



PLANNING COMMISSION AGENDA

Thursday, June 30, 2011

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 from June 16, 2011.
5. Public Hearing/Discussion/Decision: To amend portions of sections 8-2, 8-5A, 8-5B, 8-5C, 8-5D, and 8-6 of the Morgan County Code pertaining to temporary uses.
6. Staff Reports.
7. Adjourn.

**MORGAN COUNTY PLANNING COMMISSION MEETING
MORGAN COUNTY COURTHOUSE - RM. 29
THURSDAY June 30, 2011 – 6:30 P.M.**

MEMBERS PRESENT

Trevor Kobe, Chairman
Roland Haslam
Adam Toone
Darrell Erickson
Alvin Lundgren

STAFF PRESENT

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

MEMBERS ABSENT

Brandon Anderson
Chris Hales

COUNTY COUNCIL PRESENT

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

1. Call to order – prayer.

Chairman Kobe called the meeting to order.

2. Approval of agenda.

Member Lundgren moved to approve the agenda as presented. Second by Member Erickson. The vote was unanimous. The motion carried.

3. Declaration of conflicts of interest.

There were no conflicts of interest.

4. Approval of minutes from June 16, 2011.

Member Haslam moved to approve the minutes of June 16, 2011 with minor corrections. Second by Member Toone. The vote was unanimous with Member Lundgren abstaining because he was not present at the meeting. The motion carried.

5. **Public Hearing/Discussion/Decision: To amend portions of sections 8-2, 8-5A, 8-5B, 8-5C, 8-5D, and 8-6 of the Morgan County Code pertaining to temporary uses.**

Mr. Crowell presented his staff report (please see attached exhibit A).

Debbie Sessions –

Mrs. Session asked the following:

- Where would a shaved ice stand fit in the use table?
- Where do boutiques fit in the use table? She noted in the Peterson area they have boutiques that will run for three days that are usually based out of a home or another facility.
- Construction sites– believed anywhere in the County is probably appropriate for a construction site when someone like Snelson comes through because they are running the gamete of the entire county.

Member Lundgren moved to close the public hearing. Second by Member Erickson. The vote was unanimous. The motion carried.

Mr. Crowell asked to address some of Mrs. Sessions’s questions. He noted the following:

- Temporary retail sales are what a snow shack would be. There are two types of retail sales; a snow shack would be the second type which would be duration of 180 days.
- Boutiques are more than a garage sale. He requested more input with regard to what exactly the planning commission wanted to classify as a boutique. Not a clear definition of Boutique. The planning Commission may want to define because boutique might mean something to one individuals and something totally different to another.
 - Member Lundgren noted that boutiques would probably fall under the temporary retail sales. He asked if it would make a difference whether it is operated out of a home or another facility.

Chairman Kobe asked about the definition of a yard sale, garage sale, or boutique. Mr. Crowell noted one of the policy questions of whether you want to exempt them or not is whether you want them to be licensed and whether you want to capture any of the sales tax from it through licensing. If the county does not then they are garage sale and you do not want to get into that. If you want to capture the sales tax then you want them to be licensed as a temporary business and have a sales number. Member Lundgren recommended that a boutique be described as a business that lasts less than 30 days and make them exempt. These types of businesses are more of a hobby to the individuals that do them, then a money generating business. He did not believe the County would make enough out of a temporary permit to make it worth it for the County. It may also create more hassle and discourage the applicant from doing such a small event.

Member Toone – Where would little league sports fit in. Mr. Crowell noted it could be put in under community recreation and one of the *not limited to*’s.

Member Lundgren – discussed (5 sub-paragraph a) “limited to school property” it should be on school or public property just to keep that definition as broad as possible.

Chairman Kobe asked if there was a way to reference the current fee structure. Mr. Crowell noted it could be referenced to the fee schedule. But we want to make sure we address the need for bonding in the code. He recommended the bond be sufficient enough for the applicant to want to get their bond back.

There was brief discussion of the following:

- Construction sites: Pipeline companies and their construction sites were discussed.
- Road Events – Garbage pickup within 7 days versus immediate.
- Use of recreation centers.
- Movies in Parks similar to what Morgan City is doing.
- Exemptions.
- Noise ordinance.
- Flexibility on smaller events.

Member Haslam ask how this amendment has streamlined the application process. He noted he was opposed to revamping the entire section and asked why the use schedule could just be modified.

Member Erickson - believed each Member should give Mr. Crowell their comments and allow him to revise the draft one more time. Also, concentrate on larger events instead of small events.

Mr. Crowell – The council wanted to see if there was a way to do some more administrative approvals. If the County cannot have a conditional use process where they can add a bunch of conditions during the process to try to mitigate the damage of something then they need to have a little more written down about what should be on the plan. It does give the administrator a lot of discretion on whether to approve them or not. There is some authority vested just to have a decision made. It does take a lot of comfort. Many things are ministerial in nature and can be handled inside the building and can save people two or three months of process time.

Member Haslam moved to postpone a decision to amend portions of sections 8-2, 8-5A, 8-5B, 8-5C, 8-5D, and 8-6 of the Morgan County Code pertaining to temporary uses until July 14, 2011 on the basis to have more time to read through the topic and get more information. Second by Member Lundgren.

Member Lundgren moved to amend the motion to send staff our comments and instruct staff to review those comments and see how they might fit within the ordinance and if staff in in agreement with those suggestions to include those and the planning commission would review those at the July 14th meeting. Second by Member Erickson the vote was unanimous. The amendment to the motion carried.

Chairman Kobe would recommend in the *exemptions and uses allowed* section that at the next meeting there are specific examples we could cross off or add to it. If we add any language to it we need to make sure the language is not too cumbersome. Make sure we consider the wording if we take away or add to it.

The Chairman called for a vote on the original motion.

The vote was unanimous. The motion carried.

6. Staff Reports.

- Mr. Crowell noted the Council decided that the working group committee for the Snow Basin ordinance should consist of three members each from the Planning Commission and County Council. They believed three would be better than two. The following names were submitted for Council: Council Member Kelly, Nelson, Kippen.

He noted it has been recommended that this committee meet once a month on Wednesdays. He requested the Planning Commission decide what three member would like to serve on the work group committee?

The Member decided on the following members to serve: Member Erickson, Member Lundgren and Member Anderson.

Member Haslam moved to appoint Member Erickson, Member Lundgren and Member Anderson to the Snow Basin workgroup committee

- The Anderson Rezone was postponed by the County Council to look at some other alternatives to approve just two lots.
- Fair ground uses text amendment was passed by the Council.
- Rollins Ranch was discussed

7. Adjourn.

Member by Member Lundgren to adjourn. Second by member Erickson.