Planning and Development Services
48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT
February 5, 2014

To: Morgan County Planning Commission
Business Date – February 13, 2014

From: Ronda Kippen, Planning Technician

Re: **Pinewood Subdivision Concept Plan**

Application No.: 14.005
Applicant: Mike & LeeAnn Riddle
Location: Approximately 2425 North 7000 East, Croydon
Current Zoning: RR-1/A-20 Zone
Acreage: Approximately 5.492 acres (240,632 sq. ft.)
Request: Concept Subdivision Plan and Improvements Exception Approval

SUMMARY & BACKGROUND

The applicant is seeking approval of a three lot subdivision conceptual plan within the RR-1/A-20 zone. The proposal is being reviewed for conceptual design standards as required by Morgan County Code (MCC). The purpose of a concept plan is to provide the subdivider an opportunity to consult with and receive assistance from the County regarding the regulations and design requirements applicable to the subdivision of property as required by MCC §8-12-16.

With the recommendations herein, the application appears to meet the minimum requirements for conceptual subdivision plan of the zoning and subdivision ordinances. It is important to note that because this is a concept plan, there may be some compliance issues with certain specifics of the subdivision code. Recommendations regarding the concept plan shall not constitute an approval or disapproval of the proposed subdivision, but rather shall operate in such a manner as to give the subdivider general guidance as to the requirements and constraints for the subdivider's proposed subdivision within the County. Any noncompliance herein shall be resolved at preliminary plat. Staff's evaluation of the request is as follows.

ANALYSIS

General Plan and Zoning. The subject property is located along 7000 East in an area of unincorporated Morgan County known as Croydon. The 2010 Morgan County General Plan has designated this area as Rural Residential and Agricultural (see Exhibit A). The purpose of the Rural Residential designation is:

> 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. (See 2010 Morgan County General Plan pg. 6)

The purpose of the Agricultural designation is:

> 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 (See 2010 Morgan County General Plan pg. 6)

The current zoning designation on the subject property is RR-1/A-20 (see Exhibit B).

Rural Residential Districts (MCC §8-5A-1(D)):

> 1. The purposes of providing a rural residential district are:
> a. To promote and preserve in appropriate areas conditions favorable to large lot family life;
> b. Maintaining a rural atmosphere;
> c. The keeping of limited numbers of animals and fowl; and
> d. Reduced requirements for public utilities, services and infrastructure.
> 2. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

Agriculture Districts (MCC §8-5A-1(C)):

> The purposes of providing an agriculture district are to promote and preserve in appropriate areas conditions favorable to agriculture and to maintain greenbelt spaces. These districts are intended to include activities normally and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses inimical to the continuance of agricultural activity.

The proposal is in compliance with the General Plan and Zoning purpose statements.

The purpose statements in the General Plan and Zoning Ordinance do not provide actual development standards, but present the zoning context for the zone in which the proposed subdivision is located. The specific standards found in the adopted County Code govern development of the subject property.

Layout. The proposed subdivision is a three lot subdivision that fronts a county road identified as 7000 East (see Exhibit C). The current configuration of the subject property is primarily residential with an accessory use of agricultural. Each proposed lot has over one acre in the RR-1 zone. The proposed lot lines appear to conform to the existing RR-1 standards for lots, including acreage, frontage/width, and setbacks.

Roads and Access. All lots have access and frontage along the county road identified as 7000 East (see Exhibit C). They each have the minimum required frontage and width and comply with current County standards.

The County Road identified as 7000 East does not meet current adopted road standards along the frontage of the subdivision. The applicant has requested an exception from right of way improvement requirements as allowed by MCC §8-12-44(D)(2), and it appears the request may qualify provided that the existing street is either at least 22' wide or improved to be 22' wide. The applicant should clarify the existing street right of way prior to preliminary plat submittal. A condition of approval for the improvements exception has been provided with the recommendations herein.

Upon final plat recording, approximately 0.12 acres of property will be dedicated to Morgan County to ensure an adequate right of way along 7000 East.

Grading and land disturbance. The proposed subdivision is relatively flat. Minor grading has been proposed with onsite storm runoff and detention ponds on Lot 1 and Lot 3. There may be additional site preparation in conjunction with an approved building permit. A Conditional Use Permit will be required for any excavation that exceeds the level allowed by County Ordinances.

Sensitive Areas, Geology, and Geotechnical Considerations. The geologic unit that has been identified by Mountain Engineering for the proposed subdivision is *Qc*, which is not a known hazard study area.

Utilities. A 10' public utility easement will need to be identified along the interior rear lot lines of all lots within the proposed subdivision as well as a 7' public utility easement along the side lot line of Lot 2. A condition of approval has been applied herein.

The culinary water is proposed to be provided by Croydon Water Company for Lot 1 and a private well for Lot 2 and Lot 3. The Croydon Water Company may need to extend the pipeline facilities an additional 300 feet in order to accommodate the culinary needs for Lot 1. If the water company's facilities expansion falls within the Morgan County right of way, a Right of Way Excavation Permit will need to be approved by Morgan County prior to the commencement of work.

Irrigation is proposed to be served from the Croydon Irrigation Company.

Proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application. A condition of approval has been applied herein.

Sewage is proposed to be provided by individual septic systems. It appears that a percolation test has already been conducted for the site. The septic systems will need to be reviewed and approved by the Health department.

Will serve letters from each utility will be required at preliminary plat review.

Flood Plain. There is no negative flood plain boundary onsite.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the County Council for the Pinewood Subdivision Concept Plan and associated improvements exception, application 14.005, with the following conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That an improvements exception for the project is conditioned on the current width of 7000 East being 22 feet wide with adequate shoulders, as verified by the project surveyor or engineer; or that improvement of the existing street is provided to a minimum width of 22 feet with adequate shoulders. Construction drawings, if necessary, illustrating the improvements shall be provided with the preliminary plat submittal, and final plat approval shall be conditioned on the execution of a cash bond and agreement or completion agreement for said improvements.
3. That the required front, side and rear public utility easements are identified on all lots within the subdivision.
4. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
5. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.

6. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
7. That all other local, state, and federal laws are adhered to.

This recommendation is based on the following findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. With the recommended conditions the proposal complies with current zoning requirements and subdivision requirements.
4. That with the listed conditions, the proposal is found to comply with the findings required for an improvements exception; namely, that requiring the full street infrastructure improvements:
    a. Is not roughly proportional, in nature or extent, to the impact of the development on the community;
    b. Is not beneficial to the county; or may be detrimental to the neighboring property abutting the development;
    c. Is not necessary at this time to protect the public's health, safety, and welfare.
5. That approval of the concept plan and the improvements exception renders the project "routine and uncontested" and as such qualifies for approval by the Zoning Administrator in compliance with adopted laws.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation for the Pinewood Subdivision Concept Plan, application 14.005, as listed in the February 5, 2014 staff report, and as modified by the additional recommendations below:"

1. List any additional recommendations…

Sample Motion for a denial – "I move we forward a negative recommendation for the Pinewood Subdivision Concept Plan, application 14.005, with the following findings:"

1. List findings…

SUPPORTING INFORMATION

Exhibit A: Future Land Use Map
Exhibit B: Zoning Map
Exhibit C: Concept Plan

Exhibit A- Future Land Use Map

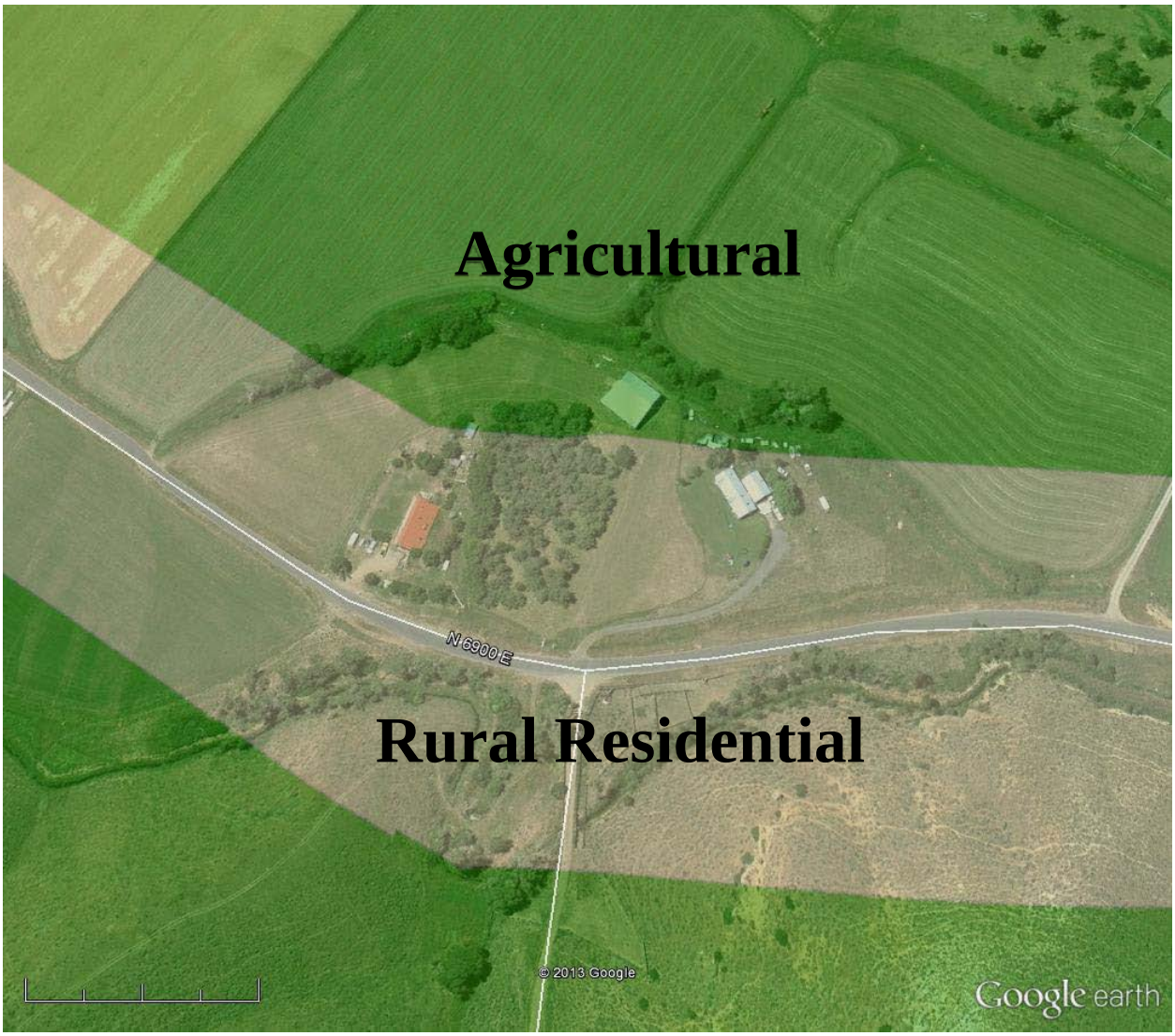


Exhibit B- Zoning Map

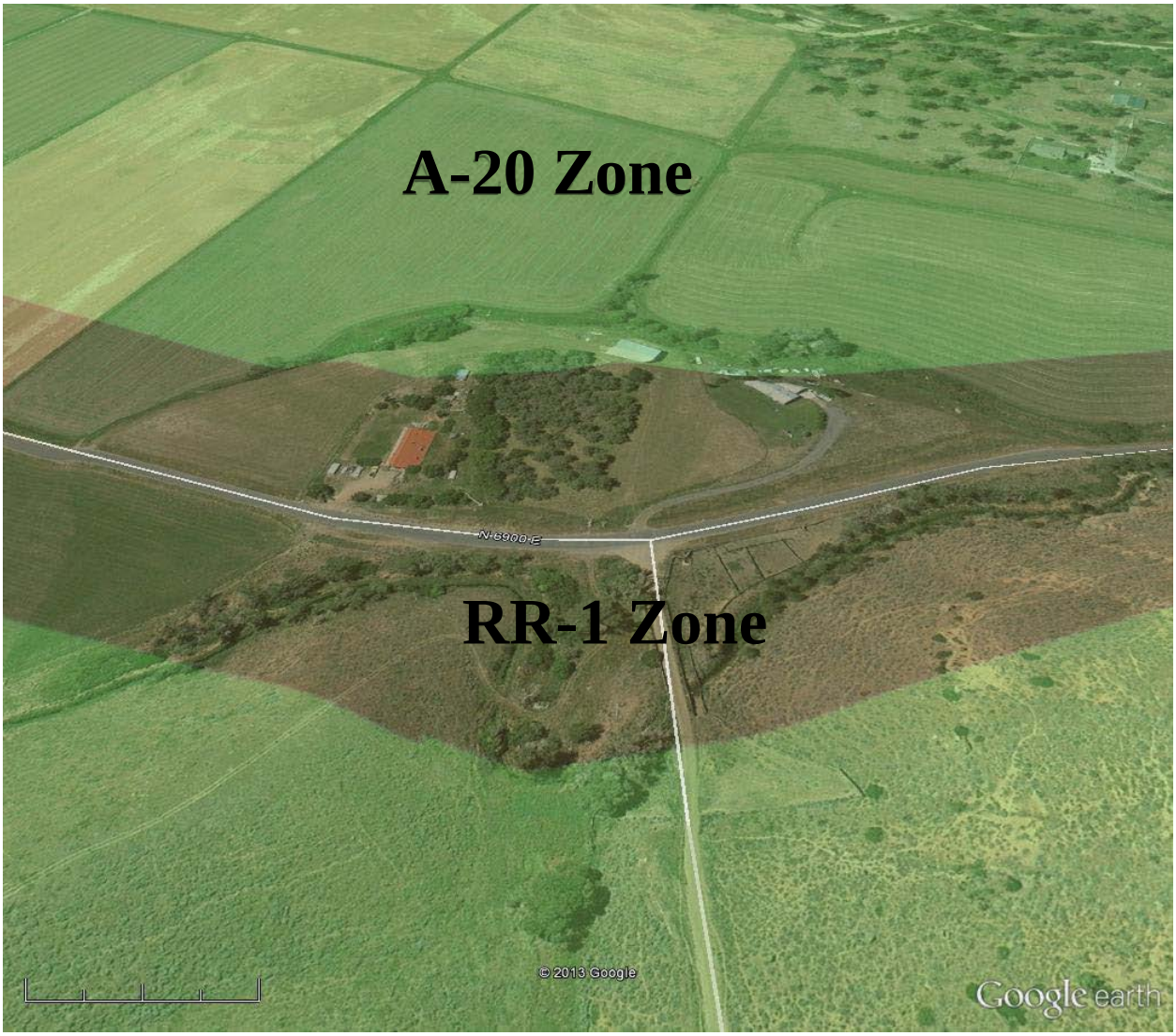
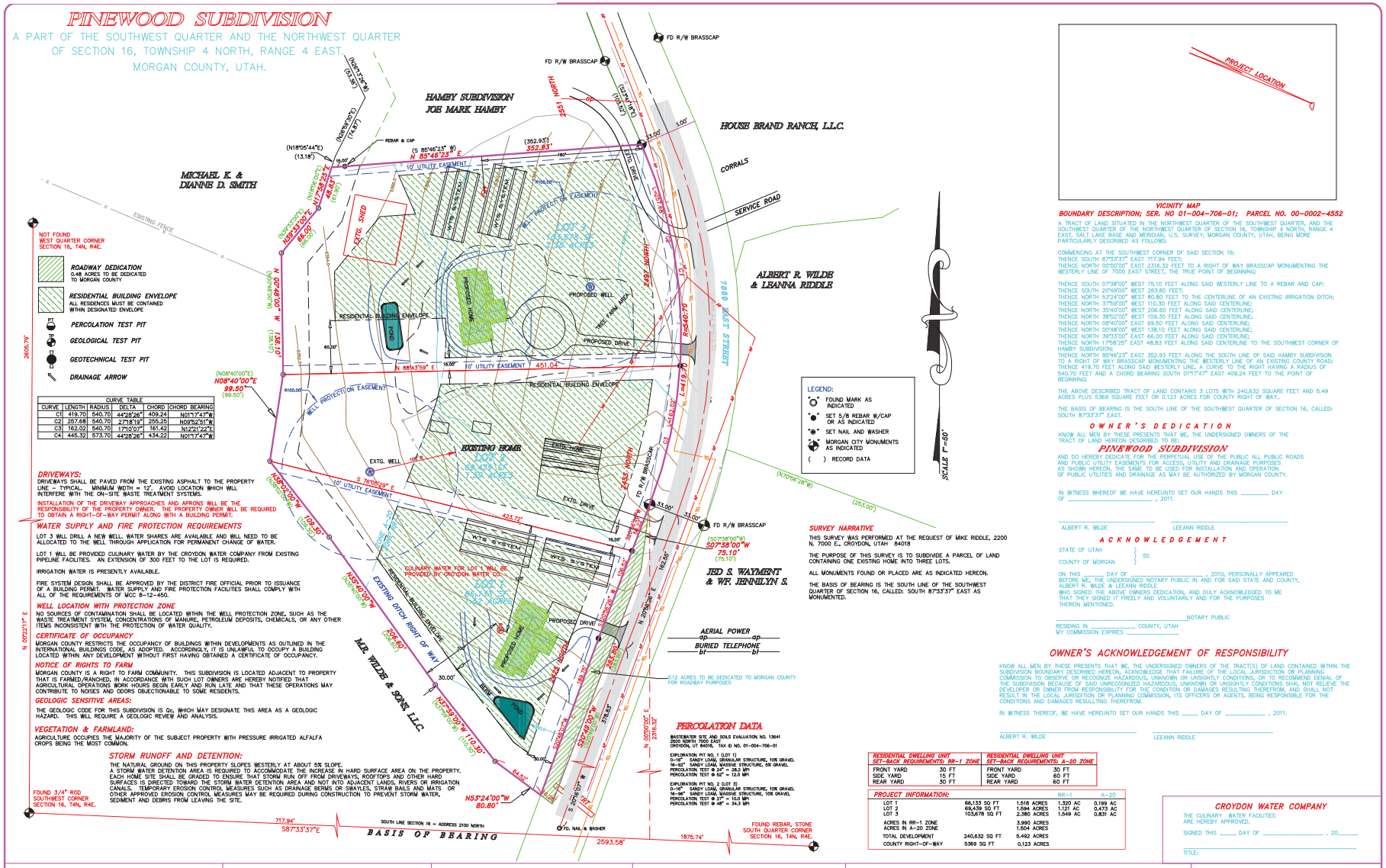


Exhibit C-Pinewood Subdivision Concept Plan

PINEWOOD SUBDIVISION

A PART OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 4 EAST, MORGAN COUNTY, UTAH.



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	419.70	540.70	44°28'26"	409.24	N01°17'47"W
C2	257.68	540.70	27°18'19"	255.25	N09°53'21"W
C3	162.02	540.70	17°10'07"	161.42	N12°21'22"E
C4	445.32	573.70	44°28'26"	434.22	N01°17'47"W

DRIVEWAYS:

DRIVEWAYS SHALL BE PAVED FROM THE EXISTING ASPHALT TO THE PROPERTY LINE – TYPICAL. MINIMUM WIDTH = 12'. AVOID LOCATION WHICH WILL INTERFERE WITH THE ON-SITE WASTE TREATMENT SYSTEMS.

INSTALLATION OF THE DRIVEWAY APPROACHES AND APRONS WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE PROPERTY OWNER WILL BE REQUIRED TO OBTAIN A RIGHT-OF-WAY PERMIT ALONG WITH A BUILDING PERMIT.

WATER SUPPLY AND FIRE PROTECTION REQUIREMENTS

LOT 3 WILL DRILL A NEW WELL. WATER SHARES ARE AVAILABLE AND WILL NEED TO BE ALLOCATED TO THE WELL THROUGH APPLICATION FOR PERMANENT CHANGE OF WATER.

LOT 1 WILL BE PROVIDED CULINARY WATER BY THE CROYDON WATER COMPANY FROM EXISTING PIPELINE FACILITIES. AN EXTENSION OF 300 FEET TO THE LOT IS REQUIRED.

IRRIGATION WATER IS PRESENTLY AVAILABLE.

FIRE SYSTEM DESIGN SHALL BE APPROVED BY THE DISTRICT FIRE OFFICIAL PRIOR TO ISSUANCE OF A BUILDING PERMIT. WATER SUPPLY AND FIRE PROTECTION FACILITIES SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF MCC 8-12-450.

WELL LOCATION WITH PROTECTION ZONE

NO SOURCES OF CONTAMINATION SHALL BE LOCATED WITHIN THE WELL PROTECTION ZONE, SUCH AS THE WASTE TREATMENT SYSTEM, CONCENTRATIONS OF MANURE, PETROLEUM DEPOSITS, CHEMICALS, OR ANY OTHER ITEMS INCONSISTENT WITH THE PROTECTION OF WATER QUALITY.

CERTIFICATE OF OCCUPANCY

MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE INTERNATIONAL BUILDINGS CODE, AS ADOPTED. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY.

NOTICE OF RIGHTS TO FARM

MORGAN COUNTY IS A RIGHT TO FARM COMMUNITY. THIS SUBDIVISION IS LOCATED ADJACENT TO PROPERTY THAT IS FARMED/RANCHED. IN ACCORDANCE WITH SUCH LOT OWNERS ARE HEREBY NOTIFIED THAT AGRICULTURAL OPERATIONS WORK HOURS BEGIN EARLY AND RUN LATE AND THAT THESE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.

GEOLOGIC SENSITIVE AREAS:

THE GEOLOGIC CODE FOR THIS SUBDIVISION IS Qg, WHICH MAY DESIGNATE THIS AREA AS A GEOLOGIC HAZARD. THIS WILL REQUIRE A GEOLOGIC REVIEW AND ANALYSIS.

VEGETATION & FARMLAND:

AGRICULTURE OCCUPIES THE MAJORITY OF THE SUBJECT PROPERTY WITH PRESSURE IRRIGATED ALFALFA CROPS BEING THE MOST COMMON.

STORM RUNOFF AND DETENTION:

THE NATURAL GROUND ON THIS PROPERTY SLOPES WESTERLY AT ABOUT 5% SLOPE.
A STORM WATER DETENTION AREA IS REQUIRED TO ACCOMMODATE THE INCREASE IN HARD SURFACE AREA ON THE PROPERTY. EACH HOME SITE SHALL BE GRADED TO ENSURE THAT STORM RUN OFF FROM DRIVEWAYS, ROOFTOPS AND OTHER HARD SURFACES IS DIRECTED TOWARD THE STORM WATER DETENTION AREA AND NOT INTO ADJACENT LANDS, RIVERS OR IRRIGATION CANALS. TEMPORARY EROSION CONTROL MEASURES SUCH AS DRAINAGE BERMS OR SWALES, STRAW BAILS AND MATS OR OTHER APPROVED EROSION CONTROL MEASURES MAY BE REQUIRED DURING CONSTRUCTION TO PREVENT STORM WATER, SEDIMENT AND DEBRIS FROM LEAVING THE SITE.

PERCOLATION DATA

WASTEWATER SITE AND SOILS EVALUATION NO. 13641
2500 NORTH 7000 EAST
CROYDON, UT 84018, TAX ID NO. 01-004-706-01

EXPLORATION PIT NO. 1 (LOT 1)
0-16" SANDY LOAM, GRANULAR STRUCTURE, 10% GRAVEL
16-42" SANDY LOAM, GRANULAR STRUCTURE, 5% GRAVEL
PERCOLATION TEST @ 24" = 28.2 MPI
PERCOLATION TEST @ 52" = 12.0 MPI

EXPLORATION PIT NO. 2 (LOT 3)
0-16" SANDY LOAM, GRANULAR STRUCTURE, 10% GRAVEL
16-96" SANDY LOAM, MASSIVE STRUCTURE, 10% GRAVEL
PERCOLATION TEST @ 27" = 10.0 MPI
PERCOLATION TEST @ 48" = 34.5 MPI

SURVEY NARRATIVE

THIS SURVEY WAS PERFORMED AT THE REQUEST OF MIKE RIDDLE, 2200 N. 7000 E., CROYDON, UTAH 84018

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE A PARCEL OF LAND CONTAINING ONE EXISTING HOME INTO THREE LOTS.

ALL MONUMENTS FOUND OR PLACED ARE AS INDICATED HEREON.

THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 16, CALLED: SOUTH 87°33'37" EAST AS MONUMENTED.

VICINITY MAP

BOUNDARY DESCRIPTION; SER. NO 01-004-706-01; PARCEL NO. 00-0002-4552

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 4 NORTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 16;
THENCE SOUTH 87°33'37" EAST 717.94 FEET;
THENCE NORTH 00°00'00" EAST 2316.32 FEET TO A RIGHT OF WAY BRASSCAP MONUMENTING THE WESTERLY LINE OF 7000 EAST STREET, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 07°38'00" WEST 75.10 FEET ALONG SAID WESTERLY LINE TO A REBAR AND CAP;
THENCE SOUTH 20°49'00" WEST 283.80 FEET;
THENCE NORTH 53°24'00" WEST 80.80 FEET TO THE CENTERLINE OF AN EXISTING IRRIGATION DITCH;
THENCE NORTH 37°59'00" WEST 110.30 FEET ALONG SAID CENTERLINE;
THENCE NORTH 35°40'00" WEST 206.60 FEET ALONG SAID CENTERLINE;
THENCE NORTH 38°02'00" WEST 109.30 FEET ALONG SAID CENTERLINE;
THENCE NORTH 08°40'00" EAST 99.50 FEET ALONG SAID CENTERLINE;
THENCE NORTH 00°48'00" WEST 138.10 FEET ALONG SAID CENTERLINE;
THENCE NORTH 39°33'00" EAST 66.00 FEET ALONG SAID CENTERLINE;
THENCE NORTH 17°58'25" EAST 48.83 FEET ALONG SAID CENTERLINE TO THE SOUTHWEST CORNER OF HAMBY SUBDIVISION;
THENCE NORTH 85°46'23" EAST 352.93 FEET ALONG THE SOUTH LINE OF SAID HAMBY SUBDIVISION TO A RIGHT OF WAY BRASSCAP MONUMENTING THE WESTERLY LINE OF AN EXISTING COUNTY ROAD;
THENCE 419.70 FEET ALONG SAID WESTERLY LINE, A CURVE TO THE RIGHT HAVING A RADIUS OF 540.70 FEET AND A CHORD BEARING SOUTH 01°17'47" EAST 409.24 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 3 LOTS WITH 240,632 SQUARE FEET AND 5.49 ACRES PLUS 5369 SQUARE FEET OR 0.123 ACRES FOR COUNTY RIGHT OF WAY..

THE BASIS OF BEARING IS THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 16, CALLED: SOUTH 87°33'37" EAST.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREON DESCRIBED TO BE:

PINEWOOD SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PUBLIC ROADS AND PUBLIC UTILITY EASEMENTS FOR ACCESS, UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR INSTALLATION AND OPERATION OF PUBLIC UTILITIES AND DRAINAGE AS MAY BE AUTHORIZED BY MORGAN COUNTY.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2011.

ALBERT R. WILDE LEEANN RIDDLE

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF MORGAN } SS

ON THIS _____ DAY OF _____, 2010, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ALBERT R. WILDE & LEEANN RIDDLE.
WHO SIGNED THE ABOVE OWNERS DEDICATION, AND DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

_____ NOTARY PUBLIC
RESIDING IN _____ COUNTY, UTAH
MY COMMISSION EXPIRES _____

OWNER'S ACKNOWLEDGEMENT OF RESPONSIBILITY

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT(S) OF LAND CONTAINED WITHIN THE SUBDIVISION BOUNDARY DESCRIBED HEREON, ACKNOWLEDGE THAT FAILURE OF THE LOCAL JURISDICTION OR PLANNING COMMISSION TO OBSERVE OR RECOGNIZE HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS, OR TO RECOMMEND DENIAL OF THE SUBDIVISION BECAUSE OF SAID UNRECOGNIZED HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS SHAL NOT RELIEVE THE DEVELOPER OR OWNER FROM RESPONSIBILITY FOR THE CONDITION OR DAMAGES RESULTING THEREFROM, AND SHALL NOT RESULT IN THE LOCAL JURISDITION OR PLANNING COMMISSION, ITS OFFICERS OR AGENTS, BEING RESPONSIBLE FOR THE CONDITIONS AND DAMAGES RESULTING THEREFROM.

IN WITNESS THEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2011.

ALBERT R. WILDE LEEANN RIDDLE

RESIDENTIAL DWELLING UNIT SET-BACK REQUIREMENTS: RR-1 ZONE		RESIDENTIAL DWELLING UNIT SET-BACK REQUIREMENTS: A-20 ZONE	
FRONT YARD	30 FT	FRONT YARD	30 FT
SIDE YARD	15 FT	SIDE YARD	60 FT
REAR YARD	30 FT	REAR YARD	60 FT

PROJECT INFORMATION:			RR-1	A-20
LOT 1	66,133 SQ FT	1.518 ACRES	1.320 AC	0.199 AC
LOT 2	69,459 SQ FT	1.594 ACRES	1.121 AC	0.473 AC
LOT 3	103,678 SQ FT	2.380 ACRES	1.549 AC	0.831 AC
ACRES IN RR-1 ZONE		3.990 ACRES		
ACRES IN A-20 ZONE		1.504 ACRES		
TOTAL DEVELOPMENT	240,632 SQ FT	5.492 ACRES		
COUNTY RIGHT-OF-WAY	5369 SQ FT	0.123 ACRES		

CROYDON WATER COMPANY

THE CULINARY WATER FACILITIES ARE HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 20____

_____
TITLE:

MORGAN COUNTY ATTORNEY

APPROVED AS TO FORM

SIGNED THIS _____ DAY OF _____, 20_____

_____
MORGAN COUNTY ATTORNEY

WEBER-MORGAN HEALTH DEPARTMENT

THE WASTE DISPOSAL SYSTEM AND THE CULINARY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 20_____

_____
DEPARTMENT HEALTH OFFICER

MORGAN COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE COUNTY ENGINEER OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20_____

_____
MORGAN COUNTY ENGINEER

MORGAN COUNTY ZONING ADMINISTRATOR

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY ZONING ADMINISTRATOR.

SIGNED THIS _____ DAY OF _____, 20_____

_____
ZONING ADMINISTRATOR

MORGAN COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE MORGAN COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE MORGAN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE MORGAN COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTES THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

SIGNED THIS ___ DAY OF _____, 20_____.

_____
MORGAN COUNTY SURVEYOR

CERTIFICATE OF SURVEYOR

I, WILLIAM L. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 167461, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYOR'S LICENSING ACT, AND BY AUTHORITY OF THE OWNERS, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREWITH, IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; AND HAVE HEREBY SUBDIVIDED SAID TRACT INTO 3 LOTS, KNOW HEREAFTER AS:

PINEWOOD SUBDIVISION

AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN PLACED ON THE GROUND AS REPRESENTED ON THE PLAT HEREON.

SIGNED THIS _____ DAY OF _____, 20_____.

_____
WILLIAM L. HOLYOAK, PE & PLS
UTAH LAND SURVEYOR REGISTRATION NO. 167461.

REGISTERED LAND SURVEYOR 167461 WILLIAM L. HOLYOAK STATE OF UTAH

MORGAN COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED _____ AT _____
IN BOOK _____ OF THE OFFICIAL RECORDS, PAGE _____

RECORDED FOR:

_____
MORGAN COUNTY RECORDER
BY: _____ DEPUTY.

MOUNTAIN ENGINEERING
P. O. BOX 309
MORGAN, UTAH 84050
TEL (801) 876-3978 FAX 876-3979

DATE	BY	REVISIONS COMMENTS

REGISTERED LAND SURVEYOR 167461 WILLIAM L. HOLYOAK STATE OF UTAH

DESIGNED BY: J.W.H.
DRAWN BY: J.W.H.
DATE: JANUARY, 2014

PINEWOOD SUBDIVISION
PRELIMINARY PLAN
A PART OF THE SOUTHWEST QUARTER AND THE NORTHWEST QUARTER OF SECTION 16 TOWNSHIP 4 NORTH, RANGE 4 EAST, S.L. B&M, U.S. SURVEY, MORGAN COUNTY, UTAH

JOB NO. ME 13-59

DRAWING NO. ME 13-59
SHEET 1 OF 1
FILE:wilde_eric_3to12

MIKE RIDDLE, 2200 N. 7000 E., CROYDON, UTAH 84018

C:\Land Projects\bolling_stephanie\dwg\wilde_eric_3to12.dwg 1/15/2014 105956 AM MST

Planning and Development Services
48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT
February 6, 2014

To: Morgan County Planning Commission
Business Date – February 13, 2014

From: Ronda Kippen, Planning Technician

Re: **Carter Meadows Subdivision Concept Plan**

Application No.: 14.006
Applicant: Clear Creek Homes, LLC
Representative: Reeve and Associates
Location: Approximately 4700 South Highway 66
Current Zoning: RR-1/A-20 Zone
Acreage: Approximately 4.42 acres (approximately 192,535 sq. ft.)
Request: Concept Subdivision Plan and Improvements Exception Approval

SUMMARY & BACKGROUND

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ANALYSIS

General Plan and Zoning. The subject property is located along Highway 66 in an area of unincorporated Morgan County known as Porterville. The 2010 Morgan County General Plan has designated this area as a non-growth area, with no changes from the current zoning. The current designations are Rural Residential and Agriculture (see Exhibit A).

The purpose of the Rural Residential designation is:

> 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. (See 2010 Morgan County General Plan pg. 6)

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> c. The keeping of limited numbers of animals and fowl; and
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> The purposes of providing an agriculture district are to promote and preserve in appropriate areas conditions favorable to agriculture and to maintain greenbelt spaces. These districts are intended to include activities normally and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses inimical to the continuance of agricultural activity.

The proposal is in compliance with the General Plan and Zoning purpose statements.

The purpose statements in the General Plan and Zoning Ordinance do not provide actual development standards, but present the zoning context for the zone in which the proposed subdivision is located. The specific standards found in the adopted County Code govern development of the subject property.

Layout. The proposed subdivision is a three lot subdivision that fronts Highway 66 in the Porterville area of Morgan County (see Exhibit C). The current configuration of the subject property is two separate parcels with agriculture as the primary use. Staff recommends that the "Building Envelope" that has been identified on all three lots be revised to identify a "Residential Building Envelope". By making this minor revision, it will ensure the option for future accessory structures on the property.

- Lot 1 is a 1.03 acre lot and is completely within the RR-1 zone. Lot 1 is currently agricultural land and as proposed it has sufficient acreage, frontage/width and setbacks for the RR-1 zone.
- Lot 2 is a 1.06 acre lot. The majority of the proposed lot is in the RR-1 zone, with a small area located at the rear of the lot in the A-20 zone. Lot 2 is currently agricultural land and as proposed it has sufficient acreage and setbacks in the RR-1 zone. The proposed lot lines appear to mostly conform to the existing RR-1 standards for lots; however, the proposed configuration of Lot 2 does not appear to meet the 200' frontage/width regulation as required in MCC § 8-5A-5. It is proposed to have 199.55' of frontage along Highway 66. Considering the adjacent frontage for Lot 1 and Lot 3, staff is confident a minor revision of the plat can be executed prior to

preliminary plat to rectify this issue. A condition regarding this is recommended.

- Lot 3 is a 2.01 acre lot and is split between the RR-1 and A-20 zones. Lot 3 is currently agricultural land with several existing outbuildings. As proposed it has sufficient acreage, frontage/width for the RR-1 zone. Two of five outbuildings located on Lot 3 do not appear to meet the current front yard setback regulations as required in MCC §8-5A-6(A). If the owner of the buildings can produce evidence that they are legal non-conforming, meaning that their establishment did not violate any land use laws at the time, then they may be considered legal non-conforming for the purposes of this subdivision approval. It is the owner's obligation to prove this; if it cannot be proven then an alternative proposal must be provided (i.e. removal/relocation of the buildings). A condition regarding this is recommended. The "Building Envelope" on Lot 3 will need to be modified to identify the accurate setbacks for the portion of the lot that lies in the A-20 zone. A condition regarding this is recommended.

Roads and Access. All lots have frontage along Highway 66 (see Exhibit C). The subdivider will need to receive UDOT approval for access purposes along Highway 66 to the proposed subdivision prior to preliminary plat application. A condition regarding this is recommended.

Highway 66 is considered a state road; however, it does not meet current adopted County road standards along the frontage of the subdivision. The applicant has requested an exception from right of way improvement requirements as allowed by MCC §8-12-44(D)(2), and it appears the request may qualify provided that the existing street is either at least 22' wide or improved to be 22' wide. The applicant should clarify the existing street right of way prior to preliminary plat submittal. A condition of approval for the improvements exception has been provided with the recommendations herein.

Upon final plat recording, a portion of the property will be dedicated to Morgan County to ensure an adequate right of way along Highway 66.

Grading and land disturbance. The proposed subdivision is relatively flat with a gradual slope toward the rear of the lots. The most significant slope is located along the southeast property line of Lot 3. A slope analysis may be required to clearly identify slope areas over 15% with the preliminary plat submittal. There has not been a specific grading plan presented, and none is expected at this time. There may be additional site preparation in conjunction with an approved building permit. A Conditional Use Permit will be required for any excavation that exceeds the level allowed by County Ordinances.

Sensitive Areas, Geology, and Geotechnical Considerations. The Salt Lake City Geologic Quadrangle indicates that a portion of Lot 1 is within the "*Qf*" geologic unit, which is a known hazard study area (see Exhibit D). The "*Qf*" unit is identified as:

> Alluvial fan and debris fan deposit. Gravel, sand, and silt; locally boulder. Crudely bedded to nonbedded and poorly sorted. Maximum thickness probably 10 m.

A geologic hazards study is required to be submitted with the preliminary plat with a certification letter from a Geologist and Engineer that indicates that the proposed development plan is free from unreasonable risk of geologic hazards.

The remaining portion of the proposed subdivision appears to be identified as "*Qal*", which is not a known hazard study area.

Utilities. Adequate public utility easements have been identified along the interior lot lines of all lots within the proposed subdivision.

The culinary water is proposed to be provided by existing facilities within State Highway 66. A note has been placed on the concept plan stating "Each lot will be provided a lateral stubbed to the property". The

subdivider may need to seek approval from UDOT for any proposed work within the State Right of Way prior to the commencement of work.

Irrigation has not been proposed at this time. Proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application. A condition of approval has been applied herein.

Sewage is proposed to be provided by individual septic systems. The septic systems will need to be reviewed and approved by the Weber Morgan Health Department. A condition of approval has been applied herein.

Will serve letters from each utility will be required at preliminary plat review.

Flood Plain. There is a "Flood Plain A" boundary located along the rear of Lot 3. Development in the flood plain is regulated by adopted flood plain ordinances and a note should be placed on the plat requiring future development to adhere to Morgan County Code Title 9, Flood Damage Prevention Ordinance (see Exhibit E).

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the County Council for the Carter Meadows Subdivision Concept Plan and associated improvements exception, application 14.006, with the following conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the plat is revised prior to preliminary plat submittal to modify the required building envelopes to state "Residential Building Envelope".
3. That the plat is revised prior to preliminary plat submittal to modify the required "Building Envelope" to correctly identify the setbacks for the applicable zone.
4. That the plat is revised prior to preliminary plat submittal to provide the minimum frontage requirements for all lots.
5. Adequate proof that the establishment of the existing outbuildings on Lot 3, that do not conform to front setback requirements, indicating that their legal establishment did not violate any land use laws at the time shall be provided as part of the preliminary plat process or propose an alternative plan acceptable to the County.
6. That UDOT approval for access purposes along Highway 66 to the proposed subdivision is provided as part of the preliminary plat application.
7. That an improvements exception for the project is conditioned on the current width of Highway 66 being 22 feet wide with adequate shoulders, as verified by the project surveyor or engineer; or that improvement of the existing street is provided to a minimum width of 22 feet with adequate shoulders. Construction drawings, if necessary, illustrating the improvements shall be provided with the preliminary plat submittal, and final plat approval shall be conditioned on the execution of a cash bond and agreement or completion agreement for said improvements.
8. That a slope analysis may be required to clearly identify slope areas over 15% slope with the preliminary plat submittal.
9. That a geologic hazards scoping meeting is held prior to preliminary plat submittal in compliance with MCC §8-5I, and that all reports, studies, and certifications related to geologic hazards studies are provided with the preliminary plat submittal. The preliminary plat shall be designed in a manner that addresses the recommendations of the geologist and geotechnical engineer.
10. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
11. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.

12. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.
13. That a note be placed on the plat requiring future development to adhere to Morgan County Code Title 9, Flood Damage Prevention Ordinance for all areas located in the flood plain area.
14. That all other local, state, and federal laws are adhered to.

This recommendation is based on the following findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. With the recommended conditions the proposal complies with current zoning requirements and subdivision requirements.
4. That with the listed conditions, the proposal is found to comply with the findings required for an improvements exception; namely, that requiring the full street infrastructure improvements:
    a. Is not roughly proportional, in nature or extent, to the impact of the development on the community;
    b. Is not beneficial to the county; or may be detrimental to the neighboring property abutting the development;
    c. Is not necessary at this time to protect the public's health, safety, and welfare.
5. That approval of the concept plan and the improvements exception renders the project "routine and uncontested" and as such qualifies for approval by the Zoning Administrator in compliance with adopted laws.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation for the Carter Meadows Subdivision Concept Plan, application 14.006, as listed in the February 6, 2014 staff report, and as modified by the additional recommendations below:"

1. List any additional recommendations…

Sample Motion for a denial – "I move we forward a negative recommendation for the Carter Meadows Subdivision Concept Plan, application 14.006, with the following findings:"

1. List findings…

SUPPORTING INFORMATION

Exhibit A: Future Land Use Map
Exhibit B: Zoning Map
Exhibit C: Concept Plan
Exhibit D: Geologic Hazard Area
Exhibit E: Flood Plain Area

Exhibit A- Future Land Use Map

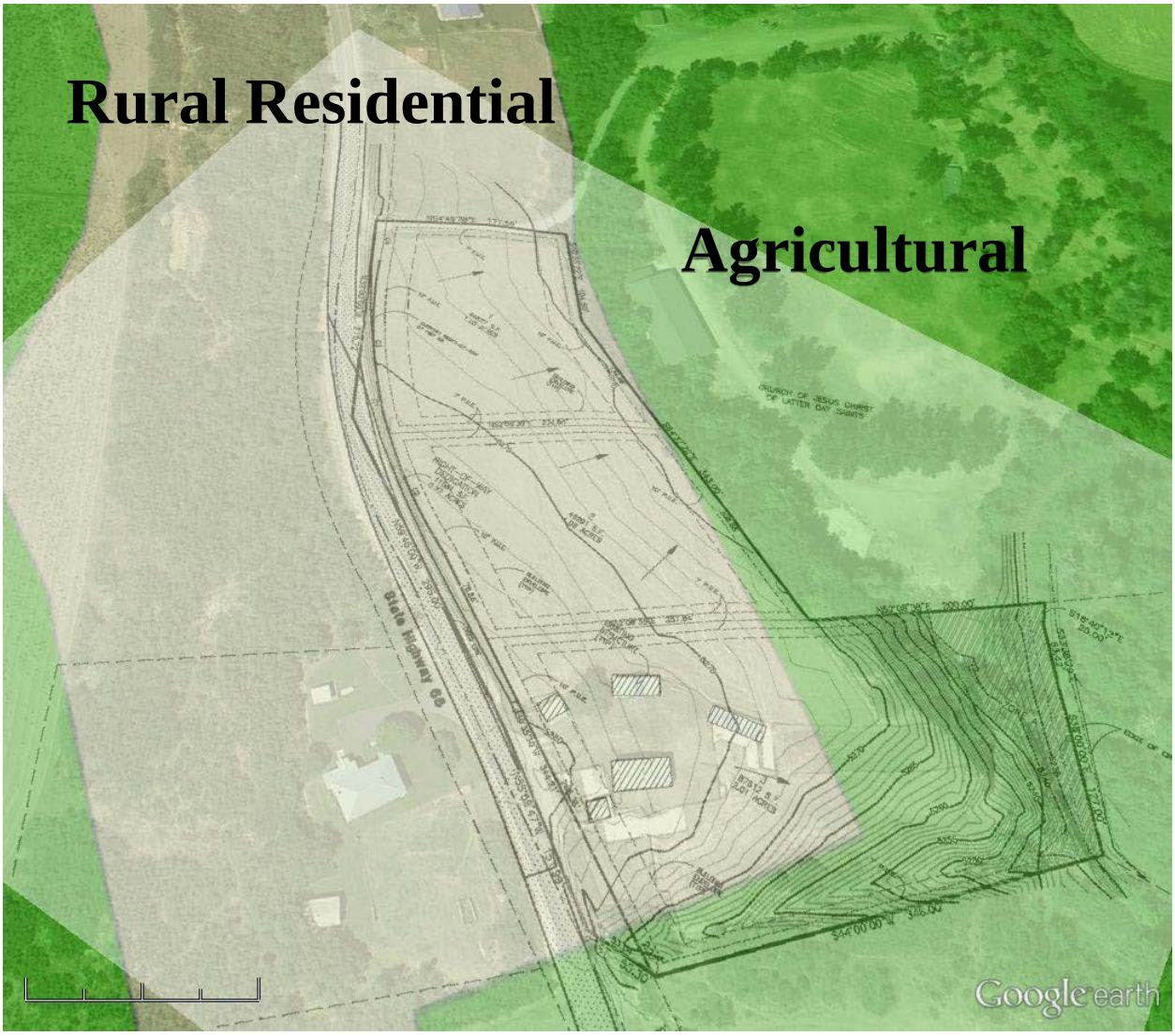


Exhibit B- Zoning Map

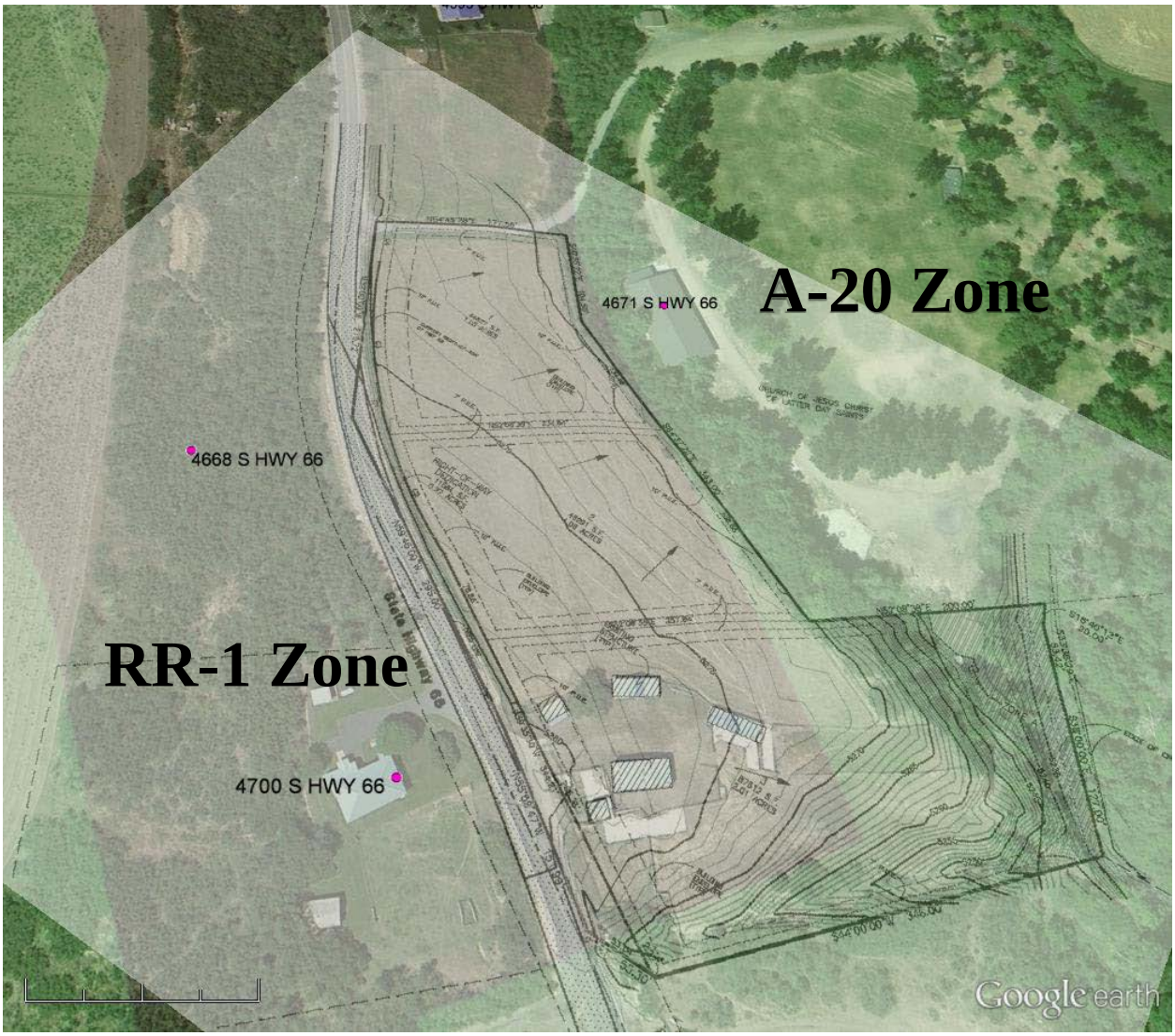
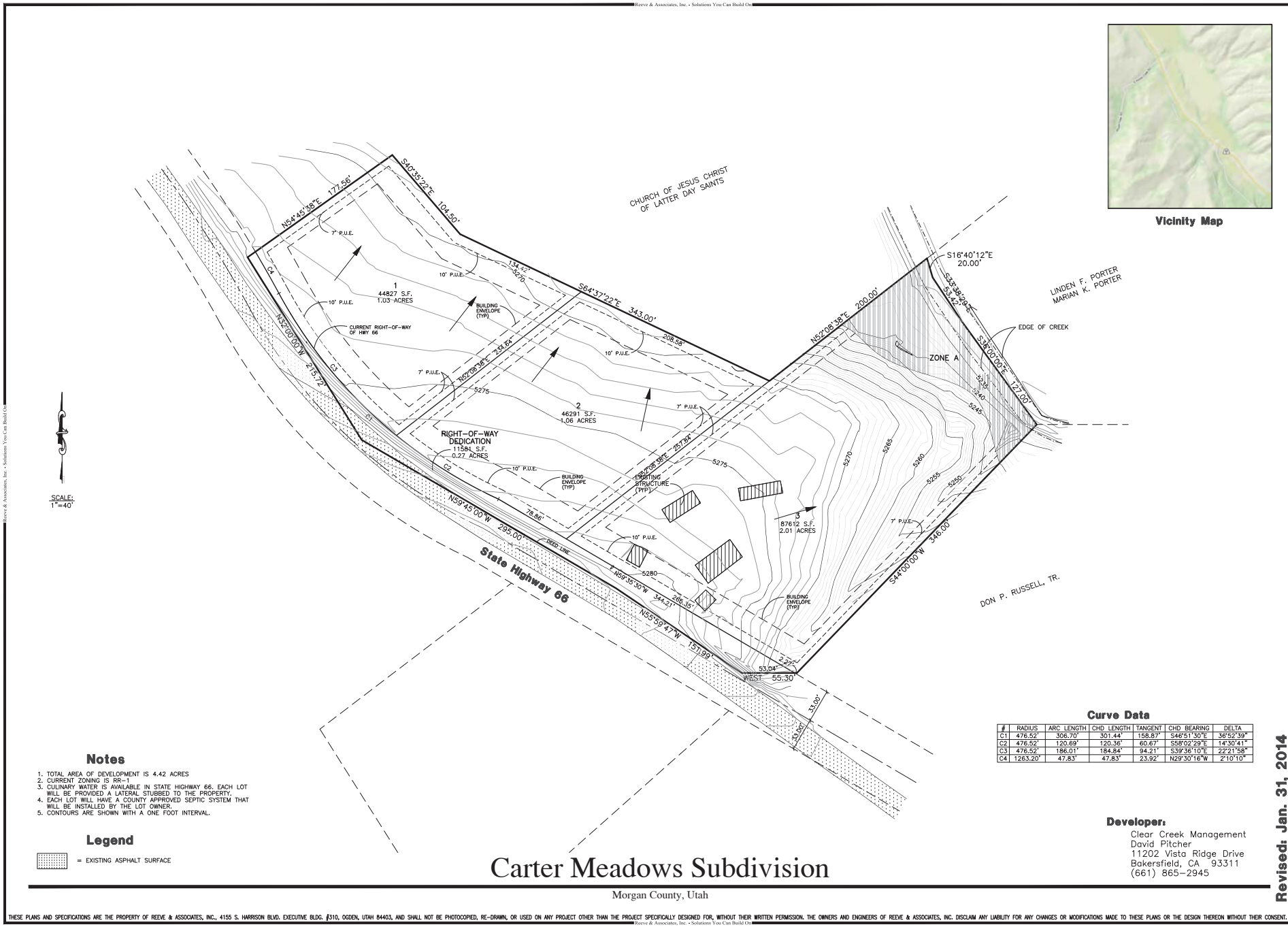


Exhibit C: Concept Plan



Vicinity Map

Curve Data

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	476.52'	306.70'	301.44'	158.87'	S46°51'30"E	36°52'39"
C2	476.52'	120.69'	120.36'	60.67'	S58°02'29"E	14°30'41"
C3	476.52'	186.01'	184.84'	94.21'	S39°36'10"E	22°21'58"
C4	1263.20'	47.83'	47.83'	23.92'	N29°30'16"W	2°10'10"

Notes

1. TOTAL AREA OF DEVELOPMENT IS 4.42 ACRES
2. CURRENT ZONING IS RR-1
3. CULINARY WATER IS AVAILABLE IN STATE HIGHWAY 66. EACH LOT WILL BE PROVIDED A LATERAL STUBBED TO THE PROPERTY.
4. EACH LOT WILL HAVE A COUNTY APPROVED SEPTIC SYSTEM THAT WILL BE INSTALLED BY THE LOT OWNER.
5. CONTOURS ARE SHOWN WITH A ONE FOOT INTERVAL.

Legend

= EXISTING ASPHALT SURFACE

Developer:
Clear Creek Management
David Pitcher
11202 Vista Ridge Drive
Bakersfield, CA 93311
(661) 865-2945

Carter Meadows Subdivision

Morgan County, Utah

Revised: Jan. 31, 2014

Reeve & Associates, Inc.
920 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403
TEL: (801) 621-3100 FAX: (801) 621-2666 www.reeve-assoc.com
LAND PLANNERS • CIVIL ENGINEERS • LAND SURVEYORS
TRAFFIC ENGINEERS • STRUCTURAL ENGINEERS • LANDSCAPE ARCHITECTS

REVISIONS
DATE DESCRIPTION

Carter Meadows Subdivision
PART OF THE NW 1/4 OF SECTION 31, T.3N., R.3E., S.L.B & M., U.S. SURVEY
MORGAN COUNTY, UTAH

Conceptual Plan

Project Info.
Engineer: N. Reeve
Designer: C. Cave
Begin Date: JANUARY 7, 2014
Name: CARTER PROPERTY
Number: 6288-01

Sheet 2 | 2 Sheets

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC., 4155 S. HARRISON BLVD. EXECUTIVE BLDG. #310, OGDEN, UTAH 84403, AND SHALL NOT BE PHOTOCOPIED, RE-DRAWN, OR USED ON ANY PROJECT OTHER THAN THE PROJECT SPECIFICALLY DESIGNED FOR, WITHOUT THEIR WRITTEN PERMISSION. THE OWNERS AND ENGINEERS OF REEVE & ASSOCIATES, INC. DISCLAIM ANY LIABILITY FOR ANY CHANGES OR MODIFICATIONS MADE TO THESE PLANS OR THE DESIGN THEREON WITHOUT THEIR CONSENT.

Exhibit D- Geologic Areas

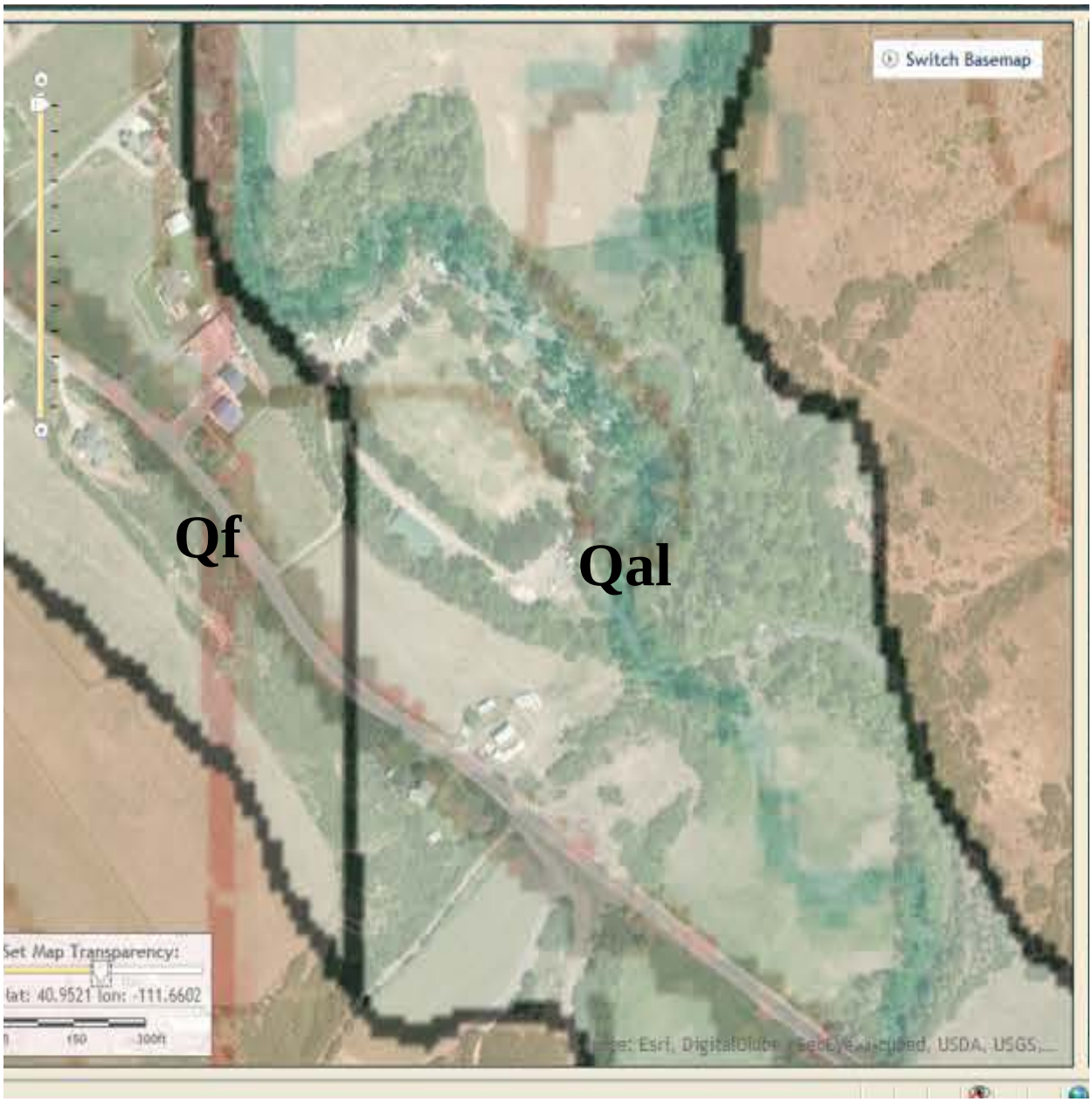
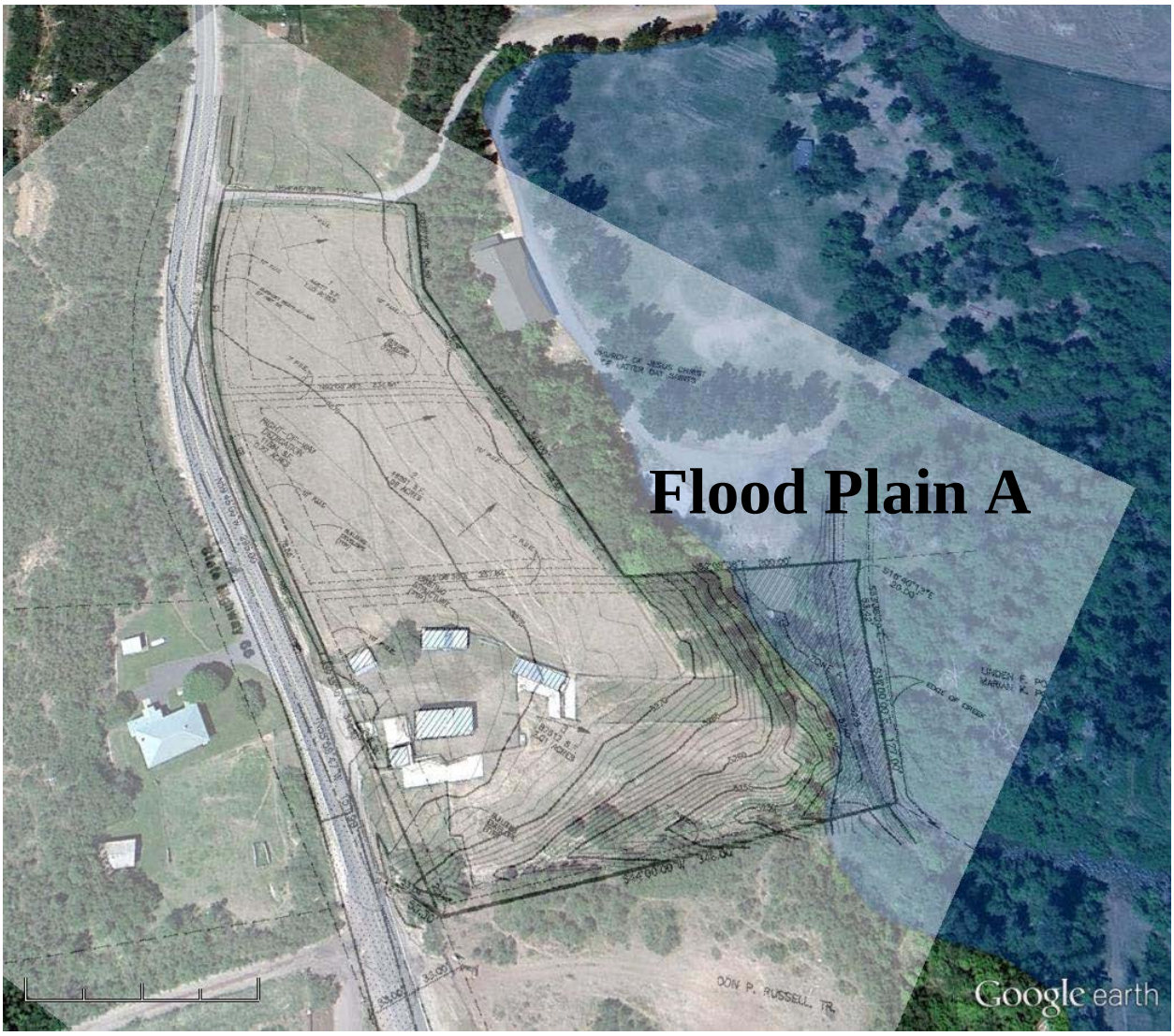


Exhibit E- Flood Plain



PLANNING COMMISSION AGENDA
Thursday, February 13, 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 Items.

5. Discussion/Decision: Pinewood Subdivision Concept Plan: Conceptual review of a 3 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2425 N 7000 E Croydon. The applicant is also seeking an exception from improvement requirements
6. Discussion/Decision: Carter Meadows Subdivision Concept Plan: Conceptual review of a 3 lot subdivision located in the RR-1/A-20 zones on property located at approximately 4700 S Highway 66
7. Staff Report
8. Approval of minutes from December 12, 2013
9. Adjourn

Morgan County, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations should call Keryl Squires at 801-845-4015, giving at least 24 hours notice prior to the meeting. A packet containing supporting materials is available for public review prior to the meeting at the Planning and Development Services Dept. and will also be provided at the meeting. Note: Effort will be made to follow the agenda as outlined, but agenda items may be discussed out of order as circumstances may require. If you are interested in a particular agenda item, attendance is suggested from the beginning of meeting.

PLANNING COMMISSION AGENDA
Thursday, December 12, 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: Sauer CUP: Requesting a Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.
6. Discussion/Decision: Babcock/K2 Building Solutions CUP: Requesting a Conditional Use Permit for assembling construction material to be utilized off site located at 4070 West 5800 North in the Cottonwood Industrial Park.
7. Discussion/Decision: Coventry Cove P.U.D. Subdivision Amendment# 2: A request by Coventry Cove Properties, LLC/Rex Wilkinson to amend Lot 10 by adding additional acreage to the lot and subdivision footprint located at 5521 N Coventry Circle Morgan, UT.
8. Discussion/Decision: Johnson/Surrey Lane Estates P.R.U.D. Subdivision Amendment #2: A request by Matt & Jennifer Johnson to amend the location of the building envelope on Lot 7 of the Surrey Lane Estates PRUD located at 780 West Surrey Lane Morgan, UT
9. Discussion/Decision: Wilkinson Acres Subdivision Concept Plan: Conceptual review of a 3 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2000 S. Morgan Valley Drive. The applicant is also seeking an exception from improvement requirements.
10. Discussion/Decision: General Plan & Ordinance Annual Update
11. Discussion/Decision: 2014 Planning Commission Calendar Approval

12. Staff Report
13. Approval of minutes from November 14, 2013
14. Adjourn

DRAFT

*The Planning Commission will be meeting for their annual Planning Commission Dinner prior to the formal start of the meeting. The dinner will start at 6:00 PM.

Members Present	Others Present
David Sawyer-electronic participation	John B. Wilkinson
Debbie Sessions	Stu Wilkinson
Roland Haslam	Mike Babcock
Darrell Erickson	Matt and Jennifer Johnson
Michael Newton	Joanne Nelson
Steve Wilson	

1. Call to order – prayer. Chairman Haslam welcomed everyone to the meeting. Member Stephens offered prayer.

2. Approval of agenda

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

3. Declaration of conflicts of interest

Member Wilson will withdraw on agenda item #9.

4. Public Comment

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

There was none.

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

Administrative Items

5. Discussion/Decision: Sauer CUP: Requesting a Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.

Randy Sauer: Owner of lots 50 and 51 on Highland Dr. Acknowledges the steep slopes and has proposed a new house plan for the lot.

Chair Haslam wondered about how much dirt would be moved and Mr. Sauer responded that it is a cut and fill from the top of the hill to the bottom and it may need some structural fill. They are

taking 48 yards of export from the site and bringing in 100 yards for the slabs and footings. He mentioned they are cutting the corner for lot 51, which he also owns. He is doing an easement across the lots. Mr. Sauer addressed water runoff and drainage; he has done a storm water prevention plan. He stated that the county engineer has reviewed and approved that. Mr. Sauer clarified that this is just for excavation.
Chair Haslam expressed concern that the geological studies were conducted 6-7 years ago and wondered if they have current information. Charlie explained that the county engineer has reviewed the information provided. Ronda elaborated that his review was acceptable except for some of the drainage issues. Member Erickson stated that his understanding of the report is that once excavation is complete, there is a revalidation. Mr. Sauer stated that there will be a review during the course of construction, where the engineer will be present during the excavation process.
Member Sawyer wondered if Charlie or the county engineer had any concerns with the slope stability analysis.
Charlie stated that some of the conditions for approval specifically address the concern for a potential landslide and that the project geologist, project engineer, and structural engineer all need to certify that there is not a reasonable risk for that area.
Member Sessions clarified to Mr. Sauer in that each- geologist engineer, geotechnical engineer and structural engineer-.need to have $1 million liability. Mr. Sauer was confident that they did.

Member Erickson moved to forward a positive recommendation to the County Council for the Sauer Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive, application 13.012, subject to the findings and conditions listed in the November 6, 2013 staff report, and as modified by the conditions and findings below:

1. That all work shall be conducted in compliance with the approved Engineering plans.
2. That the applicant will hold a preconstruction meeting with the County Engineer, Geologist, Engineer for the Rock Walls, Zoning Administrator and contractor prior to commencement of any on site work.
3. That all final administrative comments/corrections from the County Engineer are complied with prior to any on site improvements.
4. That an access easement is executed and recorded on Lot 51 of the Highlands Addition No. 1Subdivision for the proposed driveway access to Lot 50 of the Highlands Addition No. 1Subdivision prior to beginning on site improvements.
5. That an erosion control and revegetation/reseeding plan be submitted to the Morgan County Planning Department for review and approval by the County Engineer and Zoning Administrator.
6. That a cash bond for the erosion control and revegetation/reseeding plan is submitted to the County with a Cash Escrow agreement and Engineer's Cost Estimate in an amount and on forms as are acceptable by the County Engineer, County Attorney, and County Zoning Administrator.
7. That all graded or disturbed surfaces of excavations, and all equipment materials and driveways on the site shall be dampened or suitably treated, managed or contained to prevent the deposit of debris, dust or dirt on neighboring streets and properties; all materials transported to or from the site shall be so contained during transportation as to prevent spillage on streets or other property outside of

the site, and all vehicles going to or from the site shall be clean and free from dirt or debris that may track into the public right of way.
8. That all County outsourced review costs are paid current prior to commencement of construction.
9. That enforcement of these conditions may be attained by the issuance of a stop work order until infractions are corrected, among any other legal means.
10. That the applicant will adhere to MCC§ 8-5I-12 "submittal and certification of geologic hazards reports" prior to any work commencing on site.
11. That the applicant will provide a letter from a structural engineering certifying that the proposed residence on Lot 50 of the Highlands Addition No.1Subdivision has been designed based on the recommendations and conditions of the Geotechnical Engineer and Geologist.
12. That the project adheres to all other local, state, and federal requirements.
13. That if additional information becomes available regarding the unsatisfactory site conditions related to geologic or geotechnical issues as determined by the County Engineer, then the Conditional Use Permit may be re-reviewed for additional conditions or revocation.

This recommendation is based on the following findings:
1. That the request conforms to the requirements of the Morgan County Code.
2. That the requested uses are conditionally allowed in the R1-20 zone.
3. That with the proposed conditions, the proposal will mitigate potential detrimental effects it may cause to the public, particularly with respect to the dust and debris control.
4. That an erosion control and revegetation/reseeding plan is essential to mitigating the harmful effects of erosion, slope instability, and will mitigate the negative aesthetic effects of the hillside excavation.

Second by Member Sessions.

Motion by Member Sessions to amend the staff report to December 4, 2013. Second by Member Newton. The vote to the amendment was unanimous. The amendment to the motion carried.

The vote on the motion was unanimous. The motion carried.

6. Discussion/Decision: Babcock/K2 Building Solutions CUP: Requesting a Conditional Use Permit for assembling construction material to be utilized off site located at 4070 West 5800 North in the Cottonwood Industrial Park.

Mike Babcock: Co-applicant and owner of the property. He was surprised that there was a CUP required for the business use. He purchased it 18 years ago in an A-20 zone and then worked with the county to create a commercial buffer zone. The business is an assembly; not noisy or dusty and wondered if the uses have changed from the zone that was created before. He is not sure if it fits under a light manufacturing code. The business does pre-fabrication for walls to ship out to job sites. They are friendly to the neighborhood compared to most. He verified that all activity takes place indoors. Chair Haslam stated that a commercial buffer zone always requires a CUP. Mr. Babcock said that it depends on the type of business going in.
Member Sessions asked about the type of tools used. Mr. Babcock stated the tools are not noisy; cutting foam, metal cutting saw, and hand work.

Member Sessions suggested that there may be a decibel limitation, to which Member Erickson responded that there is damage above 85. Mr. Babcock suggested putting a noise level restriction on the area.

Member Sessions moved to forward a positive recommendation to the County Council for the K2 Building Solutions, Inc. Conditional Use Permit for general contract construction services, file #13.120 subject to the findings and conditions listed in the October 17, 2013 staff report, and as modified by adding condition #9 that the sound level at 650 feet from the business be less than 50 decibels.

1. That approval is based on the information in the application and Planning Commission staff report dated 10/17/13. Any impactful changes to the business from the information presented therein may require additional future review and approval.
2. That a business license for K2 Building Solutions, Inc. be obtained prior to commencement of onsite operations.
3. That all past due taxes along with all penalties and interest owed to Morgan County for Serial# 03-005-123-BCD are paid current prior to the review of the business license for K2 Building Solutions, Inc. located at 4070 West 5800 North Morgan, UT.
4. That the proposed business limits the hours of operation within the timeframe of 6:00 AM to 10:00 PM.
5. That the building official performs a site inspection to ensure code conformance prior to the issuance of a business license, including address and unit numbering and identification consistent with area addressing methods.
6. That a building permit is required to be issued for any electrical, plumbing, heating, and framing etc. during any renovation period.
7. That the applicant schedules a site inspection with the local fire official and receives approval prior to the issuance of a business license.
8. That the business adheres to all other County, State, and Federal requirements.

This recommendation is based on the following findings:
1. That the request conforms to the 2010 General Plan.
2. That the request conforms to the requirements of the Morgan County Code.
3. That the hours of operation may be a conditional use to operate.
4. That Morgan County Code has specific landscaping standards. If the Planning Commission feels additional landscaping is required in order to comply with code, staff would recommend a landscaping design to be submitted for approval by the Zoning Administrator.

Second by Member Wilson.

Discussion followed about the decibel level. Member Erickson wondered how the number 50 for the decibel level was deduced for this item. Ronda stated that the decibel levels were discussed at the last Planning Commission meeting. Member Erickson is concerned that the number 50 is an arbitrary number and would like to leave it as it is and seek further counsel. Member Sessions voiced that the decibel level is not only about noise for health, but also for annoyance for surrounding residences. The running vacuum is at an 81 decibel level. Member Newton wondered what the decibel level was for the last commercial buffer installed and, to be consistent, wanted to change it to a 48 level.

DRAFT

Member Newton moved to amend the motion from the 50 decibel level to 48 decibels at 650 feet. Second by Member Sessions. The vote was not unanimous with Members Sessions, Newton, Wilson and Sawyer in favor and Member Erickson against. The amendment to the motion carried with a vote of 4 to 1.

The vote on the main motion was not unanimous with Members Sessions, Newton, Wilson and Sawyer in favor and Member Erickson against. The motion carried with a vote of 4 to 1.

Mr. Babcock wondered if the planning commission had plans to revisit the permitted uses for that area and would like to be invited to the discussion.

7. Discussion/Decision: Coventry Cove P.U.D. Subdivision Amendment# 2: A request by Coventry Cove Properties, LLC/Rex Wilkinson to amend Lot 10 by adding additional acreage to the lot and subdivision footprint located at 5521 N Coventry Circle Morgan, UT.

Rex Wilkinson: Adding 5000 sq feet on the back of lot 10.
Chair Haslam asked for confirmation that he is not reducing open space required for the PRUD.
Mr. Wilkinson stated he is not; he is just adding.
Chair Haslam inquired about the updated letter for the well in which Mr. Wilkinson replied that it should be included in his report.

Member Sessions moved to forward a positive recommendation to the County Council for the Coventry Cove Subdivision, a Planned Unit Development Amendment# 2, file# 13.002, subject to the conditions and based on the findings presented in the staff report dated December 4, 2013, and as modified by the conditions below:
1. That an updated title report is submitted with the final Mylar.
2. That staff can make a positive finding that all administrative plat corrections and other information have been provided to the satisfaction of respective reviewers, and that all conditions have been satisfied prior to the final Mylar.
3. That written verification of the proposed water source for both culinary and irrigation supplies that conform to the County adopted subdivision ordinance requirements be provided to the County prior to the final Mylar.
4. That written approval from the Mountain Green Fire District is provided prior to the final Mylar.
5. That all outstanding fees for outside reviews are paid in full prior to recording the final Mylar.
6. That all local, State and federal laws are upheld.

This recommendation is based on the following findings:
1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. The proposal complies with the current Development Agreement for the Coventry Cove Subdivision, a Planned Unit Development.
4. Those certain conditions herein are necessary to ensure compliance with adopted laws prior to subdivision plat recording.
5. The additional infrastructure improvements are not necessary at this time to protect the public's health, safety, and welfare.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

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

8. Discussion/Decision: Johnson/Surrey Lane Estates P.R.U.D. Subdivision Amendment #2: A request by Matt & Jennifer Johnson to amend the location of the building envelope on Lot 7 of the Surrey Lane Estates PRUD located at 780 West Surrey Lane Morgan, UT

Matt Johnson approached the planning commission. There were no questions for him.

Member Newton moved to forward a positive recommendation to the County Council for the final plat for Surrey Lane Estates PRUD Amendment# 2, file# 13.098, subject to the conditions and based on the findings presented in the staff report dated December 5, 2013, and as modified by the conditions below:
1. That an updated title report is submitted with the final Mylar.
2. That staff can make a positive finding that all administrative plat corrections and other information have been provided to the satisfaction of respective reviewers, and that all conditions have been satisfied prior to plat recordation.
3. That all outstanding fees for outside reviews are paid in full prior to recording the final Mylar.
4. That all local, State and federal laws are upheld.

This recommendation is based on the following findings:
1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. That sufficient proof of culinary & irrigation water flow has been provided to the Planning and Development Services Department.
4. Those certain conditions herein are necessary to ensure compliance with adopted laws prior to subdivision plat recording.
5. The additional infrastructure improvements are not necessary at this time to protect the public's health, safety, and welfare.
6. That the term "open space" on the original plat(s) may have been intended for agricultural production purposes, for which the proposal complies.
7. That the proposal is not detrimental to the health, safety, and welfare of the public.

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

9. Discussion/Decision: Wilkinson Acres Subdivision Concept Plan: Conceptual review of a 3 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2000 S. Morgan Valley Drive. The applicant is also seeking an exception from improvement requirements.

John Wilkinson approached the pulpit. There were no questions for him. Member Sessions stated her desire to change the rule so that the exception becomes the rule.

Member Sessions moved to forward a positive recommendations for the Wilkinson Acres Subdivision No. 2 Concept Plan, application 13.153, as listed in the December 5, 2013 staff report, and as modified by the additional recommendations below:
1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That a record of survey of the remaining agricultural land is filed in the office of the County Recorder and recorded, together with a letter of approval of the division from the Zoning Administrator, pursuant to MCC §8-12-9.
3. That an improvements exception for the project is conditioned on the current width of Morgan Valley Drive being 22 feet wide with adequate shoulders, as verified by the project surveyor or engineer; or that improvement of the existing street is provided to a minimum width of 22 feet with adequate shoulders. Construction drawings, if necessary, illustrating the improvements shall be provided with the preliminary plat submittal, and final plat approval shall be conditioned on the execution of a cash bond and agreement or completion agreement for said improvements.
4. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
5. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.
6. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
7. That the project is renamed to the satisfaction of the County Recorder.
8. That all red/bluelines on the plat herein are corrected with preliminary plat submittal.
9. That all other local, state, and federal laws are adhered to.

This recommendation is based on the following findings:
1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. With the recommended conditions the proposal complies with current zoning requirements and subdivision requirements.
4. That with the listed conditions the proposal is found to comply with the findings required for an improvements exception; namely, that requiring the full street infrastructure improvements:
a. Is not roughly proportional, in nature or extent, to the impact of the development on the community;
b. Is not beneficial to the county; or may be detrimental to the neighboring property abutting the development;
c. Is not necessary at this time to protect the public's health, safety, and welfare.
5. That approval of the concept plan and the improvements exception renders the project “routine and uncontested” and as such qualifies for approval by the Zoning Administrator in compliance with adopted laws.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

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

10. Discussion/Decision: General Plan & Ordinance Annual Update

Charlie and staff are putting together a list of ordinances to be discussed and worked on during 2014.
- Future street plan: dead-end roads, emergency services, etc.

-Potential realignment for Trappers Loop Rd. Two years to purchase the property from the Johnsons for right-of-way access to I-84. If that does not work out, considering possible alternatives. It is on UDOT's unfunded plan.
-Mecham and Freed rezone
-City boundaries
-Plans for allowed recreational uses
-Potential recreational zone. Charlie elaborated that individual land owners may choose to volunteer for that.
-Ordinance Update Committee meeting: first item is the exception to the rule; making the exception the rule instead of the exception.
-Interchange. Member Erickson voiced that there is not the demand currently to have the interchange on the plan.

Member Erickson expressed desire to resolve with the state, the 60' width of the road in the standard right-of-way. The indication he gets from UDOT is there is a legal document needed. He wondered if it is on the agenda. Charlie nodded in the affirmative.

11. Discussion/Decision: 2014 Planning Commission Calendar Approval

Member Sesssions moved to approve the 2014 Planning Commission Calendar. Second by Member Erickson. The vote was unanimous. The motion carried.

12. Staff Report

13. Approval of minutes from November 14, 2013

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

14. Adjourn

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

Approved: _____ Date: _____
Chairman

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