



PLANNING COMMISSION AGENDA
Thursday, June 27, 2013
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. Public Comment

Legislative Items

5. **Public Hearing**/Discussion
 - a. Amend County Code to Repeal the CD Zone
 - b. Waterspring LLC Rezone
 - c. Jaques Rezone
6. Decision: Waterspring LLC Rezone
7. Decision: Jaques Rezone
8. Decision: Amend County Code to Repeal the CD Zone
9. **Public Hearing**/Discussion/Decision: Johnson Future Land Use Map Amendment
10. Staff Report.
 - a. Next scheduled Planning Commission
11. Approval of minutes from June 13, 2013
12. Adjourn.

1. **Call to order – prayer.**

Chairman Haslam welcomed everyone and also welcomed David Sawyer to the Planning Commission. Member Sawyer will replace Member Alvin Lundgren.

Prayer was offered by Member Newton.

2. **Approval of agenda.**

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

3. **Declaration of conflicts of interest.**

There were no conflicts of interest declared.

4. **Public Comment**

Member Erickson moved to open public comment. Second by Member Stephens. The vote was unanimous. The motion carried.

There were none.

Member Sessions moved to close public comment. Second by Member Newton. The vote was unanimous. The motion carried.

Legislative Items

5. **Public Hearing/Discussion**

Member Sessions moved to open public comment. Second by Member Sawyer. The vote was unanimous. The motion carried.

Blair Larsen – noted he was on the Mtn. Green DAT and Envision Morgan committee. If this was on the other foot and it was someone other than the County who wanted to get this zone change it would not go as quickly as it appears this is going. Mr. Larsen referred to the Morgan County General Plan, page 3 under existing zoning. He also referred to page 12 regarding town centers.

Ty Eldridge – Not a big fan of the central development but also not a fan of re-zoning people's property. He noted if they want to re-zone they should request it themselves.

a. Amend County Code to Repeal the CD Zone

Charlie presented his staff report.

He noted recent events and development in the CD zone has given staff and County Council indication that the CD zone may actually not be doing what it is suppose to be doing which is create a town center in the central village of Mountain Green. The County Council has acknowledged that it is not actually functioning as they desire it to function and has directed staff to move forward with a repeal of that zone. In repeal of that zone, staff realizes that there are other properties in the County that have already been zoned to the CD zone. He noted that in the repeal of the CD zone, those that have not actually exercised the entitlement, won't automatically have entitlement under that zone. You either (a) restrict any use of the property which could be argued as a constitutional taking, or (b) essentially grandfather them under the terms of the existing ordinance.

Given the Council's directive to repeal the CD zone, staff wanted to take the path of highest maximization and determine exactly how we help the county ensure that some of the difficulties they have realized through the execution of the other developments in the CD zone don't get executed again.

In doing this staff recognizes two properties that have not had entitlements granted under the CD zone, Dee Jaques property and Water Springs LLC; Bart Smith property. Mr. Ewert pointed out the locations of these properties on a map. He noted Mr. Jaques has a residential home on his property with a few accessories and Water Springs is currently a vacant property with no apparent entitlements.

Issues with the CD zone:

- Who is really authorized to be land use authority?
- Submitting a development plan and executing through a development agreement.

He noted Council did not say to go re-zone either of these properties the council asked to repeal the CD zone. As he evaluated that he tried to figure out the best way to get the CD zone repealed without having any dangling unintentional consequences in doing so. He noted this was the best plan staff believed would provide for that; certainly there are other ways to do this, and one is to not re-zone the property. Actual administration of the CD zone is fairly impractical for a two acre piece of property. One option is to expand the CS zone onto the two properties. The reason they did not go with that option is that County Council has also given staff a separate directive to re-write the use allowances of that zone and every other commercial

code that the county has. Staff is currently in the process of re-writing all the commercial zones to gear them towards more commercial friendly development and streamlining processes allowing for less robust process to get something executed.

He noted in order to give the property owner a zone that complies with their current lot size and make the property conforming, staff would recommend an RR-5 zone. He noted the CD zone is not going to be gone forever. The General Plan of Morgan County recommends a town center zone, and right now the CD zone is suppose to be that, but considering it is not working the County Council has given the directive to repeal and re-tool that zone.

Member Sessions asked if Mr. Ewert talked to the landowners before noticing these re-zones. Mr. Ewert stated staff did not.

She asked about the Nye's property. Mr. Ewert noted that there are two properties which still have entitlement under the CD zone; Nye's is one of those properties. It is excluded from the Johnson development plan and there are existing entitlements that have been granted under the CD zone on this property. The other property is the Aspen Meadows property. If these properties are re-zoned they could potential be zoned into non-conformity.

Member Sessions noted that staff has stated they have been asked to re-write all the commercial zones; she noted she does not remember that directive. Mr. Ewert noted that they were asked to streamline commercial processes to provide an environment that induces more economic development potential. He referred to Title 8, Chapter 5 Article C there is a broad long 14 pages list of uses that are allowed and not allowed in the zones. He believes council has asked to consolidate and condense.

Member Sessions referred to the audio of the February 19, 2013 County Council in which this direction was given to eliminate the CD zone or at least make a recommendation. Chairman Kelly stated this would not affect anyone who is currently zoned CD. Mr. Ewert noted when he was working through his evaluations he did not see any other way that would actually satisfy the Council's desire to not have to deal with what was dealt with in the Johnson property.

Mr. Newton asked what the time line is for writing all these commercial zones. Mr. Ewert noted is that it is lengthier than originally anticipated. He is hoping he can have something in front of the County Council within the next two months.

Mr. Erickson asked if Mr. Ewert could give some other examples of why this is something that is not working for the County.

Charlie referred to all the red-line strikeouts in the packet, particularly 8-5D-18 Planned Unit Development.

- The County has broad discretion – mixed use/residential is not defined.

Member Sessions recommended gutting the existing CD zone and re-writing it.

Mr. Ewert noted that by this coming to the Planning Commission, possibly they can flush out ideas that maybe staff has not thought about.

Broad discussion took place on the following:

- Delays due to re-write of commercial.
- Possibilities to property owners if staff was to gut the zone.
- RR -5 being detrimental to land owners.

b. Water spring LLC Rezone

Bart Smith, Water springs LLC – surprised when he got the notice that the county was going to initiate this. CD is the maximum use compared to the RR-5 which is the minimum conforming use. He understands what the County is trying to do. He likes what Member Sessions has suggested; rather than throw the entire CD zone out, maybe overhaul it. Put the zone into a moratorium until it can be re-written. Only advantage he could see going to the RR-5 is if he could get the assessor to reassess his property with this zone, but noted she does not do that, she assesses on potential use. He noted there is no income coming in so taxes are delinquent on this property.

Chairman Haslam asked what Mr. Smith's preference was. He said if he could get the assessor to assess it as a 5 acre parcel that has \$1000 tax value versus \$10000 in taxes he would prefer that.

He noted that he believed the best interest would be to get it to where it needs to be. Possibly re-write the zone. He noted if it is zoned to RR-5 he could sell it and someone could buy it and build a house right down in the middle of the town center which doesn't make sense.

Mr. Smith noted during the Olympics there was 4 feet of fill brought in. Under the CD he has to have a development plan just to grade it down. Under the CS zone he just has to come in and get a conditional use permit. With that understanding he would prefer to go under the CS zone which is consistent with the adjoining zone.

Dee Jaques – Mr. Jakes noted he does not care whether it is zoned RR-1 or commercial but he does have people looking at it and he is in limbo selling it until

this is settled. Commercial is what he requested five years ago and he has paid his due and pays taxes on that zone.

Member Sessions stated in essence, all commercial is tied up. The perception is that the County is anti-business. Right now it appears that all commercial options are taken off the table for developers and she does not believe it is good policy to tackle all commercial zones at once.

- CS zone was discussed.
- Excavation requirements in the different zones were discussed. Charlie suggested maybe adding a line item for excavation.
- Negative and positive aspects of zoning to CS were discussed.
- Noticing was discussed.

c. Jaques Rezone

The discussion under Water springs LLC encompassed this rezone discussion item as well.

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

6. Decision: Watersprings LLC Rezone

Member Sessions moved to forward a positive recommendation to the County Council for the County initiated rezone request for Morgan County/Watersprings, LLC Rezone Request, application #13.059, rezoning approximately 5.48 acres of property at approximately 4960 West Old Highway Road from CD to CS, based on the findings listed in the staff report dated June 19, 2013, and as modified by changing in finding #4 the (2) references of RR-5 to CS's and request staff to bring forward a text amendment to add excavation as a conditional use in the commercial land use table.

1. Because of ambiguous, vague or contradictory provisions, the CD Zone has proven impractical to appropriately administer.
2. Because of the aforementioned flaws in the CD zone, it is found that the CD zone does not comply with the "Town Center" designation in the 2010 Morgan County General Plan, in that "Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a

Town Center area”.

3. By removing the CD designation from the property the County can more appropriately facilitate the re-creation of a new “Town Center” zone?
4. By rezoning to the CS zone the County is preserving the property owner’s potential to develop under the terms of the CS zone by providing a zone most compatible with the current property configuration and uses, and other current uses in the vicinity.

Second by Member Stephens.

Chairman called for debate

Member Sessions stated that she does not want to do something detrimental to the land owner and wants to allow them to do something with their land while this zone is being re-written.

Member Erickson stated if we change this to CS he did not believe anyone in the room realizes the impact of that. He does not want to make a CS decision that gives them a bad circumstance for them to deal with. Certainly there is the option for any landowner to come in and make the request themselves. He does not like to say that we just arbitrarily killed the CD process as the County Council has asked. He would rather see the CD zone put on hold and therefore no one can deal with that zone until the county revises CD policy. It certainly needs to be fixed and he heard Mr. Ewert state that could probably be done in two months given the priority from the County Council. He believes Mr. Larsen said it best; leave it alone. Let the individual property owner deal with it as they can best decide to deal with it.

Member Sessions stated she agrees with Member Erickson, however zoning allows Mr. Smith to excavate. Mr. Erickson noted it does because he has the option to come in and re-zone if he wants to CS.

There was discussion of dealing with the CD zone universally.

Chairman suspended the rules temporarily to allow Mr. Smith to make comment.

Bart Smith - noted the CS zone works good to accommodate what they want to do right now to excavate. If the town center comes in he would be inclined to maybe rezone the property to the new zone; this will save him a step.

The Chairman called for a Vote.

The vote was not unanimous with Members Stephens, Sessions, Newton, Sawyer for and Member Erickson against. The motion carried with the vote of four to one.

7. Decision: Jaques Rezone

Member Sessions moved to forward a positive recommendation to the County Council for the County initiated rezone request for the Morgan County/Dee Jaque Property, application #13.060, rezoning approximately 2.45 acres of property at approximately 5190 West Old Highway Road from CD to CS, based on the findings listed in the staff report dated June 19, 2013, and as modified by changing in finding #4 the (2) references of RR-1 to CS's and request staff to bring forward a text amendment to add excavation as a conditional use in the CS land use table.

1. Because of ambiguous, vague or contradictory provisions, the CD Zone has proven impractical to appropriately administer.
2. Because of the aforementioned flaws in the CD zone, it is found that the CD zone does not comply with the "Town Center" designation in the 2010 Morgan County General Plan, in that "Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area".
3. By removing the CD designation from the property the County can more appropriately facilitate the re-creation of a new "Town Center" zone.
4. By rezoning to the CS zone the County is preserving the property owner's potential to develop under the terms of the CS zone by providing a zone most compatible with the current property configuration and uses, and other current uses in the vicinity.

Second by Member Sawyer.

Chairman called for debate

Member Sessions stated her reason would be the same as stated in the Water Springs application.

Member Sawyer noted this allows the property owner to do what he would like and in two months we may have something from staff. Believed this protected the property owner for the time being.

Member Erickson noted his comments would be the same as stated in the Water Springs discussion.

Member Newton noted he had concern with this only because of which Mr. Jaques stated was a potential buyer.

The Chairman called for a vote.

The vote was not unanimous with Members Stephens, Sessions, Newton, Sawyer for and Member Erickson against. The motion carried with the vote of four to one.

8. Decision: Amend County Code to Repeal the CD Zone

Member Sawyer moved to forward a positive recommendation to the County Council for the proposed CD zone repeal amendment, application 13.011, as presented in the staff report and based on the findings listed in the staff report dated June 21, 2013. Second by Member Sessions

The Chairman called for debate.

Member Erickson asked if it is repealed then what do owners such as Nye's Glass and the Johnson property use as a tool. Charlie noted that existing CD properties (Nye's glass and Johnson property) have entitled rights. It cannot be expanded or improved.

The vote was not unanimous with Members Stephens, Sessions, Newton, and Sawyer for and Member Erickson against. The motion carried with the vote of four to one.

9. Public Hearing/Discussion/Decision: Johnson Future Land Use Map Amendment

Member Sessions moved to open a public hearing. Second by Member Newton. The vote was unanimous. The motion carried.

Jeff Nielsen – Live one lot away from the Johnsons and has come to support them in their request to build the outbuilding they would like to build. They would be the neighbors directly impacted. They do not mind having this building on the property.

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

Mr. Johnson presented the planning commission with a handout (Please see attached exhibit C) His understanding is that if the PRUD was still in force this would not be a problem, if they were zoned RR-5 this would not be a problem, or even if they were still vested in the PRUD this would not be a problem. The only scenario where this would not be allowed is the current situation where they were in a PRUD and are not in one anymore; it is an unattended consequence.

Member Sessions noted in driving by it appears the building has already started. She asked Mr. Johnson to comment on that.

Mr. Johnson noted it is an outbuilding and he did not know he had to have a building permit for it. Once he found that out he stopped at that point and come to get a building permit and then found out the current situation.

Member Sawyer noted one of the recommendations is that other properties be held to the same rules and asked if Mr. Johnson knew if any of them would have a problem. Mr. Johnson noted from what he can tell there is no negative consequence.

Member Sessions asked if Mr. Johnson was aware of the frontage requirement in the RR-1. She did not believe this would be a solution to the problem. That is one of the perks of the PRUD is that you do not have to have the frontage requirement of the zone

Mr. Johnson noted he does not care what zone is decided on; the only thing he cares about is being able to build his outbuilding. He noted he was not sure why this PRUD is not still vested even though the ordinance was re-pealed.

Charlie Ewert presented his staff report (Please see attached exhibit D) The County had a PRUD ordinance and that ordinance gave individuals flexibility; Surrey Estates was one of those.

There was discussion on non-conforming use.

Mr. Ewert noted another option is to write something simple in the County subdivision ordinance regarding existing PRUD being able to remain vested.

Member Sawyer asked when the new flexible subdivision ordinance would be done. Mr. Ewert noted when he can get 14 people to agree on something.

Building envelopes were discussed.

Member Sessions moved to postpone indefinitely the Matt Johnson Future Land Use

Map Amendment, application #13.046, as presented in the June 21, 2013 staff report. Second by Member Stephens.

The Chairman called for debate.
There was none.

The vote was unanimous. The motion carried.

Member Stephens moved to recommend staff to add an amendment to the code that will allow modifications to current PRUD's while preserving the original parameters of the ordinance. Second by Member Erickson.

The Chairman called for debate.
There was **none**.

The vote was unanimous. The motion carried.

10. Staff Report.

a. Next scheduled Planning Commission

Charlie noted there would be a field trip for the Planning Commission and County Council to tour Snow Basin on July 9, 2013.

It was decided that July 25th would be the next meeting if staff could confirm a quorum. If not, August 8th would be the next meeting.

11. Approval of minutes from June 13, 2013

Member Erickson moved to approve the minutes of June 13, 2013 as typed. Second by Member Newton. Member Newton abstained. The vote was unanimous. The motion carried.

12. Adjourn.

Member Stephens moved to adjourn. Second by Member Sawyer. The vote was unanimous. The motion carried.

Exhibit A - Public Hearing/Discussion Waterspring LLC Re-zone

STAFF REPORT

June 19, 2013

Planning and Development Services

To: Morgan County Planning Commission
Business Date: 6/27/13

Prepared By: Ronda Kippen, Planning Technician

Re: **County Initiated Rezone of Waterspring, LLC Property**

Application No.: 13.059

Applicant: Morgan County

Project Location: Approximately 4960 West Old Highway Road

Zoning: CD

Acreage: 5.48 Acres

Request: County initiated rezone of 5.48 acres of property located approximately at 4960 West Old Highway Road from CD to RR-5.

SUMMARY

The County Council has directed Staff to repeal the Central Development (CD) Zone due to ambiguous, vague or contradictory provisions that make the CD zone impractical to appropriately administer. Staff is proposing to rezone the vacant property owned by Waterspring, LLC located at approximately 4960 West Old Highway Road, also identified as Serial# 03-005-044-01. Staff is recommending rezoning the subject property from the current CD zone to the RR-5 zone to ensure a zone most compatible with the current configuration and uses of the property, and other uses in the vicinity. By rezoning the property to this zone the County will maximize the preservation of the land owner's existing and established land use rights. Once the Morgan County Code has been revised regarding commercial zones and uses, the County may move forward with a more appropriate zone that will help facilitate the creation of the "Town Center" area that has been identified in the 2010 Morgan County General Plan. This rezone is only intended to as a "place holder" until the County can re-create a better "Town Center" zone.

The property that has been identified to be rezoned to RR-5 is vacant ground adjacent to a variety of zones including agricultural, residential and commercial. In the event that there is a use that has been legally established prior to the County's amendment to the zoning map; that use will be allowed to continue as long as it is not expanded or abandoned as defined by the County's nonconforming use chapter Morgan County Code (MCC) 8-7-5. The recommended zone was selected in an attempt of creating as little non-conformity as possible.

Staff are advising that because administration of the CD zone has proven detrimental to the County, rezoning the property to *any* other existing zone will help the County better comply with the goals and

objectives of the 2010 General Plan by providing the County time to re-create a new “Town Center” zone. Staff are not recommending a rezone to any other commercial zone at this time because of another directive from the County Council to modify all commercial zones to create more commercial development friendly processes, but because we are only in the preliminary stages in providing such modifications we cannot provide any concrete verification of how other commercial zones will affect the surrounding area. This recommendation is a conservative approach by staff to provide the Planning Commission with results that are verifiable by steering clear of the current unknowns of the ongoing commercial code re-write.

ANALYSIS

Planning Commission Responsibility. Pursuant to MCC 8-3-3, the Planning Commission shall review the [zoning map] amendment application and certify its recommendations concerning the proposed amendment to the governing body within forty five (45) days from receipt of the amendment application in a regularly scheduled meeting. The Planning Commission shall recommend adoption of a proposed amendment only where the following findings are made:

1. The proposed amendment is in accord with the master plan of the County.
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of this title.

General Plan. The first finding that the Planning Commission must make in order to make a positive recommendation for this rezone is that it is in accord with the master plan of the County. The 2010 General Plan and accompanied Future Land Use Map (as amended) is the County’s master plan. The following are excerpts from the plan that may be relevant in evaluating this request (italics added for emphasis):

One municipality (Morgan) and six village centers are located in Morgan County; Mountain Green, Peterson, Enterprise, Stoddard, Croydon, and Porterville. Most of these areas have identified future growth areas. The majority of future development in Morgan County is anticipated to occur in or near these areas. (Pg. 5-7)

Both the text of the General Plan and the Future Land Use Map must be considered when making decisions about future development or redevelopment. (Pg. 7)

Town Center projects should be designed to provide maximum compatibility with surrounding land uses. *Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area. (Pg. 12)*

The CD zone anticipates that the Planning Commission and County Council has more discretionary ability to provide additional administrative development requirements to obtain optimal aesthetic controls in the CD zone than are actually enumerated in the code; however, administrative law does not support this. Such application of administrative discretion has resulted in cases of arbitrary decision making. In

other words, the attorneys have told us that when it comes to administering the law we can't simply "make it up as we go."

Thus, it appears that the Planning Commission may find that the proposed rezone may conform to the intent of the County's master planning efforts because the practical administration of the CD zone has inconsistencies that conflicting with the desired "Town Center" designation in the Mountain Green area, and should be removed from properties that are not currently vested in its rules.

Zoning. The Planning Commission should evaluate the request based on the potential changes in use and compatibility with existing conditions. To begin the evaluation, it is important to know the purpose of each zone and how they relate to each other.

The purpose of the CD zone is as follows:

The central development district zone is established to stimulate economic development by providing a unique planning environment for commercial and office development. This district encourages creative development and site design for mixed use commercial, office and residential uses within "planned commercial centers" and is appropriately reserved for use within town and resort centers only.

Despite the good intentions of this purpose, the actual administration of the CD zone has not yielded the best results due to administrative requirements that do not give the County the discretionary authority that the CD zone was intended to contemplate. The type of discretionary authority the CD contemplates reflects legislative authority, not administrative.

The purposes of the RR-5 zone are as follows:

- To promote and preserve in appropriate areas conditions favorable to large lot family life;
- Maintaining a rural atmosphere;
- The keeping of limited numbers of animals and fowl; and
- Reduced requirements for public utilities, services and infrastructure.
- These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

The sizes and uses of properties adjacent to the subject property vary. To the east of the property there is gravel pit and has been zoned A-20. Located south and east (across Old Highway Road) of the property, there are established commercial uses located in the Commercial Highway zone, a small area zoned RR-1 and A-20 as well as the Mountain Green Village PUD property that has been zoned Central Development, the development agreement for which was approved by the County Council in their June 18, 2013 meeting. To the north and west are properties of agricultural uses zoned A-20 and commercial uses zoned CS. The uses of properties in the area prime this property for many types of compatible uses; it may be found that the RR-5 zone will suit the area well, until the County can provide a re-created "Town Center" zone. (See Exhibit B)

When evaluating a rezone, it is critical to evaluate the potential for land use changes that the proposed

zone permits and/or conditionally permits. However unlikely, it is appropriate to evaluate the rezone as if the property is being used to the fullest extent allowable by County land use ordinance. A comparison of the differences in the allowed uses between the proposed RR-5 zone and the existing CD zone is a useful method to determine the potential change the rezone may have on the area. See Exhibit C for this comparison.

The following eight criteria should be evaluated when determining the impact of the potential rezone:

1. Potential density: The amount of land currently in the CD zone is 2.45 acres. The CD zone allows a mixture of residential and commercial uses, with a potential for residential development of 16 units per acre, or approximately 87.68 equivalent residential units (ERU's) on this property. A 5.48 acre zone change from CD to RR-5 could result in a total density of 1.096 residential units. The potential rezone would decrease the overall density of the property by 86.584 units.
2. Access: The proposed rezone property has roughly 657 feet of frontage along Old Highway Road, formerly known as U.S. Highway 30-S. Isolating only frontage as review criteria, there could potentially be two single family lots developed along the frontage of the road, given that the minimum frontage in the RR-5 zone is 250 feet.
3. Circulation: Old Highway Road is a thoroughfare that provides connections to and passed the subject property and other public streets in the County. Circulation to the property does not appear to be an issue.
4. Culinary Water Resources: Private culinary water systems serve the culinary water needs of the area. There is also the option for private wells supposing the property is large enough to support the required wellhead protection zone(s). The applicants will need to provide indication from a local water company of their willingness to serve the property or provide water right information, well log information, and Health Department approval if the property will be served by a private well prior to development on the property.
5. Sewer: The property falls within the boundaries of the Mountain Green Sewer Improvement District. They will be required to seek the district's approval to connect to the system prior to developing.
6. Fire Protection: The property is not in the Wildland Urban Interface Area, so a specific fire protection plan is not required. If/when it is developed it may still be required to have certain fire suppression as required by the local Fire Official.
7. Topographic Features: The property has a very mild grade. It was originally graded some years ago to provide parking for the 2002 Winter Olympics. Topography does not seem to be a concern for potential future development.
8. Geology: The property appears to be in the "Qa[p]" geologic unit designation, which is not listed in MCC §8-5I as a hazardous unit.

Further Considerations. The property was rezoned from RR-1/A-20 to the CD zone in 2008 by ordinance CO-08-04. This rezone came at the request of a land owner, Tyler Quigley. Staff have conducted thorough research of this zone change because it appears the requester of the change did not own the property. In fact, one of the owner's of the property, Bart Smith, has recently indicated to the County that he had no idea that the rezone had ever occurred and suggested that it may have occurred by mistake.

It is difficult to tell based on previous Staff's records in the Planning and Development Services Department what property was intended for this rezone, and upon review of meeting minutes it seems possible that the property intended to be rezoned to the CD zone is on the corner of Trapper's Loop Road and Old Highway road, a property owned by Tyler Quigley. However, the County Council signed and executed ordinance CO-08-04, which provided a legal description that rezoned Mr. Smith's property (the subject Watersprings, LLC property), and not Mr. Quigley's property.

Noticing. The MCC 8-3-3 requires a public hearing for a rezone when the County Council's hears the rezone request. State law 17-27a-205 requires the first public hearing (whatever body is hearing it) to be noticed on the County's website and published in a newspaper of general circulation in the area at least 10 calendar days before the public hearing, and mailed to the property owner affected by the change, as well as adjacent property owners within parameters specified by the county (which is 1000 feet in Morgan County). As part of the application process the applicant was responsible for identifying these property owners and for providing the County with a mailing list. The County sent notices to all individuals on the mailing list.

This public hearing notice was posted at a minimum within the State and County requirements in the following manner:

1. Posted to the County website within 10 days prior to this meeting.
2. Published in the Morgan County News within 10 days prior to this meeting.
3. Mailed to property owners within 1000 feet of the affected property.
4. Mailed to the property owner.
5. Posted in the foyer of the Morgan County Courthouse.

STAFF RECOMMENDATION

Staff recommends that if the Planning Commission can make the following findings for approval of the Morgan County/Watersprings, LLC rezone that it do so based on the following findings:

1. Because of ambiguous, vague or contradictory provisions, the CD Zone has proven

impractical to appropriately administer.

2. Because of the aforementioned flaws in the CD zone, it is found that the CD zone does not comply with the "Town Center" designation in the 2010 Morgan County General Plan, in that "Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area".
3. By removing the CD designation from the property the County can more appropriately facilitate the re-creation of a new "Town Center" zone.
4. By rezoning to the RR-5 zone the County is preserving the property owner's potential to develop under the terms of the RR-5 zone by providing a zone most compatible with the current property configuration and uses, and other current uses in the vicinity.

MODEL MOTION

Sample Motion for a *Positive* Recommendation – "I move we forward a positive recommendation to the County Council for the Morgan County/Watersprings, LLC Rezone Request, application #13.059, rezoning approximately 5.48 acres of property at approximately 4960 West Old Highway Road from CD to RR-5, based on the findings listed in the staff report dated June 19, 2013, and as modified by the findings below:"

1. List any additional findings...

Sample Motion for a *Negative* Recommendation – "I move we forward a negative recommendation to the County Council for the Morgan County/Watersprings, LLC Rezone Request, application #13.059, rezoning approximately 5.48 acres of property at approximately 4960 West Old Highway Road from CD to RR-5, based on the following findings:

1. The current condition of the area does not merit changed or changing conditions. The area is not yet ready for the rezone request.
2. That the proposal does not conform to the Morgan County 2010 General Plan Future Land Use Map (as amended).
3. List any additional findings...

ADDITIONAL INFORMATION

Exhibit A: Morgan County Future Land Use Map

Exhibit B: Current Zoning and Aerial Picture Showing Uses

Exhibit C: Comparison of Land Use Permission Differences between CD and RR-5

Exhibit B – Public Hearing/Discussion Jaques Rezone

Planning and Development Services

STAFF REPORT

June 19, 2013

To: Morgan County Planning Commission
Business Date: 6/27/13

Prepared By: Ronda Kippen, Planning Technician
Charles Ewert, Planning Director

Re: **County Initiated Rezone of Jaques Property**

Application No.: 13.060
Applicant: Morgan County
Project Location: 5190 West Old Highway Road
Zoning: CD
Acreage: 2.45 Acres
Request: County initiated rezone of 2.45 acres of property located at 5190 West Old Highway Road from CD to RR-1.

SUMMARY

The County Council has directed Staff to repeal the Central Development (CD) Zone due to ambiguous, vague or contradictory provisions that make the CD zone impractical to appropriately administer. Staff is proposing to rezone the residential property owned by Dee Jaques located at 5190 West Old Highway Road. Staff is recommending rezoning the subject property from the current CD zone to the RR-1 zone to ensure a zone most compatible with the current configuration and uses of the property, and other uses in the vicinity. By rezoning the property to this zone the County will maximize the preservation of the land owner's existing and established land use rights. Once the Morgan County Code has been revised regarding commercial zones and uses, the County may move forward with a more appropriate zone that will help facilitate the creation of the "Town Center" area that has been identified in the 2010 Morgan County General Plan. This rezone is only intended to as a "place holder" until the County can re-create a better "Town Center" zone.

The property that has been identified to be rezoned to RR-1 is residential property adjacent to a variety of zones including agricultural, residential and commercial. In the event that there is a use that has been legally established prior to the County's amendment to the zoning map; that use will be allowed to continue as long as it is not expanded or abandoned as defined by the County's nonconforming use chapter Morgan County Code (MCC) 8-7-5. The recommended zone was selected in an attempt of creating as little non-conformity as possible.

Staff are advising that because administration of the CD zone has proven detrimental to the County,

rezoning the property to *any* other existing zone will help the County better comply with the goals and objectives of the 2010 General Plan by providing the County time to re-create a new “Town Center” zone. Staff are not recommending a rezone to any other commercial zone at this time because of another directive from the County Council to modify all commercial zones to create more commercial development friendly processes, but because we are only in the preliminary stages in providing such modifications we cannot provide any concrete verification of how other commercial zones will affect the surrounding area. This recommendation is a conservative approach by staff to provide the Planning Commission with results that are verifiable by steering clear of the current unknowns of the ongoing commercial code re-write.

ANALYSIS

Current Uses and Lot Configuration. The current use of the property is primarily residential. It has one residence on it and several accessory buildings. The lot is generally rectangular in shape, with approximately 200 feet of frontage along Old Highway Road. It appears from aerial photography that the current residence is setback from property boundaries the minimum of 15 feet as required by the proposed zone.

Planning Commission Responsibility. Pursuant to MCC 8-3-3, the Planning Commission shall review the [zoning map] amendment application and certify its recommendations concerning the proposed amendment to the governing body within forty five (45) days from receipt of the amendment application in a regularly scheduled meeting. The Planning Commission shall recommend adoption of a proposed amendment only where the following findings are made:

3. The proposed amendment is in accord with the master plan of the County.
4. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes of this title.

Staff are advising that because administration of the CD zone has proven detrimental to the County, rezoning the property to *any* other existing zone will help the County better comply with the goals and objectives of the 2010 General Plan by providing the County time to re-create a new “Town Center” zone whilst ensuring no more development proposals are presented under requirements of the CD zone; and it is with this assertion that Staff believe the Planning Commission may find that the rezone does comply with the intent of the 2010 General Plan. Staff also advise that because the Council requested the repeal of the CD zone that the Planning Commission may find that changing conditions do indeed exist.

General Plan. The first finding that the Planning Commission must make in order to make a positive recommendation for this rezone is that it is in accord with the master plan of the County. The 2010 General Plan and accompanied Future Land Use Map (as amended) is the County’s master plan. The Future Land Use Map identifies the area in question as a “Town Center” (see Exhibit A). The following are excerpts from the plan that may be relevant in evaluating this request (italics added for emphasis):

One municipality (Morgan) and six village centers are located in Morgan County; Mountain

Green, Peterson, Enterprise, Stoddard, Croydon, and Porterville. Most of these areas have identified future growth areas. The majority of future development in Morgan County is anticipated to occur in or near these areas. (Pg. 5-7)

Both the text of the General Plan and the Future Land Use Map must be considered when making decisions about future development or redevelopment. (Pg. 7)

Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area. (Pg. 12)

The CD zone anticipates that the Planning Commission and County Council has more discretionary ability to provide additional administrative development requirements to obtain optimal aesthetic controls in the CD zone than are actually enumerated in the code; however, administrative law does not support this. Such application of administrative discretion has resulted in cases of arbitrary decision making. In other words, the attorneys have told us that when it comes to administering the law we can't simply "make it up as we go."

Thus, it appears that the Planning Commission may find that the proposed rezone may conform to the intent of the County's master planning efforts because the practical administration of the CD zone has inconsistencies that conflicting with the desired "Town Center" designation in the Mountain Green area, and should be removed from properties that are not currently vested in its rules.

Zoning. The Planning Commission should evaluate the request based on the potential changes in use and compatibility with existing conditions. To begin the evaluation, it is important to know the purpose of each zone and how they relate to each other.

The purpose of the CD zone is as follows:

The central development district zone is established to stimulate economic development by providing a unique planning environment for commercial and office development. This district encourages creative development and site design for mixed use commercial, office and residential uses within "planned commercial centers" and is appropriately reserved for use within town and resort centers only.

Despite the good intentions of this purpose, the actual administration of the CD zone has not yielded the best results due to administrative requirements that do not give the County the discretionary authority that the CD zone was intended to contemplate. The type of discretionary authority the CD contemplates reflects legislative authority, not administrative.

The purposes of the RR-1 zone are as follows:

- To promote and preserve in appropriate areas conditions favorable to large lot family life;
- Maintaining a rural atmosphere;
- The keeping of limited numbers of animals and fowl; and
- Reduced requirements for public utilities, services and infrastructure.

- These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

The sizes and uses of properties adjacent to the subject property vary. To the east of the property is Old Farm Market and has been zoned CS. Located south and east (across Old Highway Road) of the property, there are established commercial uses located in the Commercial Highway zone, a small area zoned RR-1 and A-20 as well as the Mountain Green Village PUD property that has been zoned Central Development, the development agreement for which was approved by the County Council in their June 18, 2013 meeting. To the north and west are properties of agricultural uses zoned A-20 and residential uses. The uses of other properties in the area prime this property for many types of compatible uses; it may be found that the RR-1 zone will suit the area well, until the County can provide a re-created "Town Center" zone. (See Exhibit B)

When evaluating a rezone, it is critical to evaluate the potential for land use changes that the proposed zone permits and/or conditionally permits. However unlikely, it is appropriate to evaluate the rezone as if the property is being used to the fullest extent allowable by County land use ordinance. A comparison of the differences in the allowed uses between the proposed RR-1 zone and the existing CD zone is a useful method to determine the potential change the rezone may have on the area. See Exhibit C for this comparison.

The following eight criteria should be evaluated when determining the impact of the potential rezone:

9. Potential density: The amount of land currently in the CD zone is 2.45 acres. The CD zone allows a mixture of residential and commercial uses, with a potential for residential development of 16 units per acre, or approximately 39.2 equivalent residential units (ERU's) on this property. A 2.45 acre zone change from CD to RR-1 could result in a total density of 2.45 residential units. The potential rezone would increase the overall density of the property by 36.75 units.
10. Access: The proposed rezone property has 200 feet of frontage along Old Highway Road, formerly known as U.S. Highway 30-S. Isolating only frontage as review criteria, there is only sufficient frontage for one single family lot given that the minimum frontage in the RR-1 zone is 200 feet.
11. Circulation: Old Highway Road is a thoroughfare that provides connections to and passed the subject property and other public streets in the County. Circulation to the property does not appear to be an issue.
12. Culinary Water Resources: Private culinary water systems serve the culinary water needs of the area. There is also the option for private wells supposing the property is large enough to support the required wellhead protection zone(s). The applicants will need to provide indication from a local water company of their willingness to serve the property or provide water right information, well log information, and Health Department approval if the property will be served by a private well prior to

development on the property.

13. Sewer: The property falls within the boundaries of the Mountain Green Sewer Improvement District. They will be required to seek the district's approval to connect to the system prior to developing.
14. Fire Protection: The property is not in the Wildland Urban Interface Area, so a specific fire protection plan is not required. If/when it is developed it may still be required to have certain fire suppression as required by the local Fire Official.
15. Topographic Features: The property is fairly flat. Topography does not seem to be a concern for potential future development.
16. Geology: The property appears to be split in between the "Qh" and the "Qa[p]" geologic unit designation, which is not listed in MCC §8-51 as a hazardous unit.

Further Considerations. The property was rezoned from RR-1/A-20 to the CD zone in 2003 by ordinance CO-03-14. This rezone came at the request of the land owner, Dee Jaques. Mr. Jaques had the desire to rezone his property to a more marketable commercial zone in order to boost the value and potential of his lot. He paid an application fee and the request was subject to a full review by staff, the Planning Commission, and the County Council. However, to date Mr. Jaques has not acted on any of the development or use rights of the CD zone.

Mr. Jaques has contacted staff about this proposed rezone and has expressed his opposition to it. He still has a desire to keep the property in a commercial zone for marketability purposes, and indicated to staff his plans of trying to sell it this 2013 summer season. He is desirous that if any change is going to be made to the zone of his property that it reflects the same zone as the Old Farm Market on the lot just west of his lot. The Old Farm Market is in the commercial shopping (CS) zone.

Noticing. The MCC 8-3-3 requires a public hearing for a rezone when the County Council's hears the rezone request. State law 17-27a-205 requires the first public hearing (whatever body is hearing it) to be noticed on the County's website and published in a newspaper of general circulation in the area at least 10 calendar days before the public hearing, and mailed to the property owner affected by the change, as well as adjacent property owners within parameters specified by the county (which is 1000 feet in Morgan County). As part of the application process the applicant was responsible for identifying these property owners and for providing the County with a mailing list. The County sent notices to all individuals on the mailing list.

This public hearing notice was posted at a minimum within the State and County requirements in the following manner:

1. Posted to the County website within 10 days prior to this meeting.
2. Published in the Morgan County News within 10 days prior to this meeting.
3. Mailed to property owners within 1000 feet of the affected property.
4. Mailed to the property owner.
5. Posted in the foyer of the Morgan County Courthouse.

STAFF RECOMMENDATION

Staff recommends that if the Planning Commission can make the following findings for approval of the County initiated rezone of the Jaques property, that it do so based on the following findings:

1. Because of ambiguous, vague or contradictory provisions, the CD Zone has proven impractical to appropriately administer.
2. Because of the aforementioned flaws in the CD zone, it is found that the CD zone does not comply with the "Town Center" designation in the 2010 Morgan County General Plan, in that *"Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area"*.
3. By removing the CD designation from the property the County can more appropriately facilitate the re-creation of a new "Town Center" zone.
4. By rezoning to the RR-1 zone the County is preserving the property owner's potential to develop under the terms of the RR-1 zone by providing a zone most compatible with the current property configuration and uses, and other current uses in the vicinity.

MODEL MOTION

Sample Motion for a *Positive* Recommendation – "I move we forward a positive recommendation to the County Council for the County Initiated Rezone Request of the Jaques Property, application #13.060, rezoning approximately 2.45 acres of property at 5190 West Old Highway Road from CD to RR-1, based on the findings listed in the staff report dated June 19, 2013, and as modified by the findings below:"

1. List any additional findings...

Sample Motion for a *Negative* Recommendation – "I move we forward a negative recommendation to the County Council for the County Initiated Rezone Request of the Jaques Property, application #13.060, rezoning approximately 2.45 acres of property at 5190 West Old Highway Road from CD to RR-1, based on the following findings:

1. The current condition of the area does not merit changed or changing conditions. The area is not yet ready for the rezone request.
2. That the proposal does not conform to the Morgan County 2010 General Plan Future Land Use Map (as amended).
3. List any additional findings...

ADDITIONAL INFORMATION

Exhibit A: Morgan County Future Land Use Map

Exhibit B: Current Zoning and Aerial Picture Showing Uses

Exhibit C: Comparison of Land Use Permission Differences between CD and RR-1

Exhibit D –Public Hearing/Discussion/Decision: Johnson Future Land Use Map Amendment

Planning and Development Services
STAFF REPORT
June 21, 2013

To: Morgan County Planning Commission
Business Date: 6/27/13

Prepared By: Charles Ewert, Planning Director

Re: **Matt Johnson Future Land Use Map Amendment Request**

Application No.: 13.046
Applicant: Matt Johnson
Project Location: 780 W. Surrey Lane
Zoning: RR-5
Acreage: 3.23 Acres
Request: Future Land Use Map Amendment of 3.23 acres of property located at 780 W Surrey Lane from the Ranch Residential 5 designation to the Rural Residential/Agriculture designation.

SUMMARY

This application is a request for the County to change the future land use map for a 3.23 acre property in the Milton area. The property is currently a subdivision lot, lot seven of the Surrey Lanes Estates PRUD Subdivision (see Exhibit C).

The lots in the Surrey Lanes Estates PRUD were created with the PRUD subdivision tool that the County repealed in 2010. Each lot has a prohibited building area on the rear of the lots. This “no build” area is restricting the applicant from erecting an accessory building in his desired location on the property. The applicant’s ultimate goal is to amend the subdivision plat to amend the building restriction.

The plat cannot be amended at this time because of the PRUD ordinance’s repeal. If a PRUD ordinance currently existed then the County would have criteria from which to evaluate a plat amendment. Without the flexibility that was given to the original developer through the PRUD ordinance, which allowed additional density than would have otherwise been allowed in the RR-5 zone, the applicant’s only option is to amend the plat in a manner consistent with currently adopted standard subdivision procedures and requirements. The repeal of the PRUD zone made the applicant’s lot non-conforming in size and frontage for a traditional subdivision lot in the RR-5 zone. There are a few other PRUD’s in the County that can still be amended because they are vested in the terms of a development agreement, but Surrey Lanes Estates PRUD and others that do not have vesting for changes or modifications under

the old PRUD ordinance cannot be amended under those same terms.

Thus, because the applicant only has a 3.23 acre lot in the 5 acre minimum zone, in order to facilitate a traditional plat amendment he must petition the County for a zone change to bring the acreage of his property into compliance with existing requirements. Because the Future Land Use Map does not support a zone change the applicant has chosen to request this Future Land Use Map Amendment in order to better facilitate a future zone change request.

The request is to change the front 1.101 acres of his property to the Rural Residential designation listed in the General Plan, which will support a future RR-1 zoning district, and change the rear 2.124 acres of his property to the Agricultural designation, which will support the A-20 zoning district. These zones executed on the current size and configuration of the lot will not yield the potential for additional dwelling units.

Staff do not recommend the singular change of the applicants property alone, without making greater consideration of the future land uses in the area, and how they effect other lots in the Surrey Lanes Estates PRUD. If the Planning Commission finds that a future land use map amendment is merited for the applicant's property, then staff recommend changing the future land use designation for all properties in the Surrey Lanes Estates PRUD subdivision thereby enabling other lot owners to later change their zoning designation and ultimately amend the subdivision in a manner consistent with the zoning.

This request and the complications herein is an unintended effect of the prior PRUD ordinance.

ANALYSIS

General Plan. The current future land use map indicates that the area is not a growth center and recommends no changes from the current Ranch Residential 5 designation (see Exhibit A).

The Ranch Residential 5 designation is intended to:

The Ranch Residential 5 designation provides for the same uses as Ranch Residential 10, but allows for residential density of up to one unit per 5 acres.

And the Ranch Residential 10 designation says:

The Ranch Residential designation accommodates rural large lot development with generous distances to streets and between residential dwelling units and a viable semi-rural character setting. Livestock privileges are a part of this character. Areas in this category are generally larger lots with accessory structures that may be used for livestock. The residential density is a maximum of 1 unit per 10 acres.

The applicant is requesting the Rural Residential designation on the front portion of his lot and the Agricultural designation on the rear. He is proposing this so that when he proposes a rezone he is giving the County a sense of security that he does not intend to increase the density of the community.

The Rural Residential designation is intended to:

The Rural Residential category designation accommodates semi-rural large lot development, with generous distances to streets and between residential dwelling units in a viable semi-rural character setting. Residential density in rural residential areas is a maximum of 1 unit per acre.

And the Agricultural designation is intended to:

This designation identifies areas of existing agricultural land uses. The purpose of this land use designation is to support viable agricultural operations in Morgan County, while allowing for incidental large-lot residential and other uses. The residential density in this category is up to 1 unit per 20 acres.

Zoning. The current zone of the property is RR-5 (see Exhibit B). The problem this applicant is attempting to resolve is that his lot is a smaller size than is allowed by the zone; a byproduct of the old PRUD ordinance. The ordinance that enabled the developer the benefit of creating lots smaller than traditionally allowed in the zone is now standing in the way of the resulting lot owner from receiving certain benefits of the zone which are generally allowed by conforming lots in the same zone.

In making final determination on this application the Planning Commission should consider the implications that a developer claimed benefit in execution of the development has now turned to a landowner's irreversible restriction on a use, and the policy considerations that should be merited in situations such as these.

The following criteria should be evaluated when determining the impact of the potential future land use map amendment:

17. Potential density: The current designation plans for five acre lots, but there are currently lots smaller than five acres in the area. Given tradition subdivision and zoning rules the 3.23 acre property could support 0.64 dwelling units if zoned RR-5. With the proposed re-designation and assuming a rezone is executed, the potential resulting density could be 1.21.
18. Access: The property is accessible via Surrey Lane, a private road that was not built to County Standards. The former PRUD did not require private roads to be built to County standards.
19. Circulation: Surrey Lane is a dead end road that is 1,000 feet long, the maximum length allowed by current code.
20. Culinary Water Resources: Currently, a private well supports the property.
21. Sewer: The property is supported by a septic system.
22. Fire Protection: The property is not in the Wildland Urban Interface Area, so a specific

fire protection plan is not required.

23. Topographic Features: The property is fairly flat. Topography does not seem to be a concern for potential future development.

Noticing. The MCC 8-3-3 requires a public hearing for a rezone when the County Council's hears the rezone request. State law 17-27a-205 requires the first public hearing (whatever body is hearing it) to be noticed on the County's website and published in a newspaper of general circulation in the area at least 10 calendar days before the public hearing, and mailed to the property owner affected by the change, as well as adjacent property owners within parameters specified by the county (which is 1000 feet in Morgan County). As part of the application process the applicant was responsible for identifying these property owners and for providing the County with a mailing list. The County sent notices to all individuals on the mailing list.

This public hearing notice was posted at a minimum within the State and County requirements in the following manner:

6. Posted to the County website within 10 days prior to this meeting.
7. Published in the Morgan County News within 10 days prior to this meeting.
8. Mailed to property owners within 1000 feet of the affected property.
9. Mailed to the property owner.
10. Posted in the foyer of the Morgan County Courthouse.

STAFF RECOMMENDATION

Staff recommends that if the Planning Commission is in favor of making this change that they direct staff to study possible changes for all lots in the Surrey Lanes Estates Subdivision for the same change prior to making final recommendation of any future land use map change in the area to the County Council, so that the change to the future land use map can better reflect a community purpose rather than an individual desire.

Staff recommend that if the Planning Commission is inclined to make a negative recommendation of the Johnson Future Land Use Map Amendment request that it do so based on the following findings:

1. That the request does not provide for a community planning effort that is supported by the 2010 General Plan.
2. That the use of the PRUD ordinance to create this lot resulted in a tradeoff in requirements that the developer benefited from, and that a land use map amendment is an inappropriate method of resolve certain unintended resulting consequences of the use of the PRUD.

3. That the landowner can resolve the nonconformity by acquiring additional acreage such that the property may be amended to comply with the zone and current subdivision regulations.
4. That there is validity in the current size and configuration of the required open space that has been provided by the building restrictions of the Surrey Lanes Estates PRUD.

MODEL MOTION

Sample Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Council for the Matt Johnson Future Land Use Map Amendment, application #13.046, as presented in the June 21, 2013 staff report based on the findings below:”

2. List any additional findings...

Sample Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Council for the Matt Johnson Future Land Use Map Amendment, application #13.046, with the findings of the staff recommendation in the June 21, 2013 Staff Report with the additional findings below:

4. List additional findings...

ADDITIONAL INFORMATION

Exhibit A: Morgan County Future Land Use Map
Exhibit B: Current Zoning and Aerial Picture Showing Uses
Exhibit C: Surrey Lanes Estates PRUD Plat