



PLANNING COMMISSION AGENDA

Thursday, September 10, 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 at Morgan County Courthouse
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

**Legislative:**

**Administrative:**

6. Discussion/Decision – Cottonwood Hills Lot 7 & 8 Plat Amendment.
7. Discussion – Commercial Use Table
8. Discussion – Bylaws and Roberts Rules.
9. Planning Commission Business/Questions for Staff
10. Approval of minutes from August 27, 2015
11. Adjourn

Members Present

Gary Ross  
Debbie Sessions  
Roland Haslam  
Larry Nance  
Michael Newton  
Steve Wilson

Staff Present

Bill Cobabe  
Gina Grandpre  
Mickaela Moser

Public Present

Tina Cannon  
Brett Mills

1. Call to order – prayer. Chair Haslam called the meeting to order and offered prayer.
2. Pledge of Allegiance
3. Approval of agenda  
**Member Ross 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

**Mike Johansen:** Representing the Cottonwood Mutual Water Company. He was concerned about the large size of the home and wants the owners to utilize both water sources, as he understands that the home is over 18,000 square feet. He clarified that he is requesting the owners to purchase both connections. He stated that the home is 3 times larger than the surrounding homes. There are also outbuildings that would require water connections and in order to meet the fire department requirements among other concerns, he would request they use both connections.

**Legislative:**

**Administrative:**

6. Discussion/Decision – Cottonwood Hills Lot 7 & 8 Plat Amendment.

Bill presented that these lots will conform to the current CC&R's. He reviewed that the village low density is ½ acre. Bill showed on the map that this application is outside the geologic hazard area. He stated that the applicants want to position a home over the existing lot lines. Member Sessions pointed out the snow removal easement that was along the road near lot 8. Bill commented that the easements and building envelopes will be reflected on the recorded plat.

Concerning the size of the home, Bill stated that it is the building envelope that dictates the size of the home, not the other way around. For this reason, both lots are needed to build this home, as the building envelope on either lot would not be sufficient. Member Sessions wondered if the water issue should be considered in the motion.

Brett Mills, applicant: He clarified that the home is 8389 square feet and there is also a 3500 square foot garage with an underground basketball court.

**Member Sessions moved to approve the Cottonwood Hills Plat Amendment – Lots 7 and 8, application #15.056, located at approximately 5667/5668 N Silver Mountain Cove, amending the plat and removing the lot line between lots 7 and 8 and creating Lot 150, based on the findings and with the conditions listed in the staff report dated September 10, 2015, with the added condition:**

**#4: That the building envelope and the no-build snow removal easement be shown on the plat.**

The findings and conditions for the application should now read:

Findings:

1. That the proposed amendment is in keeping with the goals set forth in the Future Land Use Map of the General Plan.
2. That the proposed amendment meets the requirements of the Morgan County Code for subdivision plat amendments.
3. That the proposed amendment will have a negligible impact on surrounding properties.

Conditions:

1. That the owners provide an updated title report prior to recordation.
  2. That all fees and taxes are paid, including any fees associated with outsourced consultants.
  3. That any minor changes to the plat be handled by County Staff prior to recordation.
- 4: That the building envelope and the no-build snow removal easement be shown on the plat.**

**Second by Member Newton.**

Member Nance asked about the added condition to which Member Sessions replied that the requirements were printed on the original plat and she wants to ensure they get carried over to the new, amended plat.

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

## 7. Discussion – Commercial Use Table

It was decided to set a stopping time of 7:30 pm for the discussion on this agenda item. It is currently 6:52 pm.

Planning Commission members discussed items on the commercial use table, including grocery stores and other retail stores. There was some discussion on the distillery, NAICS code 312140. It was decided to add a C2 to the distillery. There was clarification that a C1 level is staff approval, C2 level is Planning Commission and a C3 level is County Council approval.

#### 8. Discussion – Bylaws and Roberts Rules.

Member Nance requested to review the bylaws and Robert's Rules. Member Nance suggested that the Chair vote on all of the motions, not just in situations of a tie. Chair asked the Planning Commission what their thoughts were. Chair Haslam reviewed the Chairman's responsibilities to keep the meeting going and he clarified that the voting rules were set up to help keep the Chair from taking control of meetings. Tina Cannon clarified that the County Council Chair does not vote unless there is a tie. Member Newton stated that he would like to see the Planning Commission stay consistent with County Council and have the Chair vote only to break a tie. The consensus was to leave the vote of the Chair the way it is currently written in Robert's Rules.

Member Nance suggested that if a Planning Commission member has a conflict of interest on one of the agenda items, they should leave the room. Currently, if a member has a conflict of interest, they may remain in their seat, but they may not participate in discussion or voting.

Member Sessions asked about the discussion concerning applications, and whether Chair Haslam was ok with discussion amongst Planning Commission members before a motion is made. There was also discussion about the numbering of Robert's Rules. Member Sessions also discussed the withdrawing of a motion or restating a motion before a vote takes place.

Chair Haslam encouraged all motions to have a second so as to allow for discussion. After that point, a motion may be discussed and denied if necessary.

Member Sessions discussed the situations of rescinding and reconsidering a motion at a later meeting. It was discussed that if a motion needed to be withdrawn or changed, that it could be done so any time prior to any action being taken.

Bill stated that the bylaws govern the meeting, and Robert's Rules are great guidelines but the bylaws are what govern and guide the meeting, per the County Attorney, Jann Farris.

It was decided to bypass the motions for going into and out of public comment. It was also decided to have a motion to close public hearing but not to open it.

**Member Nance moved to approve the amendments for the bylaws. Second by Member Wilson. The vote was unanimous. The motion carried.**

Bill stated that the voting of the bylaws needs to be noticed in the proper places and then voted upon before progressing to the County Council.

**Member Nance withdrew his motion.**

Member Nance made a suggestion on page 11 of 12 of the County bylaws to add the wording “conflicts in procedure” to the 3 asterisks, if the County Attorney is in agreement:  
It currently reads: (\*\*\*)The above by-laws were made with reference to Robert’s Rules of Order revised. If there are any conflicts herein the procedures of Robert’s Rule of Order shall apply.)

The updated wording will say: (\*\*\*)The above by-laws were made with reference to Robert’s Rules of Order revised. If there are any ~~conflicts herein the procedures of~~ conflicts in procedure, Robert’s Rules of Order shall apply.)

**Member Nance moved to approve the amendments for the bylaws and direct Staff to properly notice for the public meeting. Second by Member Newton. The vote was unanimous. The motion carried.**

9. Planning Commission Business/Questions for Staff  
Bill gave information about an upcoming meeting. He also stated that the website for the Planning Department is getting a new look and will be changing soon. He also provided information about upcoming training opportunities.

10. Approval of minutes from August 27, 2015

**Member Ross moved to approve the amended minutes from August 27, 2015. Second by Member Nance. The vote was unanimous. The motion carried.**

11. Adjourn

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

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

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