



PLANNING COMMISSION AGENDA
Thursday September 30, 2010
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. Approval of agenda.
3. Declaration of conflicts of interest.
4. Approval of Minutes for September 16, 2010.
5. Public comment.
6. Discussion/Decision: To amend Chapters 8-2, 8-3, 8-4, 8-5, 8-8, 8-6, and 8-12 of the Morgan County Code pertaining to subdivision and development regulations.
7. County Council update.
8. Planning Commission business.
9. Adjourn.

**MORGAN COUNTY PLANNING COMMISSION MEETING
MORGAN COUNTY COURTHOUSE - RM. 29
THURSDAY September 30 – 6:30 P.M.**

MEMBERS PRESENT

Robert Wright
Trevor Kobe
Steve Wilson
Bill Weaver

STAFF PRESENT

Charlie Ewert, Planner Tech/Code
Teresa Rhodes, Planning Commission Assistant

MEMBERS ABSENT

Adam Toone
Brandon Andersen
Roland Haslam

COUNTY COUNCIL PRESENT

Howard Hansen

*** * * M I N U T E S * * ***

1. Call to order – prayer.

Chairman Wright called the meeting to order. He excused Council Member Kelley who was attending a “Meet the Candidate” night. He also excused Members Toone, Andersen, and Haslam. And noted that Member Haslam should be arriving soon and Member Toone may be arriving at a later time.

2. Approval of agenda.

Member Wilson moved to approve the agenda. Second by Member Weaver. The vote was unanimous. The motion carried.

3. Declaration of conflicts of interest.

There were no conflicts of interest declared.

4. Approval of Minutes for September 16, 2010.

Member Weaver moved to approve the minutes of September 16, 2010 with the one addition that member Haslam’s concerns regarding 7th Heaven would be clarified. Second by Member Wilson. The vote was unanimous. The motion carried.

5. Public comment.

There was no public comment at this time.

6. Discussion/Decision: To amend Chapters 8-2, 8-3, 8-4, 8-5, 8-8, 8-6, and 8-12 of the Morgan County Code pertaining to subdivision and development regulations.

The following was discussed:

- Fencing – rework paragraph
- Private streets
 - Members request that there be stringent standards for private streets to be built to County standards in case County ever has to assume the road.
 - Concern about eventual expense to County if HOA breaks down.
 - Perpetual maintenance agreement.
 - Allow gates in connection with private streets/roads– if you have a private road you should be able to have a gate.
 - Private driveway - P3 (50 feet or greater, maximum grade, only serve one dwelling, must be able to service a fire truck)
 - Distinguish in the definitions chapter between driveway and Private Street.
- Drainage – would current proposed wording have been efficient to take care of the issue such as what happened at Whisper Ridge.
 - Engineering standards.
- Utilities – underground
 - Concerns about access to the subdivision before the utilities go underground. i.e.: Whisper Ridge ran cable line on State ground.
- Wells
 - Source protection plan.
 - Radius
 - Adhere to Weber Morgan Health requirements. Member Kobe suggested defining well head protection as “defined in Weber Morgan health code.”
 - Individual wells
- Street lights
 - Member Kobe was in favor of a dark sky ordinance.
 - MPDR does have specific requirements for Dark sky. Current code basically says that all development must follow the MPDR requirement.
 - Member Kobe asked how strong that ordinance was.
- Monuments
 - Minimize the use of monuments.
 - Survey monuments

- Trees
 - Deep root – be specific. Member Kobe believed being too specific might not be helpful, but maybe a general classification (several tree species).
- Small Subdivision
 - Five lots.
 - Possible problems – cost of water system. Developers may just have to accept that this cost is just part of development.
 - Eight lots - agreed this would be the number. Could rework that number before final draft.
- 570 (e) Final decisions. Be specific on this. Notification to planning commission and County Council while in the process.
- 590 - Six months – are we consistent across the board on this? Charlie believed we were. Member Kobe would like to know if there is a reason for the six month time frame; if there is not he would like to see 90 days.
- Parking Lot discussion:
 1. Planning Commission still a recommending body at concept and preliminary for full subdivisions
 - a. Shall be notified at final for minor and small subdivisions. - Staff was asked to remove concept.
 2. Maximum length of dead ends is 1,000 feet (8-12-430-i) – staff was asked to research ingress and egress.
 3. Flag lots are only allowed in PRUD subdivisions, and shall comply with all requirements specified in the Morgan County Code (8-12-420)
 4. Private streets limited to (8-12-430-m, n), - remove “unless in PRUD”. Members agreed that private streets should possibly be limited to four lots and 30 feet wide.
 5. All streets paved except for single access driveways
 6. Water supply requirements re-evaluated: wells and community systems
 - a. Will serve required for community systems
 - b. Proof of water required for wells
 7. Fire provisions
 - a. Use of 2005 code as – recommend staff possible state –“*currently adopted state code*” so the code is always up to date OR just adopt the current state code and update as necessary.
 - b. Fire storage required, unless sprinklers are used for subdivisions of eight lots or less
 8. Street trees required in park strips (8-12-470)
 9. Fire suppression - Need a decision point – Need for - Access roads
 10. Should the ordinance distinguish between more urban and more rural areas - Members believed more research was needed – Member Kobe and Chairman Wright did not believe what was written addressed the meaning of “rural”? *design standards* would be the best way to define “rural”}
 11. What happened to the county review process (DRC?)

12. Flag lots (definition JJ) and shall comply with all requirements specified in the Morgan County Code (8-12-420) – Members would like to eliminate flag lots.
13. Use of Wild land Urban Interface code
14. Timeline for development – is it an issue?
15. Review process
 - a. Don't allow plat to be recorded until Final is approved
 - b. Expiration periods for approvals - 6 instead of 12 months
 - i. 12 months for Concept (8-12-200)
 - ii. 12 months for Preliminary (8-12-90)
16. Subdivisions are permitted uses with specific development requirements
 - a. Additional application requirements, such as better survey information, drainage analysis, plan submittals, title work, and digital files.
 - b. General Plan is less used – requirements based
17. Should concept plans be required for all subdivisions?
18. Should there be an exception provision in the subdivision ordinance? - recommend taking “exceptions” out.
19. “Rural” defined
20. What to do about land use violations
21. One lot subdivisions – are we ready to do this? - recommend *to put language in for one lot subdivisions and get something workable and enforceable)*
22. Record subdivision only after the development is complete (prelim, develop, final plat, record)
 - a. Or add more money up front – from 115% to 130%
23. Subdivision count clarified
 - a. 5 for small - eight was decided
 - b. 10 for concept - eight was decided
 - c. 8 for water
24. Move definitions to Title 2 - recommended that staff *take any definition in the entire code and define it in a definition section*
25. Refer to county council as the governing body - clean up in the code.
26. Eliminate all PRUD references – clean up in the code
27. BB – Include roads as an example of the kinds of things homeowner associations do
28. GG – Lot definition may need to be reworded - recommend language is more *precise on what “lot” means and add an example)*
29. Define the word rural – take it from the General plan - *Member Kobe suggested a starting point - one home per ½ acre. Research some areas in Montana, Wyoming, and Idaho and see how they define. It was decided to begin with the following definition “number of homes divided by the number of acres in a subdivision results cannot be more than 2 homes per acre and where there are more than two homes per acre there will be design standards.”*

30. Void section 8-12-70 - 8-12-070 one paragraph says accurate information second sentence says “may be voidable” recommend saying “is void” unless good reason not to.
31. How do we control scraps of land between subdivisions?
32. Clarify 430-h with regard to pathway fence
33. 450 – Utilities - Source protection detailed
34. Night sky ordinance (chapter 15) – recommend that staff make sure to have a solid definition.
35. Magic numbers are 5, 8, and 10 – moved to 8 for all three - eight was decided on.
 - a. 5 for small subdivision
 - b. 8 are for water
 - c. 10 requires concept
36. Three or six months to record.
37. Evidence of water for minor subdivisions.

Chairman Wright noted the following follow-up:

- Engineer to address private street
- Get answer from Attorney on “void or voidable” in #30

Member Weaver moved to table a decision to amend Chapters 8-2, 8-3, 8-4, 8-5, 8-8, 8-6, and 8-12 of the Morgan County Code pertaining to subdivision and development regulations. Second by Member Wilson. The vote was unanimous. The motion carried.

7. County Council update.

- Fenton CUP going before the County Council next week.
- Rocky Mountain Power is coming to visit with the Council about the power line in the Croydon area. The applicant may or may not come before the Planning Commission since the county has already given them authorization to move forward.
 - How much movement of dirt was discussed?
- Mr. Carver has postponed until the subdivision becomes legal.

8. Planning Commission business.

- October 20th – possible open house and public hearing on the general plan. Members requested to hold it on Thursday. Member Weaver would like it postponed a week later if at all possible and would like it posted on the County website when the date is determined. Chairman Wright requested it be pushed back a week for Member Weaver to be able to attend.
- Chairman Wright – is there any middle ground on accessory apartments?
- BOA ordinance change

- Next meetings October 14th and 28th

9. **Adjourn.**

Member Kobe moved to adjourn.

Approved: _____
Chairman

Date: _____

ATTEST: _____
Teresa A. Rhodes, Clerk
Planning and Development Services

Date: _____