115%)~~ **one hundred ten percent (110%)** of the cost of rehabilitation **and landscaping** to ensure that proper rehabilitation **and landscaping** is made over a ~~three (3)~~ **one (1)** year period. The rehabilitation **and/or landscaping** requirements will be determined by the county engineer, **and shall comply with all applicable federal, state, and local standards.**
3. Specific short and long range plans of development may be required to demonstrate timeliness, feasibility and impact on the public.
4. The applicant ~~may shall~~ be required to demonstrate that the general and specific requirements of this title are met. In addressing these requirements, the applicant and **County Staff**, the planning commission, **and/or the governing body** shall give due regard to the nature and condition of adjacent uses and structures. The environmental and other concerns, including, but not limited to, visual and auditory aesthetics, erosion control, energy conservation concerns and water and air pollution listed in this section under performance standards for conditional uses apply.

5. In connection with and as a condition of approval of any application for a conditional use, the applicant shall sign such agreements in form and content approved by the county attorney, planning commission and/or governing body embodying any of the standards or requirements set forth herein or otherwise established by the planning commission and/or governing body.

**F. Energy Conservation Concerns:**

- ~~1. Solar orientation of buildings and uses.~~
- ~~2. Use of renewable energy sources.~~
- ~~3. Efficiency of exterior lighting.~~
- ~~4. Shading and protection of important buildings and pavings (parking lots, etc.), landscaping and trees, location of buildings and screens.~~
- ~~5. Effective use of vestibules.~~
- ~~6. Wind screening.~~
- ~~7. Circulation (travel) efficiency.~~
- ~~8. Efficiency of stormwater removal and erosion control.~~
- ~~9. Maintenance efficiency for offsite improvements to be maintained by the public.~~
- ~~10. Maintenance efficiency for on-site improvements to be maintained by users, occupants and owners, etc.~~

**F. Traffic Impact Analysis (TIA). The TIA is intended to develop public/private partnerships to coordinate land use and transportation facility development. Both the County and the land developer share in the responsibility to consider all reasonable solutions to identified transportation problems.**

- 1. Purpose.** This process is done simultaneously with the submittal of a site plan. The goal of this study is to look at a specific development of known size and use and to determine the effect of that use on the existing roadway system. It uses existing traffic volumes and assumes the existing roadway configuration to be used for analysis. This process should ensure that the roadway system is adequate to accommodate the proposed use and may recommend mitigation measures necessary to ensure efficient traffic flow around the proposed site (as based on intersection and roadway levels of service).
- 2. Objective.** A TIA is intended to define the immediate impacts of the proposed development and any necessary transportation improvements (public or private) required to ensure a satisfactory level of service on all affected thoroughfares. A TIA is designed to mitigate traffic impacts by optimizing roadway capacity, access design, and traffic control. A TIA may not be used to deny development permitted by zoning, nor shall it be used to modify road design contrary to the comprehensive plan. Specific improvements to the existing roadways consistent with the thoroughfare plan may be needed to gain approval of site plan proposals.
- 3. Definitions.** The following words, terms and phrases, when used in this subsection, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Base volumes shall be based on current traffic counts adjusted to the expected date of project occupancy. When available, all base data shall be supplied to the County Engineer. In all cases when ground counts are needed and are not available, the developer or the developer's agent shall be required to collect such data.

Design year means the point in time upon which assumptions pertaining to land use, population, employment, and transportation facilities are based. All TIAs shall use a design year based on the expected date of project occupancy.

Level of service (LOS) means a measure of the level of congestion experienced on roadways. The desirable minimum level of service of the County is a level of service C in the peak hour. Level of service shall be measured on of both link and intersection operations.

Trip generation rates means the County's criteria for trip generation for various categories of land use and density and shall be those set forth in the latest edition of the trip generation informational report published by the Institute of Transportation Engineers (ITE), unless the proposed use does not have a corresponding rate in the trip generation manual. Alternate trip generation rates shall not be accepted but shall instead be adopted for countywide use on the basis of a general study of local conditions.

4. **Applicability.**
  - a. All TIAs shall be performed by a consultant qualified to perform such studies. Requirements for mitigating negative traffic impacts shall apply to all cases. In certain cases, due to project phasing, a TIA might be required with a concept plan submittal. It is the responsibility of the applicant to demonstrate that a TIA is not required for a nonresidential site plan application. In cases where a TIA is required, the site plan application will be considered incomplete until the TIA is submitted.
  - b. A TIA will be required for nonresidential site plans submitted for approval that generate an increase of five percent (5%) or more over the base volume. A TIA may be required for nonresidential site plans submitted for approval that generate less than five percent (5%) or more over the base volume, and where the peaking characteristics could have a detrimental impact on the transportation system as determined by the County Zoning Administrator, County Engineer, or designee.
5. **Methodology.** A presubmission consultation with the County Zoning Administrator, County Engineer, or designee is required. Details of the required analysis and the study area will be determined at this meeting. In certain instances, traffic from other approved but not built developments may have to be accounted for in traffic assignments. Staff may also require specific assumptions such as the percent trucks are altered to match local conditions. Peak hour analysis might be directed to reflect the peak 15 minutes for certain types of land uses. All of these types of issues will be addressed at the presubmission consultation.
6. **Content.** The following procedures shall be followed in preparing traffic impact studies submitted to the County:
  - a. **Study area.** A map shall be included delineating the TIA study area and all existing and planned streets therein. The study area will be defined in the presubmission consultation meeting with the County Zoning Administrator, County Engineer, or designee;
  - b. **Existing zoning and development.** Describe existing zoning including land area (gross and net) by zoning classification, square footage, numbers of hotel rooms, dwelling units, etc. Also, describe any existing development on site and how it will be affected by development proposals;
  - c. **Thoroughfare network.** Describe existing thoroughfares, signals and signal phasing, and traffic volumes within the study area;
  - d. **Proposed development.** Describe the proposed development including land area (gross and net), square footage, number of hotel rooms, dwelling units, etc. Also describe

- roadway conditions as expected by date of occupancy. Indicate roadway and intersection capacities at the study date;
- e. **Impact determination.** Determine the level of service for all thoroughfares and intersections in the study area. The analysis shall contain the following minimum information:
    - (i) **Proposed trip generation.** Calculate total trip generation by use (assuming full development and occupancy) and report any reductions for passerby, mixed use, etc. Show trip generation by use in tabular form with land use trip generation rates and trips generated.
    - (ii) **Trip distribution and assignment.** Trips generated by the proposed development are to be added to the base volumes projected for the design year. Peak hour volumes must be calculated. Distribution assumptions and assignment calculations must be provided.
    - (iii) **Level of service analysis.** Show in tabular form 24-hour and peak hour volume-to-capacity (V/C) ratios for links and intersections within the study area. This analysis should be done for the following traffic conditions: existing traffic, background traffic, and background plus project traffic. Analyze all points of ingress and egress, median breaks, and turn lanes associated with the proposed site.
    - (iv) **Conclusions.** Provide a summary of points of conflict and congestion. Identify all thoroughfare links or intersections exceeding a level of service D and the percent increase in total traffic produced by the proposed site plan. Identify any operational problems (e.g., drives, median openings, and signalization) within the study area.
7. **Mitigation.** Traffic levels exceeding a level of service D, where the development is contributing five percent (5%) or more of the total trips, shall be mitigated to predevelopment levels. Problems demonstrated by the TIA can be corrected by:
- a. Access management relating to driveway and median opening spacing;
  - b. Modifying density or intensity of use (e.g., reduction in square footage or percentage of commercial use);
  - c. Phasing construction until additional roadway capacity becomes available;
  - d. On-site improvements including access controls and site circulation adjustments; and/or
  - e. Off-site improvements including the construction of additional lanes where the surrounding thoroughfares are not fully developed or intersection improvements, including signalization, where the surrounding area is approaching full development.
8. **Costs of mitigation.** Mitigation improvements which are attributable to the proposed development shall be funded at the developer's expense. Any other improvements shown which are consistent with the thoroughfare plan may be repaid in a pro rata fashion by the County in accordance with its cost sharing policies.
- G. **Conservation bond required.** For large retail developments greater than 50,000 square feet of open plan, big-box-type warehouses, stores or shops, and including, but not limited to, car sales, used car lots, strip malls and parking structures, the developer shall be required to post a conservation bond equal to 20 cents per square foot, or 110 percent of the cost of demolition and removal of the structure and associated parking, whichever is greater. If the building is determined to be unoccupied, the County may order the demolition of the building and parking areas. This demolition will take place if 70 percent of the structure/lot is unoccupied for more than two years.

~~G. H. Conditional Use Permits Are Public Comment Items: All conditional use permits are considered public comment items. The first public meeting regarding a conditional use permit shall be noticed as a public comment item pursuant to this title.~~

**Section 8-8-5 (General Standards)** follows:

When applicable, the following general standards shall apply to all conditional use developments within the county, unless waived for good and sufficient reasons by the ~~planning commission~~ **governing body**:

A. Ownership: The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.

B. Landscaping, Fencing And Screening: Landscaping, fencing, and screening within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the planning commission for approval, together with other required plans for the development. **Where required, the developer shall be responsible for installation of all landscaping, fencing, and screening within the development.**

C. Signs And Lighting: The size, location, design and nature of signs, if any, and the intensity and direction of area lighting or floodlighting shall be detailed in the application.

D. Grading And Drainage Plan: A grading and drainage plan shall be submitted to the ~~planning commission~~ **County Engineer** with the application.

E. Planting Plan: A planting plan showing the proposed tree, shrubbery and lawn plantings shall be prepared for the entire site to be developed, including especially the yards which abut upon public streets.

F. Use Not Detrimental: It shall be shown **by the applicant** that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety or general welfare of persons residing in the vicinity of the conditional use development.

G. Water And Sewer System: All buildings used for human occupancy when completed shall be served by a ~~central~~ water system and appropriate sewage disposal system which have been approved by the building official and which are in compliance with applicable local and state law.

H. Bond: In order to ensure that the development will be constructed to completion in accordance with approved plans, the ~~planning commission~~ **governing body** shall require the developer to render a payment, or post a performance and/or completion bond, mortgage, or other valuable assurance acceptable to the governing body, in an amount equal to the estimated cost as determined by the county engineer, plus ~~fifteen percent (15%)~~ **ten percent (10%)** of constructing the proposed project, including, without limitation, all required landscaping, road improvements, pedestrianways, bike paths, curbs and gutters, utility lines, conduits, street lighting, hard surfacing, culinary water and sewer lines (and domestic sewage disposal facilities if sewer is not available), as shown on the final site plan. The ~~planning commission and/or~~ governing body shall also require the developer to post an adequate bond to ensure proper rehabilitation as the circumstances warrant. The ~~planning commission and/or~~ governing body may also require of the developer an additional bond to ensure against any damage to any property, buildings, improvements, structures, water wells, springs and

water aquifers which may be adversely affected by the proposed project in such amounts as the planning commission and/or governing body determine is appropriate under the proposed project. Any such bond shall be in favor of the county and each affected third party private property owner. Estimates of cost shall be furnished by the developer which will be checked for accuracy by the planning commission staff. Final determination of the amount of each required bond or other assurance shall be made by the **County Engineer and approved by the governing body.**

5. The duration of the bond or other assurance shall be for one or more years from the date of approval of the development by the governing body and an extension of time for completion may be granted by the governing body upon application by the developers, provided such application is submitted at least sixty (60) days prior to the expiration of the bond or other assurance, and provided the issuer of the bond is willing to extend the time of the assurance.
6. In the event the developer defaults or fails or neglects to satisfactorily install the required improvements within one year from the date of approval of the development by the governing body, or to pay all liens in connection therewith, the governing body may declare the bond or other assurance forfeited and the county may install or cause the required improvements to be installed using the proceeds from the collection of the bond or other assurance to defray the expense thereof.
7. The developer shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ten (10) days prior to the release date of the bond or other assurance, the county engineer shall make a preliminary inspection of the improvements to be made and submit a report to the governing body setting forth the conditions of such facilities. If all liens are paid and other conditions thereof are found to be satisfactory, the governing body shall release the bond or other assurance. If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability, or if any outstanding liens are not paid, the governing body may declare the developer in default.

I. Fees And Costs Paid By Applicant: In connection with any application for a conditional use, the applicant shall pay to the county, within ten (10) days of receipt of each invoice, all of the county's out of pocket engineering and professional fees and costs incurred in connection with the independent professional review, inspection, testing and/or analysis of the proposed development or project, and the project during construction and upon completion of the same, including, without limitation, all plan and report review and inspections, and supervising and reviewing any required environmental assessment or environmental impact statement.

J. Environment: Grouping and spacing of buildings and dwellings in residential areas shall provide for a restful and uncrowded environment. Landscaped areas shall be encouraged as the dominant features of the development. Areas not covered by buildings or by off street parking space or driveways shall generally be planted into natural vegetation, lawn, trees and shrubs, and otherwise landscaped and maintained in accordance with good landscape practice as approved on the final plan. ~~Permanent automatic irrigation~~ **Irrigation** systems ~~shall~~ **may** be installed ~~when required by the planning commission~~ to provide for maintenance of planted areas.

K. Plans, Plats And Documents: Details of plans, plats and documents to be submitted showing the size of water lines, sewer lines and other domestic sewage disposal facilities, garbage and trash disposal, the quality of material and improvements, protection from adverse influences, lighting, landscaping, off street parking, grading and other details of design and construction

shall conform to standards as set forth in such resolutions pertaining to such standards as may be adopted by the ~~planning commission~~ **governing body**.

L. Standards And Requirements: The development shall meet all standards and requirements of this title and all requirements of applicable ordinances.

M. Character Of District: The development shall be in keeping with the general character of the district within which it is to be located.

N. Plan Preparation: Depending upon the complexity of the project, the ~~planning commission~~ **County Engineer** may require that plans for the development be prepared by a qualified professional team. In all cases, it is recommended that professional design and other assistance be obtained early in the program. It is the intent of the county that the developer solve his/her problems before approval is given and construction begins.

O. Storm Drainage Facilities: Storm drainage facilities **shall be approved by the County Engineer and Public Works Director and** shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

~~P. Permits Required: All structures required by this title to have building permits and all uses required to have use permits shall be inspected by the building official in accordance with procedures established by the building code, as adopted by the county and this title; provided, however, that no building permit for such structures or use permits shall be issued until the planning commission, or the zoning administrator if authorized by the planning commission and governing body, has issued a conditional use permit for the building site or use or have determined that a conditional use permit is not required by this title.~~

### 3. Maps







PLANNING COMMISSION AGENDA  
Thursday, October 13, 2016  
Morgan County Council Room  
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

Legislative:

Postponed items from September 22<sup>nd</sup>, 2016 meeting:

6. Discussion/Decision on the Dickson Future Land Use Map Amendment.
7. Discussion/Decision on Various Land Use Management Codes.

Administrative:

8. Discussion on Commercial Use Table
9. Planning Commission Business/Questions for Staff
10. Approval of minutes from September 22, 2016
11. Adjourn

Members Present

Gary Ross  
Debbie Session Michael Newton  
Steve Wilson  
Roland Haslam  
Larry Nance

Members Absent

Shane Stephens

Staff Present

Bill Cobabe  
Gina Grandpre

Public Present

Brian Sanders  
Norris Dickson

1. Call to order – prayer. Chair Haslam called the meeting to order and he also offered prayer.
2. Pledge of Allegiance
3. Approval of agenda

**Member Nance moved to approve the agenda. Second by Member Sessions . The vote was unanimous. The motion carried.**

4. Declaration of conflicts of interest

No conflicts were declared.

5. Public Comment

Chairman Haslam stated that the agenda items will have their own public comment hearing time. Anything else that the audience wanted to address to the county the public comment period would be the time for such comments.

Brian Sanders: He has property up at Whites Crossing in Porter, we applied to change the zoning from A-20 to R-1 and were denied. He stated that he is here to have a discussion to see if it would be possible to extend the tunnel zoning to include his property. Before going to the expense of a formal application, he'd like to get a feel for the temperament of the Commission. Chair Haslam said that we would need to get him on the agenda and proposed adding to this meeting's agenda after item #7.

**Member Newton moved to approve the go out of Public Comment. Second by Member Nance. The vote was unanimous. The motion carried.**

Legislative:

Postponed items from September 22<sup>nd</sup>, 2016 meeting:

6. Discussion/Decision on the Dickson Future Land Use Map Amendment.

Bill mentioned that this item will need to be postponed as we are still waiting for the official survey from the County Surveyor.

**Member Newton moved to postpone item #6 until October 27, 2016. Second by Member Ross. The vote was unanimous. The motion carried.**

7. Discussion/Decision on Various Land Use Management Codes.

Bill mentioned that this item will need to be postponed as we are still waiting for the official survey from the County Surveyor.

**Member Nance moved to postpone item #7 until October 27, 2016. Second by Member Newton. The vote was unanimous. The motion carried.**

Administrative:

8. Added agenda item. Discussion request by Brian Sanders to discuss extending the tunnel zoning from Whites Crossing to his property.

Brian showed maps and shared opinion that extending the tunnel zoning would match the zoning of surrounding properties. He also shared that when he approached the County Council he was told that if his property was not in a flood plain, that they would approve it. He invested in working with FEMA and the area was declared not in a flood plain. The County Council still did not approve.

Chair Haslam felt that the Commission had recently denied someone with a similar request, so his initial opinion would be to not approve the extension of tunnel zoning. Member Wilson shared that the Porterville Area Plan Committee and residents have been very explicit about what they want to see in Porterville, so he would hesitate to vote in favor for anything that differs from the established area plan. He mentioned that it may be time to review the Area Plan. Member Sessions shared that Area Plans are intended to give direction for a 5 year period. This Area Plan has been in place since 2008. Bill clarified that minor updates should occur every 5 years and major updates should be every 10 years.

Chair Haslam shared his feelings that a problem has occurred because the County has been inconsistent in their decisions to alter zoning. He feels that this Commission has been more consistent in deferring decisions to established Area Plan. Members Wilson and Sessions mentioned that the upcoming Area Plan Input Meetings would be a perfect time to address this proposal to the FLUM. Member Ross commented that the recent request in the Milton area was different than this request. He is not sure what the vision is of the Area Plan Committee.

He also encouraged the applicant to be very specific in the application request. Member Newton shared his opinion that we shouldn't have to reconvene the Area Plan Committee every time an applicant wants to make a change to the FLUM. That is what public notices and public input meetings are for. Bill shared that there are 3 reasons to change to FLUM: 1) based on the sole desire of the property owner, 2) to change it according to the desire of the community based on their desired character of the community, or 3) if there's a mistake that needs to be corrected. Member Sessions wondered if there should be a decision to not make any changes to the Area Plans after they are established unless there is a compelling reason to do so.

Mr. Saunders asked about the timeline for any updates to be finalized. Chair Haslam clarified that we are shooting for the end of the year.

#### 9. Discussion on Commercial Use Table

Chairman Haslam requested that Bill bring up the Commercial Use Table. The purpose is to determine the appropriate uses for commercial areas. Gina explained how the Table works and what the goal is. Member Nance suggested that the Commission only discuss items that everyone agrees on. Member Newton suggested that if 2 people cancel out an item, then it is removed from the list. Member Sessions discussed allowing some items, such as raising of crops, as placeholders on the list. Chair Haslam asked about the timeline for completing the Table. Gina offered to do a technology training in the office for any Commission members who are interested.

#### 10. Planning Commission Business/Questions for Staff

Bill reviewed the UPA Planning Commission Conference He shared a presentation from a gentlemen from Australia who encouraged American communities/planners to prepare and build for the realities of society (i.e. 2 parent families with children who want to live in a single family residence in the suburbs). Bill also shared the concept of disruptive technologies that he learned at a transportation conference. A disruptive technology is something that changes the way you typically do something (i.e. online shopping). Transportation is headed that direction. Our past concept of cars, roads and public transit is all changing. In 20 years we will have self-driving cars or non-car owners. How does this effect planning, taxes, etc?

He mentioned the upcoming Utah Land Use Institute Conference, October 25<sup>th</sup> and 26<sup>th</sup> in Sandy, Utah at the Realtors Institute. If any of the Planning Commission can ever go to this meeting, he highly recommends it.

Member Ross said that there are other practical things that needed to be pointed out from the conference. One is the noticing of public meetings. Our code regarding noticing is different from state code. The goal should be to be clear enough to not misinform or frustrate public coming for comment by giving them unrealistic ideas of the weight of public comment. Member Ross also shared that a recommendation was made for pre-meetings in regards to controversial topics where the public can be educated on law, policy, etc. through a candid discussion, in an effort to diffuse some of the intensity of the public input meeting. He also

suggested that at the beginning of Planning Commission meetings there is a time for educating ourselves on legislative actions through watching LUAU videos, etc. Bill suggested that that could be added as a regular agenda item.

Member Ross also shared what he learned about TZOs (Temporary Zoning Ordinances). We can make a TZO while we are in the process of creating standards so that there is a filter of what is approved during that time. Member Sessions shared in the code it is called a Temporary Land Use Regulation (17-27A-504) which allows the Commission to put a TZO on an area of land for 6 months while all of the standards are finalized. Member Ross suggested that something like this needs to be in place soon, specifically for Mountain Green. Bill suggested that it is put on the agenda for the first Planning Commission meeting in November. Member Sessions suggested turning it over to the County Council right now. Chair Haslam asked about the difference between a TZO and a pending ordinance. The TZO is the formal application. Member Newton shared a concern that a six month process is too long. Bill shared that it is only “up to six months”.

Bill gave notice that on Tuesday the Enterprise Zone Change map is on the agenda.

Member Newton asked Bill if he would be initiating some of these code changes in regards to noticing that he learned about. Bill explained that he can't do that without the Commission. The process has to start with the Commission. They can direct Bill to come forward with changes.

**Member Newton motioned that the Commission directs staff to bring forward recommendations for updating the County Code to match State Code as it relates to noticing for administrative items only at the November 10, 2016 Planning Commission Meeting. Member Nance seconds the motion. Vote was unanimous. Motion carried.**

#### 11. Approval of minutes from September 22, 2016

Minutes are not ready to be approved, postpone item

**Member Newton motions to postpone the approval of the September 22, 2016 minutes until the October 27, 2016 meeting. Seconded by Member Nance. Vote was unanimous. Motion carried.**

#### 12. Adjourn

**Member Nance motioned to adjourn. Seconded by Member Newton. Vote was unanimous. Motion carried.**

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman, Roland Haslam

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Gina Grandpre, Transcriptionist  
Planning and Development Services

UNAPPROVED



PLANNING COMMISSION AGENDA

Thursday, October 27, 2016  
Morgan County Council Room  
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda.
4. Declaration of conflicts of interest.
5. Public Comment.

Legislative:

Postponed items from October 13<sup>th</sup>, 2016 meeting:

6. Discussion/Decision on the Dickson Future Land Use Map Amendment.
7. Discussion/Decision on Various Land Use Management Codes.

Administrative:

8. Discussion/Decision on R & D Small Subdivision Concept Plan
9. Discussion on Commercial Use Table
10. Planning Commission Business/Questions for Staff
11. Approval of minutes from September 22, 2016 and October 13, 2016
12. Adjourn

Members Present

Gary Ross  
Debbie Sessions  
Roland Haslam  
Larry Nance  
Michael Newton  
Steve Wilson  
Shane Stephens

Staff Present

Gina Grandpre  
Laurel Orr

Public Present

Tina Kelley  
Ryan Pace  
Shane Preece  
Lindsey Wilde  
Suzi Waldren  
Kacee Waldren  
Tina Cannon

1. Call to order – prayer. Chair Haslam called the meeting to order. He made the announcement that Member Ross will be taking over as Commission Chair until the Planning Commission votes on their new Chair and Vice Chair in March. Member Stephens offered prayer.
2. Pledge of Allegiance
3. Approval of agenda

Member Sessions noted that the October 13<sup>th</sup> minutes are not ready, so the approval of those should be removed from the agenda.

**Member Sessions moved to approve the agenda with removal of approving the October 13, 2016 minutes. Second by Member Newton. The vote was unanimous. The motion carried.**

4. Declaration of conflicts of interest  
There were none.
5. Public Comment  
There was none.

**Member Nance moved to go out of public comment. Second by Member Haslam. The vote was unanimous. The motion carried.**

Legislative:

Postponed items from October 13<sup>th</sup>, 2016 meeting:

6. Discussion/Decision on the Dickson Future Land Use Map Amendment.

Gina shared that the Planning and Development Office is waiting to hear from Vaughn Hill on item # 6 and #7. Staff recommended postponing discussion and decision on this agenda item until Nov 10. There was no timeline given. Chair Ross questioned whether

the Commission should keep postponing. Member Haslam clarified that the motion is to wait until we get clarification on county road.

**Member Haslam motioned to postpone discussion/decision on agenda item #6 and #7 until November 10, 2016. Seconded by Member Nance. Vote unanimous. Motion passed.**

Discussion: We hate to keep applicant waiting, but can't move forward without Vaugh's determination. Gina clarified that it does not need more research, just a determination.

7. Discussion/Decision on Various Land Use Management Codes.

Gina clarified that we are also waiting on Vaugh's determination. The staff recommendation is to postpone until Nov 10. Discussion: Member Haslam offered a point of clarification: we are trying to determine status of a county road on Field St.

**Member Nance motioned to postpone the agenda item until November 10, 2016 until the County Surveyor sends his report. Second by Member Sessions. No Comments on the motion. Vote was unanimous, motion carried.**

Administrative:

8. Discussion/Decision on R & D Small Subdivision Concept Plan

Gina showed a power point presentation and outlined the applicant request. Applicant is the Dee and Sherry Waldron Family Trust. The Waldon's have authorized DeDee Pace to act as agent. Applicant currently has approximately 35 acres zoned RR-1 in front and A-20 in the back. Applicant is proposing to divide into 2 pieces of property. Staff recommends approval for subdivision concept. Gina asked for questions from Planning Commission members. Member Haslam shared that he is concerned that we haven't received information back from county engineer yet. Member Sessions said she would rather the county engineer to have looked at the concept plan.

Applicant approached council. DeDee Pace (1225 S Morgan Valley Dr) would like to separate home from farming part of parcel in order to get two tax IDs. They have tried to stay in code. When questioned, she clarified that she may in the future build a house on the 20 acres. She has left two right of ways in case she decides later to build house. Member Newton read from staff report that the large portion is listed as agriculture. He recommended that we remove the verbiage from the last sentence in the staff report that defines the lot as agricultural so that it is not limited to purely agricultural in the future. Gina said that we can't issue a building permit until they have the frontage. Member

Nance recommended removing the verbiage from the background page of the staff report, but leave it in the Subdivision Concept Plan. Member Sessions asked applicant if she is okay with removing the irrigation shares conditions. Applicant said yes. Member Sessions wonders if the Commission can change a planner's report. Member Newton said that maybe it should just be noted in the minutes.

**Member Nance moved to approve the R and D Small Subdivision Concept Plan, application number 16.034, allowing for a one lot subdivision of land located at approximately 1225 S Morgan Valley Dr., based on the findings and with the conditions listed in the staff report dated October 27, 2016, and with the following additional conditions:**

**Findings:**

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. The proposal complies with applicable zoning regulations.
4. That the developer will install any requisite infrastructure, including roadways, water lines, etc.
5. That the proposal is not detrimental to the health, safety, and welfare of the public.

**Conditions:**

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the required front, side and rear public utility easements are identified on all lots within the subdivision.
3. That proof of culinary shares/rights (800 gallons per day).
4. That all requirements and concerns of the County Engineer are met during the preliminary/final plat approval stages.
5. That the requirements of the County Surveyor are addressed.
6. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.
7. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
8. That all other local, state, and federal laws are adhered to.
9. The last sentence from Property Layout in the Staff Report will be deleted.

**Second by Member Haslam. Discussion on the motion. None. The vote was unanimous. The motion carried.**

9. Discussion on Commercial Use Table

Gina shared presentation of table and progress of each Member. A discussion followed

regarding the timeline for completion and how members are to mark their preferences. Member Newton has suggested that if a line item has 2 Xs by it, that item should be rejected. Gina said that she can update the list with responses received so far and send out to all member. Member Haslam recommended that committee targets completion by 1<sup>st</sup> meeting in December. He also recommended that we go with Member Newton's suggestion of cancelling any line item with 2 Xs. Gina showed that she will put a yellow line where the goal of completion is for the next meeting. Member Nance suggested that Gina make two sheets – one with everything. One with deletions.

**Member Haslam motioned that on Commercial Use Table any items with 2 Xs are deleted from Commercial Use Table. Seconded by Member Newton. Voting was unanimous. Motion passed.**

Discussion regarding Area Plans: There was a brief discussion on the timing and prioritization of working on the Commercial Use Table as well as the Area Plans. Member Haslam recommended that we complete the Commercial Use Table first, then look at the maps. Member Sessions suggested the Commission multi-task the work to get things done quicker. Tina Cannon said that County Council discussion items have been tabled waiting on feedback from PC. Member Sessions suggested meetings be scheduled to gather public input on the FLUM on area plans and recommend that original stakeholders receive invite but open the meetings to the public. Member Wilson questioned what our intent is, and what the criteria is to make the decision. Member Newton said that we could be clear that we are not revising area plans – it is a county general plan. Member Wilson shared concern that the public input received at the meetings may not reflect general pulse of the county. Member Sessions reminded that once decision is made, there will still be a formal public hearing. Chair Ross asked Commission to discuss timeline for the meetings and getting information back to the City Council. Chair Ross asked if the council is expecting the information back by the end of January. Tina shared that the Council has 2 areas that are currently on hold waiting for the Commission's input. Any decision Tina for clarification of what the Council is expecting to happen.

Bill texted in saying that the community input meetings can be held Nov 16 and 17. Chair Ross summed up that by mid January the council wants all meetings held and info collected. He questioned who can run the meeting: Planning Commission or General Plan Update Committee. Member Nance asked if Commission members can chair individual area meetings. Member Newton recommended that staff leads the meetings to ensure consistency. Chair Ross recommended that meetings will be done by middle of December info can be passed along by early January. Gina recommended that meetings span 4 nights, each night focused on a different area of the county. All will be outlined and planned by next meeting: Nov 10. Bill is working on an article for the paper. Data will be brought back to planning commission in the December meetings. Then public hearing will be scheduled in January. Member Wilson asked if letters will be sent out to stake holders. Gina said that she assumed that Bill will do that for every area. Recommendation will be before the county council by their 1<sup>st</sup> meeting in Feb. Chair Ross asked Tina what the Council would think of timeline. Tina said that the meetings will at least show progress.

Member Nance suggested that we should not move forward with anything until we receive the Mountain Green results. Bill is working on the maps. Viewing of maps should be on the agenda for Nov 10 meeting. Chair Ross said that it should be on the agenda: definitions of the areas, maps, and standards. No table.

10. Planning Commission Business/Questions for Staff

Chair Ross asked about checklists. He wondered if when planning commission get packet of recommendations, can the checklist be added to our packets? Gina clarified. Member Haslam said that the commission wants to see the checklist, memo from engineer, etc, on each applicant. Gina said that she will talk to Bill about that request.

11. Approval of minutes from September 22, 2016

**Member Sessions moved to approve the amended minutes from September 22. Second by Member Nance. Member Wilson abstained. The vote was unanimous by others. The motion carried.**

12. Adjourn

**Member Newton moved to adjourn. Second by Member Nance. The vote was unanimous. The motion carried.**

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
Chairman, Roland Haslam

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_  
Laurel Orr, Transcriptionist  
Planning and Development Services