



PLANNING COMMISSION AGENDA

Thursday, June 12, 2014

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

Administrative

5. Discussion/Decision: Terrell Conditional Use Permit: A conditional use permit request for a 6.12 kW pole mounted photovoltaic system with battery backup located at 325 W 3350 S Morgan, Utah (Application number 14.055).

Legislative

6. Discussion/Public Hearing/Decision: An ordinance changing Section 8-12-53 “Small Subdivision”, repealing the existing Section and replacing it with “Small Subdivision,” which allows for up to 10 lots, or fewer, to be subdivided where no public improvements or infrastructure are required and where access is derived from an existing public road. As proposed, all required standards, review and approval procedures, and all other items are to be included as revisions to Section 8-12-53, with necessary definition changes to be included with Section 8-2-1.
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from April 24, 2014 and May 22, 2014
9. Adjourn

Members Present

Shane Stephens
Debbie Sessions
Roland Haslam
Darrell Erickson
Michael Newton

Staff Present

Ronda Kippen, Planning Technician
Bruce Parker, Consultant
Mickaela Moser, Transcriptionist

1. Call to order – prayer. Chair Haslam welcomed everyone to the meeting. Member Stephens offered prayer. Chair excused Members Sawyer and Wilson.
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 none.
4. Public Comment

Member Erickson moved to go into public comment. Second by Member Sessions. The vote was unanimous. The motion carried.

There were no comments.

Member Newton moved to go out of public comment. Second by Member Stephens. The vote was unanimous. The motion carried.

Administrative

5. Discussion/Decision: Terrell Conditional Use Permit: A conditional use permit request for a 6.12 kW pole mounted photovoltaic system with battery backup located at 325 W 3350 S Morgan, Utah (Application number 14.055).

Chair Haslam asked if any members of the Planning Commission had any issues or questions associated with this item. There were none and they proceeded to a motion.

Member Sessions moved to forward a positive recommendation to the County Council for the Terrell Conditional Use Permit, application #14.055, located at approximately 325 W. 3350 S., allowing for the construction of an arrayed photovoltaic system producing 6.12 kW, based on the findings and with the condition listed in the staff report dated June 12, 2014.

Findings:

1. That the installation of the proposed photovoltaic (PV) system is in keeping with the goals set forth in the Future Land Use Map of the General Plan.
2. That the proposed PV system meets the requirements of the Morgan County Code for conditional uses (see analysis below).
3. That the proposed PV system will have a negligible impact on surrounding properties.

Condition:

1. That all the requirements of the building official and fire chief are met.

Second by Member Newton. The vote was unanimous. The motion carried.

Legislative

6. Discussion/Public Hearing/Decision: An ordinance changing Section 8-12-53 “Small Subdivision”, repealing the existing Section and replacing it with “Small Subdivision,” which allows for up to 10 lots, or fewer, to be subdivided where no public improvements or infrastructure are required and where access is derived from an existing public road. As proposed, all required standards, review and approval procedures, and all other items are to be included as revisions to Section 8-12-53, with necessary definition changes to be included with Section 8-2-1.

Bruce Parker: He clarified that this proposal includes right of way dedications with no county improvements. It would allow for exceptions to the code to be made with staff in the office without having to be presented in front of the Planning Commission. He suggested opening and closing a hearing and having discussion to forward a proposal of how to bring the wording together.

Chair expressed concern that the County Council implemented this exception to the rule in 2012 and wondered why the Planning Commission was trying to remove the requirement. Member Newton summarized that residents were having to pay to expand the road and initially the solution was to implement the exception. With an increased amount of applications and requests for an exception to the current law, there is a desire to change that exception to the rule.

Ronda stated that the current exception only allows an option for larger lots, along Morgan Valley Drive and Old Highway Road, where there will not be sidewalk, curb and gutter. Ronda expressed desire for half-acre lot areas to still remain connected to the current code. Ronda stated that currently the County Council can grant an exception to a request within smaller lots (8 lots or fewer) within certain zones. She gave the example of the Cottonwoods and the Highlands slowly merging together and the desire is to get them come together in a way that makes sense.

Bruce Parker explained that the change from 8-10 lots follows the state statute that was implemented last year. The raise to 10 lots gives the County a bit of flexibility and it also matches that number of the State Law.

There was discussion on the current small subdivision code in Morgan County and how it reads and is understood differently between different people. The code discussed was 8-12-53: Small Subdivisions in Morgan County Code.

Chair Haslam believed that the problem lies with 8-12-44 where the problem originated.

Bruce suggested deleting (D) under that section and creating a new section, 8-12-68. Ronda expressed concern for creating the new section and would rather see the wording changed to have them all work together.

Member Newton wondered what the drawbacks could be for replacing the current small subdivision code. Bruce stated that the current code is for a dedication for improvements on existing roads. Member Sessions said there might be new subdivisions on old roads and some of the lines are becoming blurred and are confusing. The Planning Commission expressed desire for Bruce and Ronda to work out the wording.

Member Stephens moved to go into public hearing. Second by Member Newton. The vote was unanimous. The motion carried.

There were not comments.

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

Chair Haslam wondered why, if the problem lies in 8-12-44 is the Planning Commission addressing it in 8-12-53? There was discussion about the problems faced for applicants who want to be in a small subdivision without having to make improvements.

All agreed that Ronda and Bruce will have a discussion about replacing the wording in 8-12-53D to read “part of an existing platted subdivision”. They would like to reconvene with the Planning Commission on June 26th with the updated change for approval.

Member Sessions moved to postpone approval of the revised Small Subdivision Ordinance to the June 26, 2014 Planning Commission Meeting to allow staff time to insert proposed language into existing small subdivision code and to completely review and evaluate the procedures and requirements for small subdivisions.

Second by Member Erickson. The vote was unanimous. The motion carried.

7. Planning Commission Business/Questions for Staff

Note: The Planning Commission acknowledged an error made from the May 8, 2014 meeting and was corrected by staff before forwarding on to the County Council concerning AW Towing. The motion was made as Winterton Towing and the staff report and application indicated AW Towing.

8. Approval of minutes from April 24, 2014 and May 22, 2014

Note: Minutes for April 24, 2014 had been approved on May 8, 2014 and Mickaela just needed verification as to who made the motions to approve the minutes. The other changes were made as previously discussed.

Member Sessions moved to approve the minutes for May 22, 2014 with the discussed changes. Second by Member Newton. The vote was unanimous. The motion carried.

Members Erickson and Stephens abstained.

9. Adjourn

Member Stephens moved to adjourn the meeting. Second by Member Erickson. The vote was unanimous. The motion carried.

Approved: _____ **Date:** _____
Chairman

ATTEST: _____ **Date:** _____
Mickaela Moser, Transcriptionist
Planning and Development Services