



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



Planning Commission
Staff Report

Cottonwood Hills Plat Amendment
Public Meeting
September 10, 2015

Application No.: 15.056
Applicant: Brett Mills
Owner: Same
Project Location: Lots 7 and 8 of the existing Cottonwood Hills PUD
5667 and 5668 N Silver Mountain Cove
Mountain Green
Current Zoning: RR-1/RR-5 (PUD)
General Plan Designation: Village Low Density
Acreage: Currently two lots – Lot 7 is ~1.34 acres; Lot 8 is ~3.33 acres.
Combined acreage total is ~4.67 acres.
Request: Amend a subdivision of record to eliminate the lot line between
lots 7 and 8 to allow for the construction of a home which will be
located over the existing lot line.
Date of Application: July 21, 2015
Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested amended plat based on the following findings and with the conditions listed below:

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.

Background

This application is to amend the approved Cottonwood Hills PUD Plat, originally approved in

2006. Lots 7 and 8 are located at the south end of Silver Mountain Cove. The combined acreage of the resulting lot (called Lot 150 on the proposed amended plat) would be approximately 4.67 acres. The existing lots lie somewhat over the dividing line in the current zoning, which is RR-1 and RR-2 (see Exhibit C).

The application originally came in July 2015. The proposed amendment is required to accommodate the desire of the applicants to build a home on the lot that would not conform to County building setbacks due to the current location of the building lot line. The proposed amended plat would eliminate the lot line and allow for the construction of a home in the desired location.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property has a Village Low Density designation. According to the General Plan, the Village Low Density designation "provides for a lifestyle with planned single family residential communities, which include open space, recreation and cultural opportunities, including schools, churches, and neighborhood facilities located in established village areas (formerly area plan boundaries) or master planned communities." The Village Low Density designation anticipates approximately 2 dwelling units per acre. This lot, at nearly 5 acres matches the desired character of the General Plan.

The zoning of the parcel covers portions of the RR-1 and RR-5 zoning districts (see Exhibit C). As noted above, the size of the lot (approximately 5 acres) seems appropriate for the zoning that exists in the area and on this lot.

Ordinance Evaluation:

Property Layout. These lots are uniquely sited along a ridgeline in the Cottonwood Hills PUD. Lot 7 is along the south and east of the area, and has portions of the lot that are unbuildable due to steep slope to the east. Lot 8 has restrictions on the lot as noted in the deed restrictions due to "special visual sensitivity requirements". (This note is referenced for information only – the County does not enforce deed restrictions). The setbacks are noted on the plat and are typical to the respective zones.

Roads and Access. As noted above, the lot fronts onto Silver Mountain Cove, where access will be gained to the property.

Grading and Land Disturbance. The parcel appears to lie outside of the flood plain.

Utilities. Water service in the area is provided by the Cottonwoods Mutual Water System. Waste water will be handled in the Mountain Green Sewer District system.

Geologic Hazards. The proposed plat amendment lies within the Q1s geologic unit, which is not an area of known concern for the County.

Model Motion

Sample Motion for *Approval* – “I move we 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.”

Sample Motion for *Approval with additional conditions* – “I move we 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 following additional conditions:*”

1. List any additional findings and conditions...

Sample Motion for *denial* – “I move we deny 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 listed in the staff report dated September 10, 2015, *due to the following findings:*

1. List any additional findings...

Supporting Information

- Exhibit A: Vicinity Map
- Exhibit B: Future Land Use Map
- Exhibit C: Current Zoning Map
- Exhibit D: Geologic Hazards Map
- Exhibit E: Existing Cottonwood Hills PUD Plat
- Exhibit F: Proposed Amended Plat

Staff Contact

Bill Cobabe, AICP
801-845-4059
bcobabe@morgan-county.net

Exhibit A: Vicinity Map

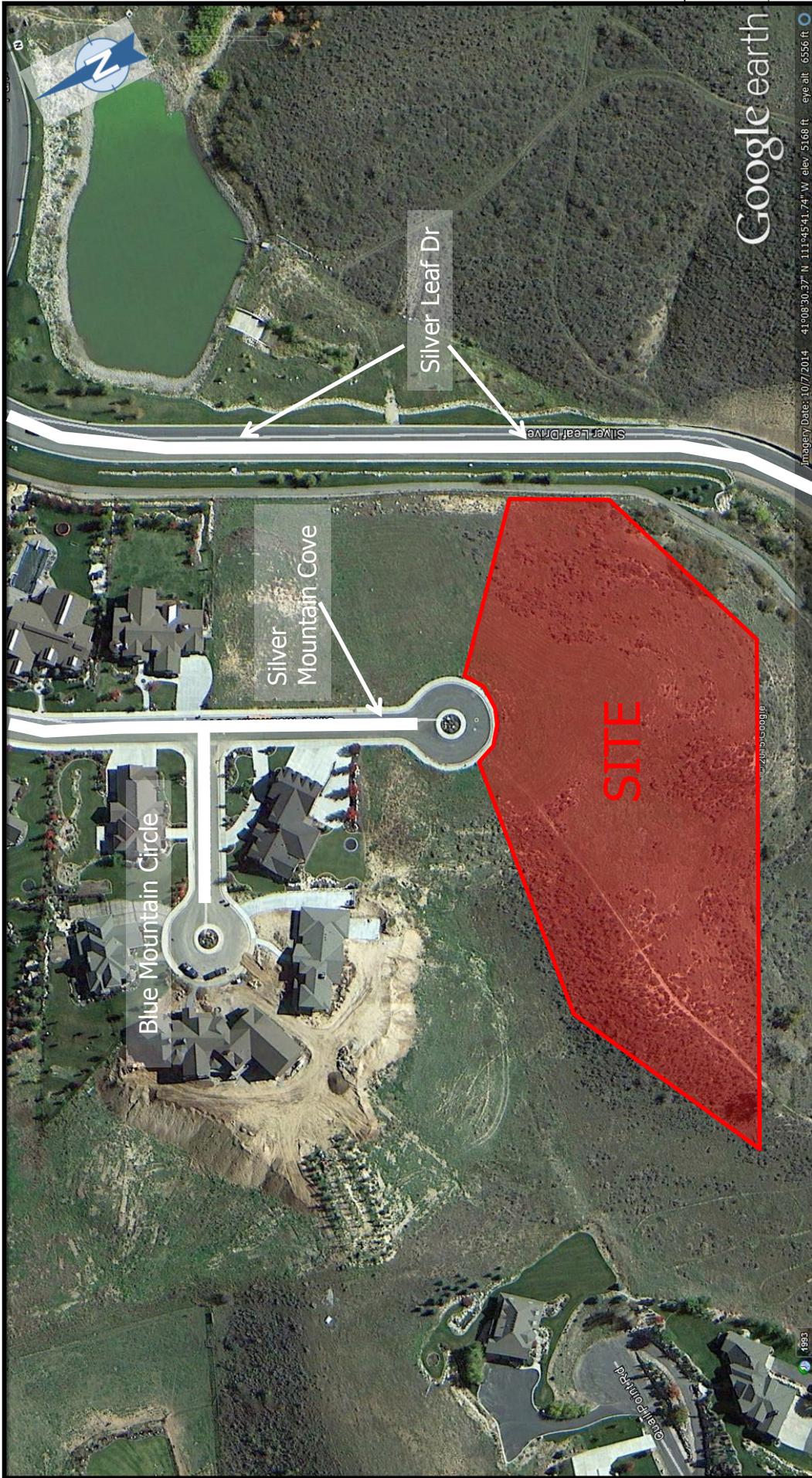


Exhibit B: Future Land Use Map



Exhibit C: Current Zoning Map

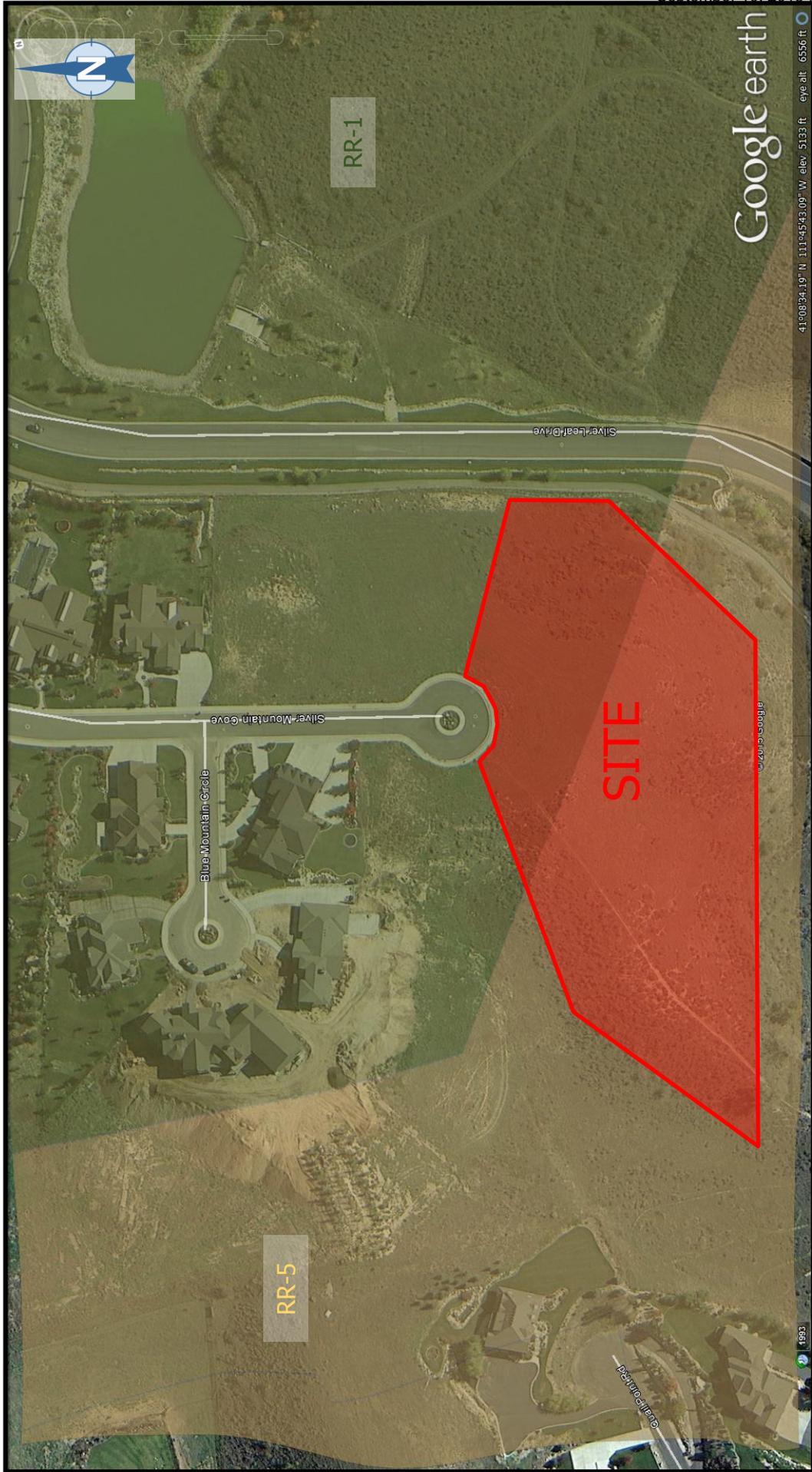
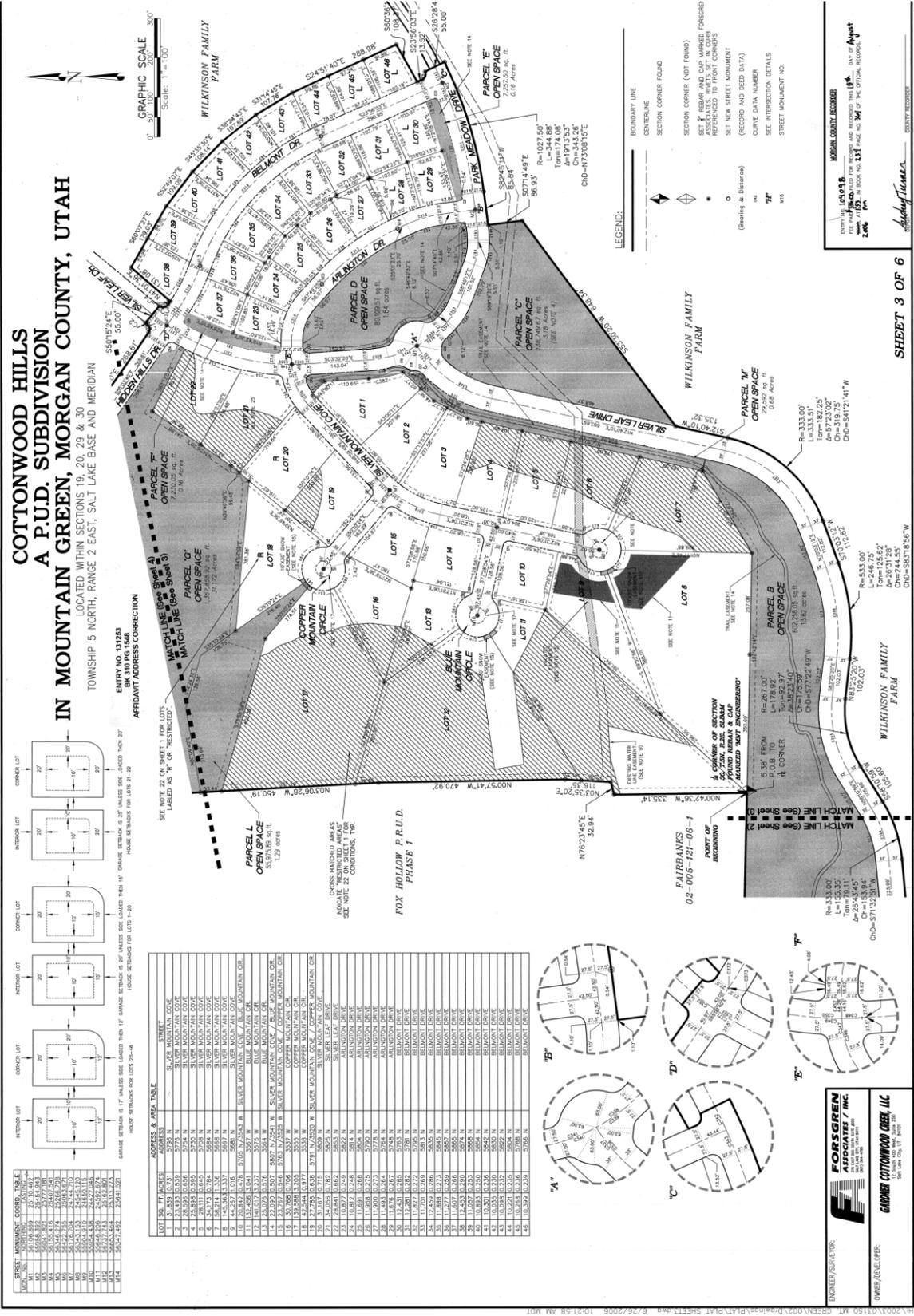


Exhibit D: Geologic Hazards Map



Site appears to lie within the Qmc Geologic Unit

Exhibit E: Existing Cottonwood Hills PUD Plat





**MORGAN COUNTY PLANNING COMMISSION
BYLAWS AND RULES OF PROCEDURE
Adopted by the Morgan County Council
October 15, 2013**

- A. Preface: Utah Code 17-27a--301 requires Counties to establish a Planning Commission by Ordinance. Morgan County Code 8-3-9 sets forth the County regulations for the Planning Commission, and requires the County Council to approve the by-laws for the Planning Commission.
- B. Membership: The Planning Commission consists of one member from each of seven distinct planning areas that are appointed by the County Council for a four year term.
1. If no suitable applicants from the designated areas apply for the position, the County Council reserves the right to appoint the seat as an “at large position”.
 2. If a Commissioner resigns before the end of the designated term, the County Council will advertise for the filling of the seat until the end of the initial term of that seat.
 3. Planning Commission terms will rotate, beginning as follows:
 - a. Mountain Green/Enterprise terms expire 2015.
 - b. Milton/Porterville-Richville-East Canyon terms expire 2012.
 - c. Peterson/Croydon terms expire 2013.
 - d. Stoddard term expires 2014.
 - e. Rotation shall keep going in this order, so that at least one member’s term expires each calendar year, per the Morgan County Code requirements.
- C. Quorum: Four voting members of the Commission shall constitute a quorum for the transaction of business. Any member disqualified because of a conflict of interest shall not be considered when determining whether a quorum is constituted. Except as otherwise specifically provided in these rules, a **majority vote** of the Commission members present

at a meeting shall be required and shall be sufficient to transact any item of business before the Commission which has been properly noticed on the agenda.

D. Organization

1. Appointment of Chair and Vice Chair: The Commission, at its first regular meeting in March of each year, shall select a Chair and Vice Chair.
2. The Chair to Preside at Commission Meetings: The Chair shall preside at all meetings of the Commission and shall provide general direction for the meetings.
3. Duties of the Chair:
 - a. To call the Commission to order on the day and the hour scheduled and proceed with the order of business.
 - b. To announce the business before the Commission in the order in which it is to be acted upon.
 - c. To receive and submit in the proper manner, all motions and propositions presented by the members of the Commission.
 - d. To put to vote all questions which are properly moved, or necessarily arise in the course of proceedings and to announce the results of motions.
 - e. To inform the Commission, when necessary, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon legal counsel for advice.
 - f. To authenticate by signature, when necessary, or when directed by the Commission, all of the acts, findings and orders, and proceedings of the Commission.
 - g. To maintain order at the meetings of the Commission.
 - h. To move the agenda along, hold down redundancy by limiting time allowed for comments if necessary, set guidelines for public input, and reference handouts and procedures during meetings.
 - i. Recognize speakers and Commissioners prior to receiving comments and presentations.
 - j. The Chair may vote to make or break a tie vote by the Planning Commission members.

- k. The chair shall vote if only four Planning Commission members are present (including the chair) at any given meeting.
4. Duties of the Vice Chair: The vice Chair, during the absence of the Chair, shall perform all of the duties and functions of the Chair.
5. Temporary Chair: In the event of the absence or the disability of both the Chair and the Vice Chair, the Chair, the Vice Chair and/or the remaining Planning Commission members present shall appoint another Planning Commission member to serve as Chair until the Chair or Vice Chair returns. In such event, the temporary Chair shall have all the powers and perform the functions and duties assigned to the Chair of the Commission.
6. Secretary: The duties of Planning Commission secretary shall be performed by the Planning and Development Services Department.
7. Secretary Duties:
 - a. To post public notices of regular and special Planning Commission meetings, consisting of a quorum, as required by State Law and County Code.
 - b. To attend every session of the Commission, to take and record the roll, to read any communications, resolutions or other papers which may be ordered to be read by the Chair of the meeting and to receive and bring to the attention of the Commission all messages and other communications from other sources.
 - c. To keep the minutes of the proceedings of the Commission and to record them.
 - d. To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.
 - e. To ensure Commissioners receive materials pertinent to regularly scheduled Commission meetings five days prior to Planning Commission meetings.
 - f. To perform such other duties as may be required.

E. Rights and Duties of Members

1. Meeting Attendance and Training: Every member of the Commission shall attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall inform the Chair of the excused absences. All members of the Planning Commission are encouraged to attend, at the expense of the County, land use law training within 12 months after being appointed to the Planning Commission.

2. **Electronic Attendance:** Pursuant to the Open Meetings Act, a quorum of four (4) members of the Planning Commission shall be physically present at the location of the meeting. Those members not part of the required physically present quorum may attend by video and/or audio conferencing, or by other electronic means.

All Planning Commission members attending meetings by electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting site so long as a physical quorum of four (4) members is present, but their votes shall be recorded by the Secretary as done by electronic attendance.

A Planning Commission member intending to attend a meeting by electronic conference shall provide notice to the Planning Commission Secretary 24 hours prior to the meeting, unless such notice is not practicable, in which case the earliest reasonable notice is required.

This policy shall not be construed to mean that conferencing by electronic means shall be regularly used or used at every Planning Commission meeting, but shall be used only as necessary to allow the participation of members who are unable to attend in person due to such circumstances listed in this policy.

3. **Conflict of Interest:** A Planning Commission member may declare a conflict of interest from specific agenda items. Members of the Planning Commission who feel they may have an actual, apparent, or reasonably foreseeable conflict of interest on any matter that is on the Commission agenda may explain the apparent conflict to the Commission. After declaring a conflict of interest, a Planning Commission member shall not participate in the discussion and vote of that matter, nor attempt to use his/her influence with other Commissioners either before, during or after the meeting. Below are some guidelines for conduct:
 - a. The Planning Commission Member may choose to leave the room until the agenda item has been acted upon.
 - b. There may be a conflict of interest if there are personal, familial, or financial ties between a Planning Commission Member and proponent/opponent of any item of business.
 - c. A Planning Commission Member may not appear before the Commission through his/her employment as an advocate or agent for a proponent.
 - d. A Planning Commission Member must not use the power of office to seek or obtain a special advantage that is not in the public interest nor any special advantage that is not a matter of public knowledge.
4. **Not to Vote Unless Present:** No member of the Commission shall be permitted to vote on any question unless the member shall be either physically or electronically present

when the vote is taken and when the result is announced. No member shall give his/her proxy to another person.

5. Place: All meetings of the Commission shall be held in the Council Chambers of the Morgan County Building, 48 West Young Street, Morgan City, Utah, or at such other place as the Commission or Planning and Development Services Staff may designate. A meeting having been convened at the place designated, may be adjourned by the Commission to any other place within Morgan County for the sole purpose of investigating some particular matter of business which may be more conveniently investigated at such other place, or may be adjourned to any other room more convenient for conducting the business of the Commission, so long as proper notice of meeting location is posted for the general public.
6. Regular Meetings-Time for Notice: Regular meetings of the Commission shall be held twice a month or on a schedule as approved by the Planning Commission prior to the first meeting of each year. At the discretion of the Chair, field trips or work sessions may be scheduled on any day and time provided adequate notice is given of the place and time of such meeting. Regular meetings may also be canceled when no applications or other items are ready to be placed on an agenda.
7. Special Meetings: The secretary shall give notice of the time and purpose of every special meeting of the Commission at least 24 hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally, or by telephone, email, or regular mail.
8. Meetings, Matters Considered: Other business items pertaining to the affairs of the Morgan County Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission.

F. Procedure – Order of Business

1. Order of Business: The order of business shall generally be as follows:
 - a. Field trip (if needed)
 - b. Roll taken by secretary
 - c. Consideration of agenda items
 - d. Approval of minutes
 - e. Other business at the discretion of the Chair
2. Field Trips: On those occasions when site inspections are deemed advisable, field trips shall be held prior to the Planning Commission meetings, on a date and time

- determined by the Chair, or Planning Commission. The time and location of the field trip shall be posted by agenda. Only Planning Commission Members and pertinent Planning and Development Services Staff shall be allowed to attend the field trip in a County owned vehicle. The public shall be allowed at the sites of field trip but are encouraged to present their case at the Planning Commission meeting, not during the field trip. Field trips shall be for the purpose of gathering information, not for discussing or making decisions.
3. Agenda for Meetings: The Planning and Development Services Director, with the assistance of the Chair and secretary, shall prepare a written agenda for each meeting as far in advance as possible and shall deliver the agenda to each Planning Commission member.
 - a. Public Hearings
 1. Public hearings shall be placed on the agenda near the beginning of the meeting to better accommodate the public.
 2. Time limitations shall be considered when determining the number of public hearings to be placed on any meeting agenda, and shall take into account the complexity of the applications, anticipated amount of public comment, and other regularly scheduled or continued agenda items.
 3. Members of the public shall state their name and in summary share helpful opinion and information for consideration for no more than five minutes as monitored by the Chair.
 - e. Presentations
 1. Applicant and staff presentations shall be concise and mindful of time limitations and shall be limited to relevant material.
 4. Staff Report: All major issues presented to the Planning Commission for their consideration shall be accompanied by a staff report detailing the overview, background, analysis and staff recommendation(s) which shall include findings of fact and conditions for approval. Staff reports shall address the portions of the Morgan County Code affected by petitioner's request and how it fits in within the guidelines of the ordinance and the applicable portions of the General Plan, as well as any pertinent State statutes. Staff reports shall be as concise as possible while allowing for adequate coverage of the subject matter and shall be made available to anyone requesting a copy of the staff report.

Copies of staff reports and other pertinent materials shall be made available to the Planning Commission Members at least three days prior to regularly scheduled Planning Commission meetings.

5. Submission of Written Materials: Applicants or interested parties should submit additional written materials one week prior to the agenda meeting to allow the Planning Commission adequate time to review the materials. Additional materials submitted from the applicant at the meeting may not be considered in any decision that evening. If the information received is pertinent to the project decision, said decision shall be tabled until such time that the Commission has fully reviewed the documents.

Written comments submitted at the time of the meeting should be limited to one typed page.

6. Notification of Public Hearings: Notices of all items scheduled for Planning Commission review shall be noticed in accordance with Morgan County Code and Utah State Law.

G. Procedure – Order and Decorum

1. Order of Consideration of Items: The following procedure will normally be observed, however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business:
 - a. Item introduced by Chair.
 - b. Petitioner/Developer presentation of proposal.
 - c. Staff presentation and recommendation
 - d. Opening of public portion of hearings.
 - b. Public portion closed.
 - c. Planning Commission discussion and vote. A motion should generally be on the floor before any discussion starts. The discussion is closed to staff, the petitioner and public unless the Planning Commission requests additional information. The Chair will outline possible actions: approval, denial, continuation or approval with conditions. If additional information is required, the public portion of the meeting may be reopened by a majority vote.

H. Definitions-Procedure-Motions

1. Making Motions: Any Planning Commission Member but the Chair may make a motion.

Motions should state findings for approval or denial within the motion:

- a. Motions should state recommendation to the appropriate body followed by any findings to support the motion, if any, and should be concluded with the conditions of approval. The motion may refer to the staff report for the detail of the findings of fact and conditions for approval if the author of the motion finds them acceptable.
 - b. The Staff summary should be sufficient in detail to assist the Commission with stating findings.
 - c. Motions may be repeated for clarification following discussion and prior to the vote at the request of a Commissioner.
 - d. Planning Commission Members may request legal advice from the County Attorney in the preparation, discussion and deliberation of motions.
 - e. A list of possible motions can be found as Exhibit A of these by-laws,
2. Second Required: All motions and amendments require a second.
 3. Lay on the table: To move an agenda item within the agenda so that more important business may be discussed during that meeting.
 4. Postpone Definitely: A motion to postpone definitely an agenda item for further study should be accompanied by specific reasons for continuing the matter and whenever possible, a specific date to rehear the matter should be scheduled.
 5. Amending Motions: When a motion is pending before the Commission, any member may amend the motion with a second, at any time prior to the Chair putting the motion to a vote.
 6. Amending Amendments to Motions: An amendment to a motion may be amended, with a second, at any time prior to the Chair putting the motion to a vote.
 7. Withdrawing a Motion: After a motion is stated, the motion shall be in the possession of the Commission but may be withdrawn by the author of the motion prior to the vote. Withdrawal does not require a second.
 8. Substitute Motions: A substitute motion, which shall replace the original motion, may be made prior to a vote on the original motion.
 9. To Rescind a Motion With certain exceptions, any vote taken may be rescinded (repealed or annulled), provided notice of the approaching action has been given at a previous meeting or is included in the call for the meeting. Votes cannot be rescinded when a contract is involved if the other party has been notified, or when members have been elected to, or expelled from, office or membership, provided the member was present at the time or has been notified. In the case of expulsion, members can

be reinstated only by being elected again. Votes to rescind cannot be applied to acts that the group cannot undo.

10. To Reconsider a Motion: A motion to reconsider can be made only at the same meeting in which the vote on the question is to be considered. Such a motion can be made only by one who voted with the winning side. A motion to reconsider cannot be applied to a vote on a motion that can be renewed within a reasonable space of time, or when the same results can be obtained by some other parliamentary action. If the applicant or other interested parties are affected by a motion to reconsider and are not present at the time of the motion to reconsider and its outcome, the Planning Commission should decide whether to re-notice the item for the next regularly scheduled meeting, and in either case, shall direct the Secretary to notice the applicant as soon as possible.
11. Motion to Open and Close Public Hearings: A motion shall be made to open and close the public portion of each public hearing prior to the Planning Commission discussion and vote on the matter.
12. Motion to Recess: A motion shall be made to break for a specific purpose while also stipulating a specific time to reconvene the meeting. The time to reconvene must be during the same day as the meeting in which the motion to recess was made.
13. Motion to Adjourn: A motion to adjourn a meeting shall be made by a Planning Commission member. The chair may adjourn a meeting if no other business is pending.

I. Procedures-Debate

1. Interruptions and Questions: No member of the Commission shall interrupt or question another member in debate without obtaining the Member's consent, and then to obtain such consent, shall first address the Chair.

J. Procedures-Voting

1. Abstention: Any member abstaining from a vote may remain seated at the table and participate in the discussion. Reasons for abstention must be stated at the time of the abstention and such reason shall not be considered a conflict of interest.

K. Amendment or Rules of Procedure

1. These rules of procedure may be recommended to be amended at any meeting of the Planning Commission held after not less than a fourteen day written notice of the proposal to amend the rules, upon a majority vote of all of the members of the Planning Commission. The County Council shall approve any amendments to these by-laws or rules of procedure.

2. The public shall have the opportunity to review and respond to the Rules of Procedure prior to adoption by the County Council.

L. Points of Order.

A point of order refers to an interjection during a meeting by a member, who does not have the floor, to call the attention of the chair to an alleged violation, omission, or breach of the assembly's or meeting's rules of order. A point of order takes precedence once alleged and is ruled upon by the chair right away, to whom it is submitted for decision. A point of order is not a motion; it is an allowable interjection which directs the chairman's attention to an apparent or alleged breach of order. In effect it is an appeal to the chairman for his ruling. A point of order must be raised at the relevant time and not later or it will risk being dismissed as untimely, except where the alleged breach is of a continuing nature.

M. Point of Privilege.

Questions of privilege affecting the Commission may include matters of comfort, amplification, noise, or safety. Points of privilege should not interrupt the speaker unless absolutely necessary. Points of privilege shall be addressed by the Chair.

N. Recording of Rules

1. These rules and all subsequent amendments shall be furnished to each member of the Commission and kept on file with the Planning Commission Secretary.

O. Procedures – Progress of Meeting

1. With the exception of those items listed under the heading "Planning Commission Business" no new agenda items will be addressed after 10:00 p.m. except that of general discussions pertaining to other business as directed by the Chair.
2. All public hearings scheduled and noticed to be heard must begin prior to 9:30 p.m. or they will be rescheduled.
3. If the Planning Commission is discussing an agenda item, but has not voted on the item before 10:00 p.m., the Planning Commission may take a vote to decide whether to vote on the agenda item, continue discussion of the item for a set period of time and then vote on said item or to continue the item to the next appropriate meeting.
4. The Planning Commission may also vote to consider discussion and action on additional agenda items that require action in a specified time period due to legal requirements, or other time sensitive matters. All remaining agenda items, not heard due to time constraints, will be given priority at the next appropriate Planning Commission Agenda.

P. Ethics - Conduct

1. The Planning Commission shall be bound by Resolution CR-04-10 Morgan County Code of Ethics.
2. Planning Commission Members shall report private conversations (Ex Parte Communication) with applicants or other interested parties on or before the next PC meeting.

Q. Collaboration with County Council

Joint meetings with the County Council may be scheduled as necessary for discussion of items of concern relating to the Morgan County Code and General Plan, as it pertains to Planning and Zoning Administration. Suggestions and guidance for either the Planning Commission or County Council may be given with regard to future appropriate amendments or administration of the land use ordinance or General Plan.

***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.

Exhibit A

Motion	Second Required	Debatable	Amendable	Vote Required	Reconsider
1) Privileged Motions					
Fix the Time to Which to Adjourn	Yes	No	Yes	Majority	Yes
Adjourn	Yes	No	No	Majority	No
Recess	Yes	No	Yes	Majority	No
Raise a Question of Privilege	No	No	No	Chair Grants	No
Call for the Orders of the Day	No	No	No	No vote, demand	No
2) Subsidiary Motions					
Lay on the Table (2)	Yes	No	No	Majority	Neg only (3)
Previous Question	Yes	No	No	2/3	Yes
Limit or Extend Limits of Debate	Yes	No	Yes	2/3	Yes
Postpone to a Certain Time (or Definitely)	Yes	Yes	Yes	Majority	Yes
Commit or Refer	Yes	Yes	Yes	Majority	Yes
Amend	Yes	Yes (1)	Yes	Majority	Yes
Postpone Indefinitely	Yes	Yes	No	Majority	Affirm. Only
Main Motion	Yes	Yes	Yes	Majority	Yes
Incidental Motions					
Appeal	Yes	Yes (1)	No	Majority	Yes
Division of the Assembly	No	No	No	No vote, demand	No
Division of a Question	Yes	No	Yes	Majority	No
Objection to the Consideration of a Question	No	No	No	2/3	Neg. Only
Parliamentary Inquiry	No	No	No	Chair answers	No
Point of Order	No	No	No	Normally no vote Chair rules	No
Suspend the Rules	Yes	No	No	(2)	No
Withdraw a Motion	No (3)	No	No	Majority (3)	Neg. Only
Motions That Bring A Question Again Before The Assembly					
Reconsider (4)	Yes	Yes (1)	No	Majority	No
Rescind (4)	Yes	Yes	Yes	Maj. with notice, 2/3, or maj. of membership (3)	Neg. only
Take from the Table (4)	Yes	No	No	Majority	No

(1) If applied to a debatable motion

(2) Rules of Order 2/3 vote, standing rules - majority vote

(3) Refer to Robert's Rules of Order Newly Revised (10th edition) for rule(s)

(4) Refer to CDE rules #8-10 before using these motions in the demonstration

Use	District				
	NC	GC	BP	LM	I
11 - Agriculture, Forestry, Fishing, and Hunting	C1	C1	C1	P	P
21 - Mining, Quarrying, and Oil and Gas Extraction					
211 - Oil and Gas Extraction					P
2121 - Coal Mining					P
2122 - Metal Ore Mining					P
2123 - Nonmetallic Mineral Mining and Quarrying				C3	P
213 - Support Activities for Mining				C3	P
22 - Utilities					
22111 - Electric Power Generation					C3
22112 - Electric Power Transmission and Control					C2
2212 - Natural Gas Distribution					C2
2213 - Water, Sewage, and Other Systems				C2	C2
23 - Construction					
236 - Construction of Buildings				P	P
237 - Heavy and Civil Engineering Construction					P
238 - Specialty Trade Contractors				C1	P
31-33 Manufacturing					
3111 - Animal Food Manufacturing				C2	P
3112 - Grain and Oilseed Milling				C2	P
3113 - Sugar and Confectionery Product Manufacturing			C2	C2	P
3114 - Fruit and Vegetable Preserving and Specialty Food Manufacturing			C2	C2	P
3115 - Dairy Product Manufacturing			C2	P	P
3116 - Animal Slaughtering and Processing				C1	P
3117 - Seafood Product Preparation and Manufacturing			C2	P	P
3118 - Bakeries and Tortilla Manufacturing	C2	C2	C1	P	P
3119 - Other Food Manufacturing	C2	C2	C2	C2	C2
312 - Beverage Manufacturing			C2	P	P
313 - Textile Mills			C1	P	P
314 - Textile Product Mills			C2	P	P
315 - Apparel Manufacturing			C2	P	P
316 - Leather and Allied Products Manufacturing			C2	P	P
321 - Wood Product Manufacturing				P	P
322 - Paper Manufacturing			C2	P	P
323 - Printing and Related Support Activities		C1	C1	P	P
324 - Petroleum and Coal Products Manufacturing					P
325 - Chemical Manufacturing				C2	P
326 - Plastics and Rubber Products Manufacturing				C2	P
327 - Nonmetallic Mineral Product Manufacturing				C2	P
331 - Primary Metal Manufacturing					P
332 - Fabricated Metal Product Manufacturing				C2	P
333 - Machinery Manufacturing				C2	P
334 - Computer and Electronic Product Manufacturing				C2	P
335 - Electrical Equipment, Appliance, and Component Manufacturing				C2	P
336 - Transportation Equipment Manufacturing				C2	P
337 - Furniture and Related Product Manufacturing				C2	P
339 - Miscellaneous Manufacturing				C2	P
42 - Wholesale Trade					
423 - Merchant Wholesalers, Durable Goods			C2	C1	P
424 - Merchant Wholesalers, Nondurable Goods			C2	C1	P
425 - Wholesale Electronic Markets and Agents and Brokers			C2	P	P
44-45 - Retail Trade					
4411 - Automobile Dealers		C2	C2	P	P
4412 - Other Motor Vehicle Dealers		C2	C2	P	P
4413 - Automotive Parts, Accessories, and Tire Stores	C2	C2	C2	P	P
442 - Furniture and Home Furnishings Stores	C2	C1	C1		
443 - Electronics and Appliance Stores	C2	P	C1		
444 - Building Material and Garden Equipment and Supplies Dealers		C1	C2	P	
4451 - Grocery Stores	C2	C1	C2		
4452 - Specialty Food Stores	C2	C1	C2		
4453 - Beer, Wine, and Liquor Stores		C2			
446 - Health and Personal Care Stores	C2	C1	C2		
447 - Gas Stations	C2	C2	C2	P	P
448 - Clothing and Clothing Accessory Stores	C2	C1	C2		
45111 - Sporting Goods Stores	C2	C2	C2		
45112 - Hobby, Toy, and Game Stores	C2	P	C1		
45113 - Sewing, Needlework, and Piece Goods Stores	P	P	C1		
45114 - Musical Instrument and Supplies Stores	P	P	C1		
4512 - Book Stores and News Dealers	P	P	C1		
452 - General Merchandise Stores	C2	P	C2		
4531 - Florists	P	P	P		

Use	District				
	NC	GC	BP	LM	I
45321 - Office Supplies and Stationery Stores	C2	P	C1		
45322 - Gift, Novelty, and Souvenir Stores	C2	C2	C2		
4533 - Used Merchandise Stores	C2	P	C1		
45391 - Pet and Pet Supplies Stores	C2	P	C1		
45392 - Art Dealers	P	P	P		
45393 - Manufactured Home Dealers		C2	C2		
453991 - Tobacco Stores		C2			
453998 - All Other Miscellaneous Store Retailers (Except Tobacco)	C2	C2	C2		
4541 - Electronic Shopping and Mail Order Houses	P	P	P		
4542 - Vending Machine Operators		P			
4543 - Direct Selling Establishments		C2	C2		
48-49 Transportation and Warehousing					
481 - Air Transportation (see Article 8-5H and Title 10)	A	A	A	A	A
482 - Rail Transportation			P	P	P
4832 - Inland Water Transportation	P	P	P	P	P
484 - Truck Transportation			P	P	P
485 - Transit and Ground Passenger Transportation	P	P	P	P	P
486 - Pipeline Transportation	C3	C3	C2	C2	C2
487 - Scenic and Sightseeing Transportation	C2	C1	P		
4881 - Support Activities for Air Transportation (see Article 8-5H and Title 10)	A	A	A	A	A
4882 - Support Activities for Rail Transportation			C2	P	P
4883 - Support Activities for Water Transportation			C2	C2	C1
4884 - Support Activities for Road Transportation			C2	C1	P
4885 - Freight Transportation Arrangement			C2	P	P
4889 - Other Support Activities for Transportation			C2	P	P
491 - Postal Service	P	P	P	P	P
492 - Couriers and Messengers		C2	P	P	P
49311 - General Warehousing and Storage				P	P
49312 - Refrigerated Warehousing and Storage				P	P
49319 - Other Warehousing and Storage				C2	C2
51 - Information					
511 - Publishing Industries (Except Internet)		P	P	P	P
51211 - Motion Picture and Video Production		P	P	P	P
51212 - Motion Picture and Video Distribution		C2	P	P	P
51213 - Motion Picture and Video Exhibition	C2	P	P	P	P
51219 - Postproduction Services and Other Motion Picture and Video Industries		P	P	P	P
5122 - Sound Recording Industries		P	P	P	P
515 - Broadcasting (Except Internet)		P	P	P	P
517 - Telecommunications		C2	C2	P	P
518 - Data Processing, Hosting, and Related Services	C2	P	P	P	P
519 - Other Information Services		P	P	P	P
52 - Finance and Insurance					
521 - Monetary Authorities - Central Bank		P	P	P	P
5221 - Depository Credit Intermediation		P	P	P	P
52221 - Credit Card Issuing		P			
52222 - Sales Financing		C2	C2		
522291 - Consumer Lending			C3		
522292 - Real Estate Credit		C2	C2		
522293 - International Trade Financing		P	P		
522294 - Secondary Market Financing		P	P		
522298 - All Other Nondepository Credit Intermediation			C3		
523 - Securities, Commodities Contracts, and Other Financial Investments and Related Activities		C2	C2		
524 - Insurance Carriers	C2	C1	C1	P	P
525 - Funds, Trusts, and Other Financial Vehicles		C1	C1	P	P
53 - Real Estate and Rental and Leasing					
53111 - Lessors of Residential Buildings and Dwellings	C2	P	P		
53112 - Lessors of Nonresidential Buildings		P	P		
53113 - Lessors of Miniwarehouses and Self-Storage Units		P	P		
53119 - Lessors of Other Real Estate Property		P	P		
5312 - Offices of Real Estate Agents and Brokers	C1	P	P	P	P
5313 - Activities Related to Real Estate		P	P		
5321 - Automotive Equipment Rental and Leasing		P	P		
5322 - Consumer Goods Rental		P			
5323 - General Rental Centers		P			
5324 - Commercial and Industrial Machinery and Equipment Rental and Leasing		P		P	P
533 - Lessors of Nonfinancial Intangible Assets (Except Copyrighted Works)		P	P		
54 - Professional, Scientific, and Technical Services					
5411 - Legal Services	C1	P	P		
5412 - Accounting, Tax Preparation, Bookkeeping, and Payroll Services	C1	P	P	P	

Use	District				
	NC	GC	BP	LM	I
5413 - Architectural, Engineering, and Related Services	C2	P	P	P	
5414 - Specialized Design Services	C1	P	P		
5415 - Computer Systems Design and Related Services	C2	P	P	P	
5416 - Management, Scientific, and Technical Consulting Services	C2	P	P	P	
5417 - Scientific Research and Development Services		P	P	P	
5418 - Advertising, Public Relations, and Related Services		P	P	P	
5419 - Other Professional, Scientific, and Technical Services		P	P	P	
55 - Management of Companies and Enterprises					
551 - Management of Companies and Enterprises		P	P	P	
56 - Administrative Support and Waste Management and Remediation Services					
561 - Administrative and Support Services		P	P	P	
562 - Waste Management and Remediation Services			C2	P	P
61 - Educational Services					
6111 - Elementary and Secondary Schools	P	P	P		
6112 - Junior Colleges		P	P		
6113 - Colleges, Universities, and Professional Schools		P	P		
6114 - Business Schools and Computer and Management Training		P	P		
6115 - Technical and Trade Schools		P	P	P	P
6116 - Other Schools and Instruction		P	P		
6117 - Educational Support Services		P	P		
62 - Health Care and Social Assistance					
6211 - Offices of Physicians	P	P	P	P	
6212 - Offices of Dentists	P	P	P	P	
6213 - Offices of Other Health Practitioners	C2	P	P	P	
6214 - Outpatient Care Centers		P	P	P	
6215 - Medical and Diagnostic Laboratories		P	P	P	
6216 - Home Health Care Services	C2	P	P	P	
6219 - Other Ambulatory Health Care Services		P	P	P	
6221 - General Medical and Surgical Hospitals	C2	P	P	P	P
6222 - Psychiatric and Substance Abuse Hospitals			C3	C3	
6223 - Specialty (Except Psychiatric and Substance Abuse) Hospitals			P	P	
623 - Nursing and Residential Care Facilities	C2		P		
6241 - Individual and Family Services		P	P		
6242 - Community Food and Housing, and Emergency and Other Relief Services			P	P	
6243 - Vocational Rehabilitation Services			P	P	
6244 - Child Day Care Services	C2	C1	C1		
71 - Arts, Entertainment, and Recreation					
7111 - Performing Arts Companies		P	P		
7112 - Spectator Sports		P	P		
7113 - Promoters of Performing Arts, Sports, and Similar Events		P	P		
7114 - Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures		P	P		
7115 - Independent Artists, Writers, and Performers	C2	P	P		
71211 - Museums	P	P	P	P	P
71212 - Historical Sites	P	P	P	P	P
71213 - Zoos and Botanical Gardens		P	P		
71219 - Nature Parks and Other Similar Institutions	P	P	P	P	P
7131 - Amusement Parks and Archades		P	P	P	
7139 - Other Amusement and Recreation Industries		P	P	P	
72 - Accommodation and Food Services					
72111 - Hotels (Except Casino Hotels) and Motels	C3	C2	P	P	
72119 - Other Traveler Accommodation	C2	C2	P	P	
7212 - RV (Recreational Vehicle) Parks and Recreational Camps		P	P	P	
7213 - Rooming and Boarding Houses	C2	C2	P	P	
7222 - Special Food Services	C2	P	P	P	P
7224 - Drinking Places (Alcoholic Beverages)		C2	P	P	
7225 - Restaurants and Other Eating Places	C2	P	P	P	
81 - Other Services (Except Public Administration)					
8111 - Automotive Repair and Maintenance		C2	C2	P	P
8112 - Electronic and Precision Equipment Repair and Maintenance		C2	C2	P	P
8113 - Commercial and Industrial Machinery and Equipment (Except Automotive and Electronic) Repair and Maintenance			C2	P	P
8114 - Personal Household Goods Repair and Maintenance	C2	P	P	P	P
8121 - Personal Care Services	C1	P	P	P	
81221 - Funeral Homes and Funeral Services	C2	P	P	P	
81222 - Cemeteries and Crematories		C3	C3	P	
8123 - Drycleaning and Laundry Services	C2	P	P	P	P
81291 - Pet Care (Except Veterinary) Services	C2	P	P	P	
81292 - Photofinishing	P	P	P	P	
81293 - Parking Lots and Garages		P	P	P	P

Use	District				
	NC	GC	BP	LM	I
81299 - Other Personal Services (Except Escort Services)	C2	C2	C2	C2	C2
8131 - Religious Organizations	P	P	P	P	P
8132 - Grantmaking and Giving Services		P	P	P	
8133 - Social Advocacy Organizations	C2	P	P	P	
8134 - Civic and Social Organizations	C2	P	P	P	
8139 - Business, Professional, Labor, Political, and Similar Organizations	C2	P	P	P	
814 - Private Households	P	P	P	P	P
92 - Public Administration					
921 - Executive, Legislative, and Other General Government Support	P	P	P	P	P
92211 - Courts	P	P	P	P	P
92212 - Police Protection	P	P	P	P	P
92213 - Legal Counsel and Protection	P	P	P	P	P
92214 - Correctional Institutions				C3	C3
92215 - Parole Offices and Probation Offices				C3	C3
92216 - Fire Protection	P	P	P	P	P
92219 - Other Justice, Public Order, and Safety Activities	C2	C2	P	P	P
923 - Administration of Human Resource Programs		P	P	P	P
924 - Administration of Environmental Quality Programs		P	P	P	P
925 - Administration of Housing Programs, Urban Planning, and Community Development		P	P	P	P
926 - Administration of Economic Programs		P	P	P	P
927 - Space Research and Technology		P	P	P	P
928 - National Security and International Affairs		P	P	P	P



PLANNING COMMISSION AGENDA
Thursday, August 27, 2015
Morgan County Council Room
5:00 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. 5:00 pm - Rees Future Land Use Amendment Tour at the Round Valley Golf Course parking lot.
2. 6:30 pm - Call to order – prayer at Morgan County Courthouse
3. Pledge of Allegiance
4. Approval of agenda
5. Declaration of conflicts of interest
6. Public Comment

Legislative:

7. Discussion/Public Hearing/Decision – Rees Future Land Use Map Amendment

Administrative:

- ~~8. Discussion/Decision – Pettit Ranchettes PRUD Amendment 2.~~
9. Planning Commission Business/Questions for Staff
10. Approval of minutes from August 13, 2015
11. Adjourn

Members Present

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

Staff Present

Bill Cobabe
Gina Grandpre
Mickaela Moser

Public Present

Mark Rees
Debra Rees

1. 5:00 pm - Rees Future Land Use Amendment Tour at the Round Valley Golf Course parking lot.

The Planning Commission members met at the Courthouse and then proceeded to the site tour.

2. Call to order – prayer at the Morgan County Courthouse. Chair Haslam called the meeting to order. Prayer was offered by Member Newton.
3. Pledge of Allegiance
4. Approval of agenda
Chair Haslam decided to remove item #8 of the agenda, as the applicants will present at a future time.
Member Newton moved to approve the agenda. Second by Member Nance. The vote was unanimous. The motion carried.
5. Declaration of conflicts of interest
There were none.
6. Public Comment
Chair decided to forego the public comment as there was no one present in the audience. (Mr. and Mrs. Rees arrived just before their application was presented.)

Legislative:

7. Discussion/Public Hearing/Decision – Rees Future Land Use Map Amendment

Bill clarified the secondary access is not the emergency access, as no one but emergency vehicles has been granted access. He suggested that in the future the Rees' may dedicate a road through their property.

Member Stephens joined the meeting at 6:38pm.

There was additional discussion about the secondary access. Member Nance asked if the Bell Family was notified and Gina responded that they were noticed and were also present at the last Planning Commission meeting. Member Nance inquired about the configuration of the proposed boundary lines and it was noted that the applicant derived the lines for his proposed divisions, and the proposed lines may follow property lines; however it is the applicant's discretion to divide where he sees fit. Bill stated that the applicants understand the limited development options and are requesting the RR-1 zone (as opposed to the A-20 zone) for flexibility, not for density reasons.

Member Nance asked Member Wilson if he remembered when this application was presented a few years ago. It was clarified that originally, Mark Rees was the sole applicant and currently, the application includes the surrounding property owners. Mark Rees clarified that the previous Planning Commission declined the original application because they considered it spot zoning. Bill clarified that he has written affidavits from all parties involved. Member Newton stated that he doesn't have any problem with the current application, or with the Bell's property in the Future Land Use Map re-designation. It was noted that the Bell's property will not be negatively impacted in any way from this decision, nor does it entitle them to anything.

Member Nance moved to forward a positive recommendation to the County Council for the Rees Future Land Use Amendment, application number 15.058, changing the designation from Agricultural to Rural Residential, based on the findings listed in the staff report dated August 27, 2015 to include the Bell property that is located within the boundaries of this application.

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

Administrative:

~~8. Discussion/Decision — Pettit Ranchettes PRUD Amendment 2.~~

9. Planning Commission Business/Questions for Staff

Bill gave an update on the Pettit Ranchettes PRUD Amendment 2. He addressed the issue of PRUD's, and said County residents will ask for things that have been done in the past but the PRUD is not a current zoning option. Member Sessions stated that there still needs to be a lot line adjustment with that application before proceeding.

Bill discussed upcoming training opportunities.

Member Wilson asked Bill about PRUD's and a possible legal challenge with the County. Bill clarified that the Planning Commission is in the driver's seat and is not obligated because of previous approvals. Member Newton stated that the Pettit Ranchettes PRUD is different from most that come before the Planning Commission.

Chair Haslam asked about the 3-6 month application time period with the Pettit Ranchettes, as the time period for their application was 7 years ago. Chair wondered why they should be allowed to proceed with this application. Chair specifically requested that the original 2008 application concerning expansion to their PRUD not come before the Planning Commission, as it exceeds a reasonable time period.

It was decided to address and discuss bylaws at the next meeting.

10. Approval of minutes from August 13, 2015

Member Sessions moved to approve the corrected minutes from July 9, 2015. Second by Member Ross. The vote was unanimous. The motion carried. Member Wilson abstained, as he was absent.

11. 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