

## MEMORANDUM

**TO:** Morgan County Planning Commission  
**FROM:** Bill Cobabe  
**DATE:** November 13, 2014  
**SUBJECT:** Commercial Conditional Use Table

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As applies in the review/revision of the residential uses, the following are the categories for review:

**C-1:** This is a *staff level* decision. The conditions outlined in the ordinance have been met completely and explicitly met and there are no unique, controversial, or potentially conflicting aspects of the application. It is anticipated that this would encompass most of the applications for conditional use permits.

**C-2:** This is a decision requiring *Planning Commission* review and approval. These are cases where the applicant is proposing specific deviations to the conditional use requirements outlined in Section 8-8-4. The reasons for these deviations may be tied to specific, unique land conditions, controversial issues, and/or items that may potentially be conflicting with the requirements of the Code. It is anticipated that only those things which cannot be handled as a Staff-level approval would be reviewed and approved by the Planning Commission.

**C-3:** This is a decision requiring *County Council* approval after Planning Commission review. These cases would be relatively rare and involve complex, controversial, and/or contentious items that involve an anticipated impact on a very large scale (either large amounts of land or many people would be impacted by the granting of the conditional use permit).

The current use table will need to be modified to reflect the various levels of administration. The Planning Commission should review each existing use for appropriateness, and adding other uses where needed.

Of particular interest is the number of different Commercial Uses we have in the County. The General Plan of the County provides for four different commercial use types, while the zoning ordinance has seven different designations. Staff recommends combining some of these uses to help simplify the review/approval process. The designations in the General Plan are as follows:

- **Commercial**

The Commercial category designation provides for commercial nodes on individual parcels and more intense commercial uses near major road corridors. The intent of the Commercial use

category is to provide for commercial uses which, through sensitive and creative building design, orientation of buildings, access, lighting, signs, parking, and landscaping can be made compatible with adjacent residential neighborhoods, to regional retail, neighborhood retail, family entertainment, office, and compatible employment uses in master planned developments.

- **Business Park**

The Business Park use category is intended to provide for areas for the development of uses that provide employment involving light manufacturing, assembling, warehousing, and wholesale activities and associated office space and support uses. The Business Park designation is intended to encourage campus-style commercial development near the airport which incorporates amenities including attractive streetscapes and enhanced landscaping. This use category provides for employment in commercial and light industrial uses that are compatible with adjacent or surrounding land uses. The areas designated for Business Park uses have adequate transportation and infrastructure access, and emphasize minimal conflict with existing adjacent land uses. This designation provides for the development and accommodation of administrative and research industries, offices, and limited manufacturing and support services. Typical uses may also include construction contractors, small, screened storage yards, and small warehousing services.

- **Heavy Industrial**

The Heavy Industrial use designation is intended to provide for capital-intensive operations that manufacture or fabricate products within enclosed or partially enclosed structures. Heavy Industrial provides for the development and accommodation of intense industrial activity involving mining, manufacturing, warehousing, assembly, and storage characterized by open space uses/or storage, industrial processes, which involve significant amounts of noise, heat, mechanical and chemical processing, large amounts of materials transfer, and large-scale machinery and structures.

- **Town Center**

The Town Center designation denotes areas suitable for a mixture of commercial, employment, and supporting residential uses in appropriate locations. Horizontal mixed uses would be required for master planned projects, and vertical mixed uses would be encouraged. Residential uses in the Town Center category should be vertically and/or horizontally integrated, and complementary to non-residential uses. 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.

The General Plan is to be used to inform decisions about zoning in a community. These designations provide guidelines for making ordinance changes that will conform to the desires of the County as represented in the General Plan.

The Commercial Land Use Table is attached.

**MORGAN COUNTY, UTAH**  
**MULTIPLE USE, AGRICULTURE, RURAL RESIDENTIAL, RESIDENTIAL AND**  
**MULTIPLE-FAMILY RESIDENTIAL DISTRICTS**  
**ALLOWED USES (EXISTING)**

**8-5C-1: PURPOSE:**

The purpose of the following districts is:

- A. Commercial Buffer District CB: To provide areas for appropriate transitions of commercial uses.
- B. Neighborhood Commercial District C-N: To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day to day needs of area residents.
- C. Commercial Shopping District C-S: To provide areas in appropriate locations where a combination of businesses, commercial, entertainment and related activities may be established, maintained and protected. The regulations of this district are designed to promote and encourage the development of comparison shopping centers.
- D. Highway Commercial District C-H: To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway related activities.
- E. General Commercial District C-G: To provide areas in appropriate locations where a combination of businesses, commercial, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development.
- F. Manufacturing - Distribution District M-D: To provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.
- G. General Industrial District M-G: To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The

regulations of this district are designed to protect environmental quality of the district and adjacent areas. (2010 Code)

### **8-5C-2: CODES AND SYMBOLS:**

In following sections of this article, uses of land or buildings which are allowed in various districts are shown as "permitted uses", indicated by a "P" in the appropriate column, or as "conditional uses", indicated by a "C" in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-". (2010 Code)

### **8-5C-3: USE REGULATIONS:**

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts, except as provided in this article. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. "Temporary uses", as defined in section [8-2-1](#) of this title, are authorized in any district upon issuance of a conditional use permit for the same.

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
AGRICULTURAL:								
	Agricultural industries	-	-	-	-	-	C	C
	Agriculture tourism	C	C	C	C	C	C	C
	Dairy or food processing	C	-	-	-	-	C	C
	The tilling of the soil, the raising of crops, horticulture and gardening	P	P	P	P	P	P	P
COMMERCIAL:								
	Residential:							
	Bed and breakfast inn	C	C	C	C	C	-	-
	Hotels, tourist courts and motels	C	-	C	C	C	-	-
	Recreation vehicle parks	C	-	C	C	C	C	-
	Residential care facilities	C	-	C	C	C	-	-
	Retirement home/assisted living	-	C	-	C	-	-	-
	Industrial:							
	Commercial contract printing	P	-	-	-	P	P	P
	Transportation:							
	Bus terminals, stations, etc.	C	C	P	P	P	P	P
	Hard surface parking, commercial	P	-	C	C	C	C	C
	Private garage	-	C	C	C	C	C	C
	Structure parking	P	-	C	C	C	C	C
	Communication:							
	Radio and television communication facilities	P	C	C	C	P	C	C
	Retail Trade:							
	Antiques and used merchandise	C	-	P	C	P	-	-
	Bakeries	C	C	P	C	P	C	-
	Books and stationery retail	P	C	P	C	P	-	-
	Candy, nuts and confectionery	C	C	P	C	P	C	-
	Children and infants' wear	C	-	P	C	P	-	-
	Custom tailoring	P	-	P	C	P	-	-

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
Dairy products	C	P	P	P	P	-	-	
Department stores	-	-	P	C	P	-	-	
Direct selling organizations	P	-	P	C	P	-	-	
Drinking places (alcoholic beverages)	-	-	C	C	C	-	-	
Drive-in restaurants	-	C	C	C	C	P	P	
Drug and proprietary	-	C	C	C	P	-	-	
Eating places (food consumed on premises)	-	C	P	P	P	P	P	
Electrical goods retail	P	-	P	C	P	-	-	
Family clothing	-	C	P	C	P	-	-	
Farm and garden supplies and equipment	P	C	P	C	P	-	-	
Fruits and vegetables	P	C	P	P	P	C	C	
Furniture, home furnishings and equipment	-	-	P	C	P	-	-	
Furriers and fur apparel	C	-	P	C	P	-	-	
Gasoline service stations	-	C	C	P	C	P	P	
Groceries (with or without meat)	-	P	C	C	P	P	-	
Hardware and farm equipment	C	-	P	C	P	P	-	
Heating and plumbing equipment	C	-	-	C	P	P	-	
Household appliances	C	-	P	C	P	-	-	
Ice cream establishments	-	C	P	P	C	-	-	
Jewelry	-	-	P	C	P	-	-	
Limited price variety stores	-	-	P	C	P	-	-	
Liquor - package	-	-	C	C	C	-	-	
Lumber and other building materials	C	-	P	C	P	C	-	
Mail order house/telemarketing	P	P	P	C	P	-	-	
Meats and fish	-	-	P	C	P	-	-	
Mens and boys clothing and furnishings	-	-	P	C	P	-	-	
Merchandise vending machines operators	-	P	P	P	P	P	P	
Motor vehicles	C	-	C	C	C	C	P	

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
	Paint, glass and wallpaper	C	-	P	C	P	P	-
	Pets and pet supplies	-	-	P	C	P	-	-
	Radios, televisions and music supplies	-	-	P	C	P	-	-
	Shoes	-	-	P	C	P	-	-
	Shopping complexes for retail trade	-	C	C	C	C	-	-
	Sporting goods and bicycles	-	-	P	C	P	-	-
	Tires, batteries and accessories	C	-	C	C	P	C	P
	Women's clothing, accessories and specialties	-	-	C	C	C	-	-
	Other comparable retail activities	-	C	C	C	C	-	-
	Other retail trade, apparel and accessories	-	-	C	C	C	-	-
	Other retail trade, i.e., automotive, marine craft, aircraft and accessories	C	-	C	C	C	C	-
<b>Services:</b>								
	Administration general office space (new construction or exterior modification)	C	C	C	C	C	C	-
	Advertising services	-	C	-	-	-	-	-
	Animal clinics and hospitals	-	-	C	C	C	-	-
	Apparel repair, alteration and cleaning, pick up services, shoe repair services	-	P	P	C	P	P	P
	Automatic car wash, truck wash	C	C	C	P	P	P	P
	Automobile repair and services	C	C	C	C	C	C	P
	Banking and bank related functions	P	-	P	P	P	P	-
	Beauty and barber shops, general	-	P	P	C	P	-	-
	Carpeting and other floor coverings	-	-	C	C	C	P	-
	Child daycare centers, subject to regulations as set forth in section 8-6-39 of this title	P	P	C	C	-	-	-
	Comprehensive healthcare facilities (centers)	-	-	C	C	P	-	-
	Dental laboratory services	P	-	C	C	P	P	P

	Districts						
	CB	C-N	C-S	C-H	C-G	M-D	M-G
Duplicating mailing and stenographic services	P	-	C	C	P	-	-
Dwelling and other building maintenance services	C	C	C	C	P	P	-
Electrical services	C	-	C	C	P	P	P
Employment services	-	-	P	C	P	-	-
Funeral and crematory services	-	-	C	-	P	P	-
General contract construction services	C	-	-	-	P	P	P
General office space (interior remodel, no construction or exterior modification)	P	P	P	P	P	P	P
Healthcare facilities	C	-	C	C	C	-	-
Laundering, dry cleaning, and dyeing services	C	C	P	C	P	P	P
Medical clinics - outpatient services	P	-	P	C	P	C	-
Medical laboratory services	P	-	C	C	P	P	P
News syndicate services	P	-	-	-	P	-	-
Painting, wall coverings and decorating services	-	-	C	C	P	P	P
Photographic equipment and services	P	C	P	C	P	C	C
Plumbing, heating, and air conditioning services	C	-	C	-	P	P	P
Private clubs	-	-	C	-	P	-	-
Professional healthcare offices and clinics	P	-	C	C	P	-	-
Dentists offices	P	C	P	C	P	-	-
Medical offices	P	C	P	C	P	-	-
Real estate agents, brokers, and management services	-	C	P	C	P	-	-
Real estate operative construction builders	C	-	C	C	P	P	P
Real estate subdividing and land developing		-	P	C	P	P	P
Roofing and sheet metal services	C	-	C	-	P	P	P
Security services and commodity brokers, dealers, exchanges and services	-	-	C	C	P	-	-

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
Schools (commercial)		C	C	C	C	P	C	-
Entertainment:								
Drive-in theaters		C	-	C	-	C	C	-
Live theaters		-	-	C	C	P	-	-
Motion picture theaters		-	-	P	-	P	-	-
Race tracks (commercial)		-	-	-	-	C	C	C
Sexually oriented businesses, as defined in section 8-18-2 of this title		-	-	-	-	-	-	C
Sports activities facilities		-	C	C	C	P	P	-
INDUSTRIAL:								
Chemical And Plastics Manufacturing:								
Agricultural chemicals		-	-	-	-	-	C	C
Drug		C	-	-	-	-	C	C
Industrial inorganic chemicals		-	-	-	-	-	-	C
Miscellaneous plastic products		C	-	-	-	-	C	C
Paints, varnishes, lacquers, enamels and allied products		-	-	-	-	-	-	C
Plastics materials and synthetic resins, synthetic and other manmade fibers (except glass)		-	-	-	-	-	C	C
Soap, detergents and cleaning preparations, perfumes, cosmetic and other toilet preparations		-	-	-	-	-	C	C
Fabricated Textile Products Manufacturing:								
Broad and narrow woven fabrics and other small wares (cotton, manmade fibers, silk and wool)		-	-	-	-	-	C	C
Dyeing and finishing of textiles (except wool fabrics and knit goods)		-	-	-	-	-	C	C
Knit goods		C	-	-	-	-	C	C
Wearing apparel and accessories		C	-	-	-	C	C	C

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
	Yarns and threads	-	-	-	-	-	C	C
Food Products Manufacturing:								
	Baker products	-	-	C	-	C	C	C
	Beverage	C	-	-	-	-	C	C
	Canning and preserving of fruits, vegetables, meat and seafood	-	-	-	-	-	C	C
	Confectionery and related products	-	-	C	-	C	C	C
	Dairy products	-	-	C	-	C	C	C
	Food processing and manufacturing	C	-	-	-	-	C	C
	Grain mill products	-	-	-	-	-	C	C
	Meat products	-	-	-	-	-	C	C
	Sugar	-	-	-	-	-	-	C
Furniture Products - Manufacturing:								
	Furniture - manufacturing	C	-	-	-	-	C	C
	Partitions, shelving, lockers, office and store fixtures	C	-	-	-	-	C	C
	Wooden containers	C	-	-	-	-	C	C
Industrial Services:								
	Concrete services and batching plants	-	-	-	C	C	C	C
	General contract and subcontractor construction services	C	-	-	-	-	-	-
	Masonry, stonework, tile setting and plastering services	C	-	-	-	-	C	C
	Roofing and sheet metal services	C	-	-	-	-	C	C
	Water and well drilling services	C	-	-	-	-	C	C
Machine Products Manufacturing:								
	Electrical machinery, equipment and supplies	-	-	-	-	-	C	C

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
	Engineering, laboratory and scientific and research instruments and associated equipment	P	-	-	-	-	C	C
	Instruments for measuring, controlling and indicating physical characteristics	P	-	-	-	-	C	C
	Machinery (except electrical)	-	-	-	-	-	C	C
	Ordnance and accessories	-	-	-	-	-	-	C
	Transportation equipment	-	-	-	-	-	C	C
<b>Metallic Products Manufacturing:</b>								
	Blast furnaces, steelworks and the rolling finishing of ferrous metals, etc.	-	-	-	-	-	C	C
	Iron and steel foundries and manufacturing	-	-	-	-	-	-	C
	Nonferrous foundries	-	-	-	-	-	C	C
	Primary smelting and refining of nonferrous metals	-	-	-	-	-	-	C
	Rolling, drawing and extruding of nonferrous metals	-	-	-	-	-	C	C
	Secondary smelting and refining of nonferrous metals and alloys	-	-	-	-	-	-	C
<b>Mining:</b>								
	Chemical and fertilizers (mineral) mining	-	-	-	-	-	-	C
	Coal mining	-	-	-	-	-	-	C
	Crude petroleum and natural gas	-	-	-	-	-	-	C
	Dimension stone	-	-	-	-	-	-	C
	Land excavations	-	C	C	C	C	C	C
	Other mining and quarrying of nonmetallic minerals (except fuels)	-	-	-	-	-	-	C
	Metal ore mining	-	-	-	-	-	-	C
	Sand and gravel - quarrying	-	-	-	-	-	C	C

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
Nonmetallic Products Manufacturing:								
	Abrasive, asbestos and miscellaneous nonmetallic mineral products	-	-	-	-	-	-	C
	Cement (hydraulic)	-	-	-	-	-	-	C
	Concrete, gypsum and plaster products	-	-	-	-	-	-	C
	Glass and glassware (pressed or blown)	-	-	-	-	-	C	C
	Plate glass	-	-	-	-	-	C	C
	Structural clay products	-	-	-	-	-	C	C
Other Products Manufacturing:								
	Light manufacturing	C	-	-	-	-	C	C
	Motion picture production	-	-	-	-	C	C	C
	Pottery and related products	C	-	C	-	C	C	C
Outdoor Storage:								
	Auto wrecking yards	-	-	-	-	-	-	C
	Other outdoor storage (clean)	C	-	-	-	-	C	C
	Petroleum products bulk plants	-	-	-	-	-	C	C
Paper Products Manufacturing:								
	Bookbinding and related industrial	P	-	-	-	-	C	C
	Books - publishing and printing	P	-	-	-	C	C	C
	Building paper and building board	-	-	-	-	-	-	P
	Converted paper and paperboard products (except containers and boxes)	-	-	-	-	-	-	C
	Newspapers							
	Paperboard containers and boxes	-	-	-	-	-	C	C
	Periodicals - publishing and printing	P	-	-	-	C	C	C
	Printing trade services	P	-	C	-	C	C	C
	Publishing and printing	P	-	-	-	C	C	C
Petroleum Products Manufacturing:								

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
	Paving and roofing materials	-	-	-	-	-	-	C
	Petroleum refining	-	-	-	-	-	-	C
	Rubber footwear	-	-	-	-	-	C	C
	Tires and inner tubes	-	-	-	-	-	-	C
Precision Instrument And Jewelry Manufacturing:								
	Amusements, toys, sporting goods and athletic goods	C	-	-	-	-	C	C
	Costume jewelry, costume novelties, buttons and miscellaneous notions (except precious metals)	P	-	-	-	-	C	C
	Jewelry, silverware and plated ware	-	-	-	-	-	C	C
	Musical instruments and parts	P	-	-	-	-	C	C
	Notions - manufacturing	P	-	-	-	-	C	C
	Ophthalmic goods	P	-	-	-	-	C	C
	Optical instruments and lenses	P	-	-	-	-	C	C
	Pens, pencils and other office and artist material	P	-	-	-	-	C	C
	Photographic processing	P	-	-	-	-	C	C
	Print trade services	P	-	-	-	-	C	C
	Surgical, medical and dental instruments and supplies	P	-	-	-	-	C	C
	Watches, clocks, clockwork operated devices and parts	P	-	-	-	-	C	C
Transportation:								
	Staging for trucking, local and long distance	-	-	-	-	-	C	C
Wholesale Trade And Warehousing:								
	Drugs, chemicals and allied products	-	-	-	-	-	C	C
	Dry goods and apparel	C	-	-	C	-	C	C
	Electrical goods	C	-	-	-	-	C	C

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
	Farm products and equipment	C	-	-	-	-	C	C
	Groceries and related products	C	-	-	-	-	C	C
	Hardware, plumbing, heating equipment and supplies	C	-	-	-	-	C	C
	Machinery, equipment and supplies	C	-	-	-	-	C	C
	Motor vehicles and automotive equipment	C	-	-	-	-	C	C
	Petroleum products distribution warehouses and bulk plants	-	-	-	-	-	C	C
	Warehousing and storage services	C	-	-	-	-	C	C
<b>Wood And Paper Manufacturing:</b>								
	Millwork, veneer, plywood and prefabricated structural wood products	-	-	-	-	-	-	C
	Paper (except building paper)	-	-	-	-	-	-	C
	Paperboard	-	-	-	-	-	-	C
	Pulp	-	-	-	-	-	-	C
	Sawmills and planing mills	-	-	-	-	-	C	C
<b>INSTITUTIONAL (NONPROFIT):</b>								
<b>Educational Services:</b>								
	Special training and schooling	-	C	C	C	C	C	C
<b>Entertainment, Recreation And Open Space Group Or Organized Camps:</b>								
	Gymnasiums and athletic clubs	-	C	C	C	C	C	-
	Parks - general recreation	-	P	P	P	C	C	-
	Parks - leisure and ornamental	-	P	P	P	P	P	C
	Play lots or tot lots	-	C	C	C	C	-	-
	Playgrounds	-	C	C	C	C	C	-
	Racetracks	-	-	-	-	-	C	C
	Recreation centers (general)	-	C	C	C	C	C	-
	Swimming pools	-	C	C	C	C	C	C

			Districts						
			CB	C-N	C-S	C-H	C-G	M-D	M-G
	Government services:								
		Correctional and rehabilitation institutions	-	-	-	-	P	P	C
		Executive, legislative and judicial functions	-	C	C	C	C	C	C
		Postal services	-	C	C	C	C	C	C
		Protective functions and their related activities	P	C	C	C	C	C	C
	Health services:								
		Hospital services	-	-	C	-	C	-	-
		Sanatoriums, convalescent and rest home services	-	-	-	-	C	-	-
	Public and quasi-public:								
		Art galleries	-	-	P	C	C	-	-
		Fairgrounds	-	-	-	-	-	C	-
		Hospitals and acute care facilities	-	-	C	C	C	-	-
		Libraries	-	P	P	C	C	C	C
		Museums	-	-	C	C	C	C	C
		Nature exhibitions	-	-	C	C	C	C	-
		Public assembly, miscellaneous purposes	-	-	-	-	-	C	-
	Religious and welfare services:								
		Churches, synagogues and temples	-	C	C	C	C	C	C
		Welfare and charitable services	-	C	C	C	C	C	C
	Residential:								
		Religious quarters	-	C	-	-	C	-	-
		Retirement homes and orphanages	-	-	-	-	C	-	-
	Streets and other circulation elements:								
		Airports	-	-	-	-	-	C	C
		Alleys	C	C	C	C	C	C	C
		Freeways	C	C	C	C	C	C	C
		Railroads and appurtenances	-	-	-	-	-	C	C

		Districts						
		CB	C-N	C-S	C-H	C-G	M-D	M-G
Streets, private		C	C	C	C	C	C	C
Streets, public		C	C	C	C	C	C	C
<b>LAND DEVELOPMENTS:</b>								
Industrial parks		C	-	-	-	-	C	C
Land development for various commercial, industrial and manufacturing		-	-	-	-	-	C	C
Shopping centers		C	C	C	-	C	-	-
Temporary uses		Subject to regulations in section 8-6-16 of this title						
<b>UTILITIES:</b>								
Communication:								
Cable television		C	C	C	C	C	C	C
Radio and television facilities		C	C	C	C	C	C	C
Telephone and telegraph		C	C	C	C	C	C	C
Other facilities:								
Sewage disposal		-	-	-	-	-	-	C
Sewage transmission and pump facilities		P	P	P	P	P	P	P
Solid waste disposal		-	-	-	-	-	-	C
Utilities - lines and rights of way:								
Culinary water		P	C	C	C	C	P	P
Electricity (substations or facilities for)		P	C	C	C	C	C	C
Irrigation water		P	C	C	C	C	C	C
Natural gas		C	C	C	C	C	C	C
Pipelines (oil and gas transmission)		C	C	-	-	-	-	C



PLANNING COMMISSION AGENDA

Thursday, August 22, 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

**Administrative Items**

5. Discussion/Decision: Anderson Subdivision
6. Discussion/Decision: D&N Porter Subdivision
7. Discussion/Decision: LDS Mtn Green Cottonwood Canyon Road
8. Discussion/Decision: Flexible Subdivision Survey Results

**Legislative Items**

9. Hearing/Discussion/Decision: Karen House Rezone
10. Staff Report.
11. Approval of minutes from June 27, 2013
12. Approval of minutes from August 8, 2013
13. Adjourn.

**Members Present**

Shane Stephens

David Sawyer  
Debbie Sessions  
Roland Haslam  
Michael Newton  
Steve Wilson

### **1. Call to Order- Prayer**

Chairman Haslam welcomed everyone. Member Newton offered prayer.

### **2. Approval of agenda.**

**Member Sessions moved to approve the agenda and switch item #8 to after item #9. 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 Newton moved to open public comment. Second by Member Sessions. The vote was unanimous. The motion carried.**

There was no public comment.

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

### **Administrative Items**

### **5. Discussion/Decision: Anderson Subdivision**

Brice Anderson: Presented his proposal. Stated that the right of way and boundary lines were taken care of. Mentioned that Mr. Potter was in attendance and could attest to his right of way. Nothing had changed from what was originally discussed.

Chariman Haslam wondered where the fence line is in the back of the house- for septic reasons. Mr. Anderson stated that the chain link fence is for the existing home. They had the ok from the health department.

Chariman Haslam inquired about needing a new drain field. Mr. Anderson responded that Great Basin asked for an alternate location. Chairman Haslam wanted to make sure they would have adequate room if needed.

Charlie gave his presentation. He stated that they have a health department letter of approval. Explained zoning on the property and explained flood plain standards, with a few corrections on the set-back plat. He asked if there were any questions on conditions of approval.

Member Sessions stated there were too many conditions to forward toward final. She stated that she wants the requirements met before going forward with final approval.

Charlie offered to go through the conditions.

1. This is necessary to be a condition of approval.
2. An approved and executed deferral agreement meeting the approval of the County Attorney to be recorded prior to the final plat recording. Member Sessions inquired as to why this hasn't been met now. Charlie stated that this item may postpone a finalization.
3. Some discussion took place on geologic conditions but no specific issues indicated they would delay approval.
4. Concerning water rights shares: this is going to be normal for subdivisions.
5. Nothing.
6. Irrigation rights and shares: same comment as number 4.
7. Concerning the flood plain. This is related to condition #1, an administrative correction.
8. Will serve letters are a condition of approval. Service companies are saying approval is based upon conditions being satisfied. He affirmed that final approval is void if utility companies don't get what they need.
9. An updated title report is a necessary condition for approval.

Charlie explained he has told the County Council that the time frame for building permits is diminishing and wants to move forward so people can get building permits and start building this year.

Member Sessions wondered what the difference is if they can't get a building permit until the final plat is recorded and the final being held up.

Charlie stated that the time frame is the difference between getting it to the County Council and Planning Commission which could be a difference of up to a month.

Chairman Haslam wanted to clarify that it will speed up their process, to which Charlie responded that it would, indeed, speed up the process.

Member Sessions emphasized that she doesn't want to hold up Mr. Anderson either. Charlie explained that things have to happen before final plat approval but the Planning Commission and County Council meeting schedules are at times conflicting.

Member Sessions wanted to know if the applicant was given a check-list to prepare for final approval?

Charlie said that when they are given the application, it is referenced in the code. Sometimes the applicant's engineer or developer may submit something, but they may get pushed back for more pressing issues or time sensitive issues. He explained that more pressing issues take precedence, but if the issues are in compliance with the law, they should proceed.

Member Sessions observed that if it doesn't meet code, the Council shouldn't be seeing it. She suggested that it meet code before the Council sees it.

Charlie wants to get going with landowners and get things going.

Member Sawyer said to get it out there for approval and if there are things needing approval, they can be met after.

Charlie: Hasn't been enough development for the CC to see improvement.

Member Sessions emphasized she has complete faith that Charlie and his staff will follow through. She wants to see the process be a little cleaner, but recommends to go ahead with Andersons.

Member Erickson said it seems to have a triple-check in place. They will get a building permit and then things are again double-checked along the way. There is a system in place to double check.

Charlie:

Member Wilson wondered what conditions will look like when flood plain is in place. Charlie explained flood plain conditions and grading.

**Member Sessions moved to forward a positive recommendation to the County Council for the Anderson Estate Final Subdivision Plat, an amendment to the Enterprise Estates Subdivision, application 12.040, subject to the conditions and based on the findings presented in the staff report dated August 15, 2013. Second by Member Erickson. The vote was unanimous. The motion carried.**

Member Sessions then encouraged the Anderson's to get as many conditions accomplished before moving on to the County Council.

## **6. Discussion/Decision: D&N Porter Subdivision**

Derrick Porter stepped up but confided in Charlie to present.

Chairman Haslam stated he was trying to figure out the two lot lines; the pictures seemed to be different.

Mr. Porter stated that it's not square. The Planning Commission members agreed it was hard to read.

Mr. Porter explained that his lot is square on the side in back and one side in front, then it jogs back out to the field on the east side.

Chairman Haslam pointed out that the top next to his dad's lot is fairly square. But in the drawing of his lot it's confusing. Mr. Porter showed on the map that when they got approval from the state for right of way, they would only give approval for one right of way for that driveway. Rather than coming straight off the road, he had to build a driveway that is curved to get back to his house. Then they have access to fields in the back.

Sandra Porter said they have existing barns and didn't want to tear down the buildings, so the line jogs to go around that. She indicated the property slants and is at a difficult angle.

Chairman Haslam stated his concerns for future planning.

Charlie stated he didn't realize the current code allows the zoning administrator to give approval, and that is not for approval, but things will still be ready for County Council. Both roads have frontage. All the area is owned by the state and is frontage access. There's not even a driveway but the easiest thing to call it is a driveway, or a shared driveway with existing asphalt.

There is sufficient acreage in both lots, so they get benefit of using the whole property. Staff has provided the recommendations in the staff report. This won't go on to the County Council, it's just recommendations. Any questions?

Member Sessions expressed concern at the checklist, viewing it as a checklist for them. Should they just meet requirements for concept approval.

Charlie: We're not approving concept. We are designing preliminary concepts.

This is the first time we've done this. That's why it looks the way it does. Routine ones won't look like this.

Member Erickson commented that officially they don't need to see this.

Charlie replied that the expense was already made, signs were already posted.

**Member Sessions moved to provide the recommendations for the D&N Porter Estate Subdivision Concept Plan, application 13.065, as listed in the August 15, 2013 staff report, Second by Member Newton. The vote was unanimous. The motion carried.**

#### **7. Discussion/Decision: LDS Mountain Green Cottonwood Canyon Rd**

Tony Pantone: Architect with pantone, representing LDS church and Bonnie Brown, the property owner. Wanting a subdivision. Have a few issues with recommendations from staff report, in particular #3. All square footage is listed on the site plan. All 3 lots are more than 1 acre. Stated that they submitted a letter to the County Council for revision. Bonnie has 3-4 buildings on her lot that run along the north property line. She's explained to him that they were all built in the 1940s so they are 80 years old. Charlie is requesting paperwork for those buildings. Bonnie Brown is confident they are that old and wants to avoid filing paperwork. Also has concerns with item #5. Lot 1 is in greenbelt and she wants to keep it there. Lot 2 is her residence. Lot 3 is in greenbelt. The layout is challenging to try to divide without dividing existing lines. She does not want to subdivide, but perhaps her children will want to develop and tear down buildings to accommodate lines. Also item #6 is summarized in #5. The rest of the items are pretty minor and can be discussed with the County Council.

Member Sessions wondered if Lot 1 had the required footage.

Mr. Pantone responded that yes, they are all over 1 acre.

Member Sessions wanted to know her total acreage, minus church property, to which Mr. Pantone replied 4.2 acres.

Member Sessions informed him that at least 5 acres are needed for greenbelt. With the residence, she needs six acres total, as Gwen interprets it. Mr. Pantone was unaware of the greenbelt requirements. Member Sessions wondered how long the buildings have been on the property and suggested an affidavit from someone alive at that time to attest to the building's age. She has concerns with the lot lines running through the existing buildings.

Mr. Pantone reiterated that the issue of greenbelt is a big issue for Bonnie. She wants her farmland to remain in greenbelt.

Chairman Haslam asked if it is such that they'd like to continue or if they'd like to wait.

Mr. Pantone replied to proceed so it doesn't take any longer than it has already.

Chairman Haslam wondered what the disclaimer is of note #6? It's on the plat but not large enough to read.

Mr. Pantone deferred to Charlie to answer.

Charlie pulled it up and enlarged it. It appeared to be a typical note from the LDS church for developing parcels of land.

Charlie thanked Tony for his patience. Stated that this is not a single-family residential subdivision. There are additional issues and he'd like to go through the recommendations: #2 just explained. #3 Tony and Charlie will discuss. Zone line runs through Lot 3. He said the issue is how long the property line has been there. There are several options that can happen, but none of them are requirements. One building is of particular concern. The title of the property may say they're owned by the same person, but there may be two different people who own different sides of the same building. Also addressed greenbelt concerns with Bonnie Brown and he encouraged her to talk to Gwen about greenbelt issues. Said six acres was communicated to the applicant. Last thing, dividing large land as a subdivision, is that it will need to be surveyed. There is some flexible discretion that can be done, but it must meet some requirements. This may have been misunderstood by Mr. Pantone. Item #7 comes from this.

Chairman Haslam expressed that it was his understanding that the fence in the back would be moved as part of a trade.

Mr. Pantone replied that in initial discussions there was talk about doing a trade, but at this point it's going to stay where it is.

Chairman Haslam said that to fit current subdivision codes, would Lot 2 and 3, have to be eliminated?

Charlie supposed they could carve the lines around the buildings, so they wouldn't have to be eliminated.

Chairman Haslam clarified that in order for the lines to remain, the barns need to come down.

Charlie affirmed. Or combine the properties.

Chairman Haslam added that they can carve and move the lines all around, but they will have to solve it.

Member Erickson asked if there are any exceptions?

Charlie said County Council was concerned about using an exception for one but not the other. Variances may not be an option.

### **Member Sessions moved to provide the recommendations for the LDS Mt. Green Cottonwood Canyon Road Subdivision Concept Plan, application**

**13.041, as listed in the August 15, 2013 staff report. Seconded by Member Stephens.**

Chairman Haslam called for any comments.

Member Wilson wondered if they needed to work through issues before moving on. Member Stephens asked if a condition was needed between lot 2 and 3? Member Sessions replied that was already given with recommendation #5. Member Erickson asked for clarification that they could come back and say that the two lots were actually one lot.

Charlie replied that preliminary shows different things.

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

#### **9. Hearing/Discussion/Decision: Karen House Rezone**

**Member Erickson moved to go into Public Hearing. Second by Member Sessions. The vote was unanimous. The motion carried.**

No public comment.

**Member Newton moved to go out of Public Hearing. Seconded by Member Wilson. The vote was unanimous. The motion carried.**

Dean House: Has 20 acres to rezone to 10 acre lots for one home. Issues concerned are that all lots are in A10. Doesn't understand why his isn't in A10 when everyone else's is in A10. He also has concerns with the flood plain. Says it's 150 ft straight up from any flood area. Part of the road that goes up to it is already paved and the other part is recreationally maintained to support large trucks to use it 9 months out of the year. There were no questions for Mr. House.

Charlie gave his presentation. Mr. House is looking for a rezone. All area in Deep Creek Area is zoned A20. There are a lot of 10 acre lots that were perhaps created before zoning existed. Recommending entire area be rezoned. The entire property is above the flood zone, although nearly everywhere you are in a flood zone of some sort or another. Does it meet the projected future of the county? We have a table of uses provided of what's allowed and not allowed in this zone. One area of concern,

each has 20 acres as recorded. Still recommending approval. Frontage: there is a special ordinance stating use of a private lane.

Member Wilson questioned about quoting the general plan from Charlie's presentation about the village center in Porterville.

Charlie was under the impression that Porterville is still listed as a No-Growth Village Center. I can address it.

Member Wilson asked if approved and they get their 10 acre zoning, how would that work?

Charlie said they will have to provide evidence that they have enough acreage and lots. Member Stephens asked if the road takes away acreage?

Charlie said no, it's about the existence of a public right of way. Not about the existing road. Because it's a public right of way, there is a requirement for a dedication to occur. If they dedicate it, their boundary would change. They are currently in compliance with the 20 acres. You have to dedicate to subdivide but not to rezone.

Chairman Haslam asked that, as it sits, if they meet all the requirements for a rezone, to which Charlie responded, yes.

Member Erickson asked if the county has a correct survey as to where that road is supposed to go.

Charlie responded no, not to his knowledge. If it's used under a certain way for 10 years, as long as it's been used consistently to where people are travelling, it changes the right of way.

Member Erickson stated that's a big open book with lots of room for discussion.

**Member Newton moved to forward a positive recommendation to the County Council for the Karen House Trust Rezone Request, application #13.049, rezoning 20 acres of property at 1645 W (mailing address)/1675 W (county address) Deep Creek Road from the A-20 zone to the RR-10 zone, based on the findings listed in the staff report dated July 30, 2013. Seconded by Member Stephens. The vote was unanimous. The motion carried.**

## **8. Discussion: Flexible Subdivision Survey Results**

Charlie presented the results of the survey. He indicated he is struggling to figure out exactly what the county wants. There were 11 votes on the first survey and 8

on the second. Not sure if there any questions not asked that should have been. Discussed the responses given on the survey for county-created PRUD.

Member Wilson asked if clustering is still encouraged.

Charlie offered that clustering only works under certain conditions, in his opinion.

Member Wilson said there are people who want to go out from their neighbors.

Charlie discussed base density, stating at this point it is just information; there is not a decision being made. The NPDR PRUD has been repealed.

Member Newton asked the purpose of repealing the PRUD.

Charlie responded that the ordinance wasn't being used as it was intended.

Chairman Haslam pointed out there were too many loopholes that developers found to get around its intent.

Charlie questioned if the open space should be required. There was conversation of intensity to build on a property vs. conversation of open space. We had ordinances to encourage open space but not require it. We may want to offer incentives for compliance.

Chairman Haslam said one of the biggest issues is the open space in the Cottonwoods; nobody to maintain it.

Member Newton said it's the law of the commons, unless it's part of a lot. No one takes care of it.

Charlie: Viewshed is ridgelines and whether people can see open space.

Member Sessions: Maybe bonus densities can be given for viewshed.

Charlie: If it is required, how much, the biggest response is "30%" and "I don't know." There's a split on bonus density provisions being allowed.

Chairman Haslam stated he doesn't want to have bonus densities if people are going to bring trash in and not clean up.

Charlie: So what's the point of a flexible subdivision to be adopted?

Member Sessions stated that she doesn't think the public wants a cookie-cutter look. We want flexibility in some areas where terrain dictates. Frontage requirement.

Member Newton: Seems there's more interpretation if we go that route.

Member Wilson asked Charlie why, in his opinion, does the County Council ask for a PRUD?

Charlie responded in most jurisdictions, it's to gain more amenities.

Member Sessions: I hear the public clamoring for more soccer fields. That could be for a developer to provide an ordinance for that.

Charlie: Exactly, using an example that you can use a PRUD ordinance if you provide a soccer field.

Chairman Haslam: Our county is an agricultural county and we are trying to maintain that. People are moving to rural Morgan but bringing city preferences with them. Developers are trying to stuff as many houses as possible. There are few developers who understand the rural atmosphere. Those are some challenges. People want certain amenities, but want to keep the rural.

Charlie pointed out what Utah County has done, in doing 5 acre lots. Nothing more than 5 acres, period. No exceptions. And that's how they toe the line. But there is exceptional growth, but do we facilitate it?

Chairman Haslam: What good does it do to change a Flexible subdivision if someone buys a plot of land and changes the rules?

Charlie: The general plan says rural community, but we need to provide economic solutions for growth.

Member Wilson wondered if Utah County was flexible.

Charlie said it's a lot easier in Utah County because they have the city lines and all are defined.

Back to the survey, no clustering.

Wilson inquired how many responses to the survey.

Charlie replied there were 11 on this one, 8 on the other. The survey was sent to County Council and Planning Commission: 14 people. They may have been the same people on both surveys, with 11 maximum.

Sounds like people want at least a minimum lot size on a PRUD. People want to be more spread out.

No flag lots should be allowed.

Lots of people said gated communities should be allowed.

50% said maximum road length be extended.

Majority said no on a minimum project size, with Member Sessions offering the question may have been misunderstood.

How should the following regulatory controls be addressed? Only 2 people of the 8 said none. That was surprising. 4 said minimized.

Member Sessions wondered if foothills are considered hillside.

Charlie said it's worth a conversation.

Member Erickson asked when the survey will be reissued.

Charlie responded that he's not sure what priority this takes, hoping to get it reissued by November. Any suggestions for additional questions?

Member Wilson: I assume you look at other counties and their PRUDs. Are there any that stand out in your mind?

Charlie: PRUDs are really a city tool; not sure why Morgan County wants one. It is used to incentivize density. Rarely used in a rural, agriculture setting. It's used in places like Mtn. Green where growth is already slated.

Member Sessions: What about other jurisdictions like Wasatch?

Chairman Haslam: We are spending time worrying about flexible subdivisions. The biggest complaint I get is that it takes forever for someone to get a building permit or subdivide. What is being done?

Charlie: What I perceive County Council is doing, is adopted policy, cost savings as opposed to time frame. It makes me look like I'm not doing my job and it's uncomfortable.

Chairman Haslam asked that if he wants to subdivide, why can't he walk in and get a list of items to accomplish and once they're accomplished, he can move on?

Charlie: Subdivision ordinances are complicated.

Chairman Haslam: Why can't we simplify?

Charlie: It's written to protect people and provide an orderly development for a plat. It's organizational. We don't have a full-time engineer and we have to wait for things to come back. People work hard and do a fantastic job, but it's a combination of issues. We have a lot of things to do and are things are always being added more requirements and conditions upon our already overflowing plate. If everything continues, by the end of the year we will have 80 subdivisions, as opposed to 3 last year.

## **10. Staff Report.**

## **11. Approval of minutes from June 27, 2013**

**Member Newton moved to approve the minutes as amended for June 27, 2013. Second by Member Sessions. The vote was unanimous. The motion carried.**

## **12. Approval of minutes from August 8, 2013**

**Member Sessions moved to approve the minutes as amended for August 8, 2013. Second by Member Newton. The vote was unanimous. The motion carried. Member Stephens abstained.**

## **13. Adjourn.**

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

DRAFT



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. 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.

Morgan County Planning Commission Meeting Minutes

October 23, 2014, Unapproved

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8. Approval of minutes from October 9, 2014

**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**

DRAFT