



PLANNING COMMISSION AGENDA

Thursday, February 12, 2015

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:

6. Discussion/Decision – Recommendation of the Woodland Heights Lot 23 Plat Amendment – A proposed plat amendment to the Woodland Heights Subdivision, adding approximately 50 feet (.27 acres) to the eastern portion of the lot.
7. Discussion on commercial use table text amendment.
8. Planning Commission Business/Questions for Staff
9. Approval of minutes from January 8, 2015
10. Adjourn

Members present

Shane Stephens
David Sawyer, via Skype
Debbie Sessions
Roland Haslam
Michael Newton

Staff Present

Bill Cobabe
Gina Grandpre
Mickaela Moser

Public Present

Tina Kelley
Tina Cannon
Larry Nance
Nick Ordyna
Jamie Ordyna

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

Administrative:

6. Discussion/Decision – Recommendation of the Woodland Heights Lot 23 Plat Amendment – A proposed plat amendment to the Woodland Heights Subdivision, adding approximately 50 feet (.27 acres) to the eastern portion of the lot.

Bill reminded that the original subdivision plat was approved in 2006 and this addition will add about .27 acre, bringing their full acreage to about .75 acre. Bill reviewed the additional conditions that must be taken care of before final plat. Bill showed the Planning Commission members on the map where the additional acreage will be added, saying that the impact will be minimal. The reason for the amendment is that the property currently does not allow setbacks for the applicants to build a home the way they would like it. Bill said staff is recommending approval.

Chair Haslam asked what the ‘R’ represents on the current map, to which Bill responded that it indicates geological standards. Bill also said the geologic studies conducted have

all come back in the affirmative. Bill stated that the applicants were issued a ‘concrete only’ permit in October 2014 but there has been some additional construction done and it will need to be inspected. He further stated that Kent (the building inspector) is aware of the situation.

Nick Ordyna: He pointed out the unique shape of the lot in comparison with the surrounding others. He stated that they wanted to be able to have a house plan without a lot of stairs, and wanted to build out instead of up and the additional 50 feet allows for that. He said they were informed of certain timelines and anticipated being on the Planning Commission agenda in October, but their application kept being pushed back and they decided to proceed with further construction even though they had a ‘concrete only’ permit.

Chair Haslam informed them that there is a penalty associated with their illegal building and he recommended halting the construction before this proceeds to the County Council meeting, as they decide on any penalties.

Mrs. Ordyna: She asked about the procedures associated with County Government, as she has concerns with the geological company that the County has hired to perform the studies on their lot. She feels they’ve been overcharged, their issues and concerns ignored, and would like the option to hire someone else. They have spent thousands of dollars and she is concerned because she’s received three invoices for additional reviews that she doesn’t feel are necessary. She is frustrated with the volley of additional reviews and additional charges between their personal geologist and the County’s geologist, with the Ordyna’s being caught in the middle. She feels there is no accountability for those conducting the surveys.

Member Sessions asked Mrs. Ordyna to bring up this issue when they present with the County Council, as they have receptive ears and it needs to be brought to their attention also. Chair Haslam informed the Ordyna’s that the Planning Commission is an advisory board, but the County Council is the governing body that can take action on this issue. Member Sessions said their frustration is understandable and explained that there should be an ordinance in place to prevent someone from having to pay for the geologists to go back and forth. Member Sawyer suggested they write an email to their council member, Tina Cannon (who was present at the meeting) so she can also be aware and have time to investigate before the County Council meets.

Member Sessions moved to recommend approval of the Ordyna Plat Amendment – Woodland Heights Lot 23, application #14.102, located at approximately 5653 W Woodland Dr., amending the plat and adding approximately 50 feet on to the eastern portion of the property, based on the findings and with the conditions listed in the staff report dated February 12, 2015.

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

7. Discussion on commercial use table text amendment.

Bill thanked the Planning Commission members for their attention to the items they

emailed in response to their review of the commercial use table text amendment. Member Sessions expressed frustration that the current commercial use table list is so restrictive. Currently, if the item is not listed, it is prohibited and since the list is so specific, she feels it works against County residents in limiting their options. Bill attempted to explain that it is meant to work in the opposite direction and allocate certain activities in their appropriate zones. There was some confusion as to what they were asked to do, as the Planning Commission members were supposed to review the 19,000 items on the table and decide what is appropriate and where. There was trepidation and discussion as to the best way to approach the list and analyze the options.

Chair Haslam suggested that if an applicant wants to apply for something not listed on the commercial use table, they should be able to have their desire reviewed and considered. Bill stated that having that kind of uncertainty is discouraging to business owners and developers. Chair Haslam said this is a rural community that would like to stay rural and he doesn't feel comfortable reviewing a potential 19,000 business opportunities. Member Stephens suggested that the majority of Morgan County residents enjoy the rural setting and would like for it to remain such. Bill then gave an example of a potential applicant who wants to open a coffee shop and explored the areas available for his business venture. It would be classified as a drive-thru restaurant, which comes with its own set of restrictions. Bill said there are specifics under each general category that allow for business ventures to even be considered in Morgan County, but they need to be reviewed first with Planning Commission members as to whether they're appropriate. Member Sessions expressed that she wants to generalize, condense and make less conditional uses. She believes that the size of a potential grocery store should be addressed at a different time and not restricted initially. She would like to see business development and feels that by being more specific on the commercial use table, there could be many possibilities left out because if they're not on the list, they will be prohibited.

A work session was suggested to address the direction in which to head. Tina Cannon recommended a joint work session between the Planning Commission and County Council. Bill could get it on the next available agenda, set for March 3, 2015.

Member Newton moved to request a work session with the County Council, at their earliest convenience, to discuss and review the commercial use table (date to be determined by the County Council).

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

8. Planning Commission Business/Questions for Staff

Upcoming planning conference the first week in April in St. George in which Planning Commission members are invited to attend. Bill informed about the items on the next Planning Commission agenda. Bill gave an update on the Ponderosa development, addressing the issues of Phase 7 being brought out of Rollins Ranch, which has private roads instead of a County road beyond the gate.

9. Approval of minutes from January 8, 2015

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

10. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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