



PLANNING COMMISSION AGENDA

Thursday, October 23, 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. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

**Administrative:**

**Legislative:**

6. Discussion/Decision: Revision of Residential Use Table Ordinance (Section 8-2-1 "Definitions", Sections 8-5A-2 and 8-5B-2 "Codes and Symbols", 8-5A-3 and 8-5B-3 "Use Regulations", and 8-8-1 "Scope and Authority", repealing the existing Sections and replacing them with revisions to Section 8-2-1 "Definitions", Sections 8-5A-2 and 8-5B-2 "Codes and Symbols", 8-5A-3 and 8-5B-3 "Use Regulations", and 8-8-1 "Scope and Authority" revising the conditional use symbols, making changes to the "Use Regulations" tables in residential districts, and providing for the authority for review)
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from October 9, 2014
9. Adjourn

Members Present

Shane Stephens  
Debbie Sessions  
Roland Haslam  
David Sawyer, via electronic participation  
Darrell Erickson  
Michael Newton  
Steve Wilson

Staff Present

Bill Cobabe, Senior Planner  
Mickaela Moser, Transcriptionist

Public Present

Tina Kelley

1. Call to order – prayer  
Chair Haslam called the meeting to order. Member Erickson offered prayer.
2. Pledge of Allegiance
3. Approval of agenda  
**Member Sessions moved to approve the agenda. Second by Member Newton. The vote was unanimous. The motion carried.**
4. Declaration of conflicts of interest  
There were none.
5. Public Comment  
**Member Stephens moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**  
  
There was none.  
  
**Member Sessions moved to go out of public comment. Second by Member Erickson. The vote was unanimous. The motion carried.**

**Administrative:**

**Legislative:**

6. Discussion/Decision: Revision of Residential Use Table Ordinance (Section 8-2-1 "Definitions", Sections 8-5A-2 and 8-5B-2 "Codes and Symbols", 8-5A-3 and 8-5B-3 "Use Regulations", and 8-8-1 "Scope and Authority", repealing the existing Sections and replacing them with revisions to Section 8-2-1 "Definitions", Sections 8-5A-2 and 8-5B-2 "Codes and Symbols", 8-5A-3 and 8-5B-3 "Use Regulations", and 8-8-1 "Scope and Authority" revising the conditional use symbols, making changes to the "Use Regulations" tables in residential districts, and providing for the authority for review)

Bill presented his findings on the definition of 'agricultural land' vs. 'agriculture as a business use' as previously requested. For taxation purposes, the County Assessor's office typically considers production of farming goods/services as tax exempt. Places that process and package farm goods are considered non-exempt, such as a dairy. The location where mink pelts are processed is taxed as a business, as the mink production does not happen at that location. The definitions discussed were to help guide the Planning Commission and Staff in how

to make approvals and give direction.

Bill listed greenhouses under “Agribusiness”, as Chair Haslam had inquired about at an earlier meeting. Member Sessions felt that might be too specific. Chair Haslam asked if those Planning Commission members present had strong opinions about having a definition for “agribusiness” or if they’d rather not have a specific definition for that area. Member Wilson and Member Newton suggested referring to the definitions listed in the County Assessor’s Office, as they were comfortable with the definition listed there. Member Erickson didn’t mind the correlation and relationship with others’ references to these definitions, but didn’t want to be dependent upon another office’s interpretation. Chair Haslam offered a more simple definition for a conditional use under Agribusiness to include “any activity that includes processing and packaging of commodities.” Other productions in agriculture were discussed and compared to try and find an agreeable definition of Agribusiness. Member Stephens compared the business and involvement of cutting hay to the milk farms. Member Sessions also commented about beehives belonging with Agriculture, but selling honey falls under Business. There was also discussion about the location of where finished goods are sold.

Member Sawyer mentioned the definition of land, referring to Greenbelt land and family farms, as listed in the current staff report.

There was further discussion on greenhouses, commercial greenhouses, and nurseries and it was decided to eliminate greenhouses from the Agribusiness definition. Bill read the updated definition of Agribusiness which is as follows:

**AGRIBUSINESS: “Any individual, partnership, corporation or organization primarily supplying services or goods (such as equipment, feeds, or supplies) to producers, or marketable agricultural products, including nurseries, farm cooperatives and the like. This includes activities that involve processing and packaging of farm goods.”**

All agreed on this definition.

Agriculture was also discussed and this was the definition listed in the Staff Report dated October 23, 2014:

**AGRICULTURE: Land or structures primarily used for cultivating soils, producing crops, or raising livestock; the storage, processing or sale of products raised on the premises; or as otherwise defined by Utah State statutes. Structures which are customarily accessory to agricultural uses and are located on the same parcel as an agricultural use shall be included in this definition.**

Member Sessions read the definition of Agriculture from the current Morgan County Code and all in attendance agreed on the definition as being appropriate and applicable.

Member Stephens left at this point in the meeting, 6:58 pm.

Possible definitions and considerations for a Dude Ranch were discussed, including size, number of people, acreage, outbuilding, etc. Member Erickson mentioned that he researched the Dude Ranch definition in Colorado and offered his insights on the subject. Member Newton disagreed with setting limitations for monthly operations, such as only being operational during the summer. They didn’t like setting a minimum or maximum number of houses or structures for the dude ranch. Member Sawyer offered his opinion that a potential hotel being built on agricultural land would probably not pass with residents of the County. Member Sessions suggested leaving “dude ranch” off of the code for definitions and deal with those applications individually as they come. Chair Haslam preferred allowing a dude ranch in zones A-20 and above. Bill asked how they felt about adding Chair’s suggestion and removing the 160-acre stipulation. Member Newton noted that having the dude ranch within the A-20 zone, the County does not relinquish control so the Planning Commission members agreed to remove the 160-acre lot requirement for that definition. Member Sessions stated that she would like to leave the 160-acre requirement in the definition. They agreed that the “no separate cooking facility” part stays as

part of the definition. Member Newton reiterated that he is not comfortable limiting the months of operation to March 1-October 31, but perhaps, limiting the length of stay instead. There is also the subject of emergency services to be considered.

**Dude Ranch – A ranch-type resort destination that offers overnight accommodations for people to experience ranch work and lifestyle. These ranches may have agricultural production as a portion of their revenue, but their main function is a tourist destination.**

Referring to the Use Table, it was decided to eliminate the 160 acre lot size minimum and remove Dude Ranch from zones RR-10 and RR-5.

Member Sessions also wanted to remove “family vacation ranch” from the Use Table. It was removed from the definition, but also needed to be removed from the Use Table. She also mentioned “a group of dwellings” still listed in the Use Table, and Bill clarified that he had used a red strike-out meant only to inform for the meeting but it will be removed from the Use Table.

Concerning solar panels, Tina Kelley pointed out there are individual users who sell their power back to the power company and she didn’t want that to be misinterpreted in the definition. It was decided to strike the definition of Power Generation (Commercial).

Chair Haslam suggested forwarding the Residential Use Table to the County Council, but before that happens, he would like to verify that the discussed changes are made.

**Member Sessions moved to recommend approval of the revised Residential Use Table and associated Sections (Section 8-2-1, Sections 8-5A-2 and 8-5B-2 “Codes and Symbols”, 8-5A-3 and 8-5B-3 “Use Regulations”, and 8-8-1 “Scope and Authority”) with the revisions noted in the staff report dated October 23, 2014 with the following revisions:**

- 1. To add the definition of Agribusiness as specified.**
- 2. Making changes to the dude ranch definition, and removing “dude ranch” from the RR-10 and RR-5 zones. Also removing the 160 acre requirement and “family vacation ranch” wording from the table.**
- 3. Striking Power Generation (Commercial) definition.**

**And adding the condition that either Chair Haslam or Vice Chair Sessions review the changes before sending it on to the County Council.**

**Second by Member Ericson.**

Member Sawyer commented that this is only the beginning of updating many County ordinances and he appreciates participation from Planning Commission members. He believes County residents will greatly benefit now, and in the future, from the changes made with these revisions.

**The vote was unanimous. The motion carried.**

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

Bill reported on the training sessions he and Member Sessions attended yesterday, including air quality, hillside development, water rights and impact fees. Bill confirmed that the small subdivision ordinance had been approved by the County Council.

#### 8. Approval of minutes from October 9, 2014

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**Member Erickson moved to approve the amended minutes. Second by Member Wilson. The vote was unanimous. The motion carried. Member Newton abstained.**

9. Adjourn

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

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

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