



PLANNING COMMISSION AGENDA

Thursday, October 22, 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

Administrative:

6. Discussion/Decision of Dickson Lot Line Adjustment – A proposed lot line adjustment located in the previously approved Dickson Subdivision, adding approximately 55' to the rear of lots 4 and 5. The property is located at approximately 1280 S Hwy 66.
7. Discussion/Decision of Flap Jack Drizzle Conditional Use Permit – A proposed conditional use permit to allow for syrup manufacturing business in a Commercial-Buffer (C-B) zoning district, located at approximately 4090 W 5800 N in Mountain Green.
8. Discussion/Decision of Northside Creek Conditional Use Permit – A proposed conditional use permit to allow for a gravel pit in an RR-5 zoning district, located at approximately Silver Leaf Drive and Cottonwood Canyon Road.
9. Discussion/Decision of Northside Creek PRUD Plat Amendment – A proposed amendment to a previously approved PRUD, located at approximately Cottonwood Canyon Road and Silver Leaf Drive.
10. Discussion/Decision – Staker Parson Mountain Green/Warner Gravel Pit Conditional Use Permit – A proposed conditional use permit to allow for a gravel pit in an A-20 zoning district, located at approximately 4950 W Old Highway.
11. Planning Commission Business/Questions for Staff
12. Approval of minutes from October 8, 2015
13. Adjourn



Planning Commission
Staff Report

Dickson Farm Lot Amendment
Public Meeting
October 22, 2015

Application No.: 15.066
 Applicant: W. Lee Dickson
 Owner: Same
 Project Location: 1280 S. HWY 66
 Richville
 Current Zoning: RR-1/A-20
 General Plan Designation: Rural Residential/Agricultural
 Acreage: approximately 13.33 acres – Lot 3 is 10.461 acres, Lot 4 is 1.632 acres, and Lot 5 is 1.237 acres
 Request: Amend a subdivision of record to add approximately 55 feet to the western portion of Lots 4 and 5 of Dickson Farms Subdivision and removing that portion added from Lot 3
 Date of Application: September 28, 2015

Staff Recommendation

County Staff recommends approval of the requested 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 Dickson Farm Plat, originally approved in 2000. Lots 4 and 5 lie at the south end of the subdivision on the east side of the State Highway 66 (see Exhibit A). The original lots were approximately 1.632 and 1.237, respectively. The proposal will

add approximately 55 feet to the western portion of the lots, removing the area from the current Lot 3. Lot 3 currently is 10.461 acres, and the amended Lot 3 would be 9.97 acres. The resulting Lot 4 would be 1.88 acres, and amended Lot 5 would be 1.48 acres.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property has Agricultural and Rural Residential designations. According to the General Plan, the Agricultural 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. Ranch Residential designation "accommodates rural large lot development with generous distances to streets and between residential dwelling units and a viable semi-rural character setting." Rural Residential designation anticipates approximately one acre lots. The acreages of these lots lie between these two designations and thus matches the desired character of the General Plan.

The zoning of the parcel is A-20 and RR-1 (see Exhibit C). As noted above, the size of the lots seems appropriate for the zoning that exists in the area and on this lots.

Ordinance Evaluation:

Property Layout. The lots are generally rectangular, lying along a section of State Highway 66 where the road fronts the property to the east (see Exhibit D). The frontage is along State Highway 66 and is approximately 779.78' long. Lot 3 has 340.59 feet, Lot 4 has 214.78 feet, and Lot 5 has 223.41 feet of frontage. The setbacks are noted on the plat and are typical to the respective zones.

Roads and Access. As noted above, the lot fronts onto State Highway 66, 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 private wells. Waste water will be handled by individual septic systems.

Geologic Hazards. The proposed plat amendment does not lie within a known geologic hazards unit.

Model Motion

Sample Motion for *Approval* – "I move we recommend approval the Dickson Farms Lot Amendment – Lots 3-5, application #15.066, located at approximately 1280 S HWY 66, amending the plat and adding approximately 55 feet on to the western portion of Lots 4 and 5, removing that added property from Lot 3, based on the findings and with the conditions listed in the staff report dated October 22, 2015."

Sample Motion for *Approval with additional conditions* – "I move we recommend approval the Dickson Farms Lot Amendment – Lots 3-5, application #15.066, located at approximately 1280

S HWY 66, amending the plat and adding approximately 55 feet on to the western portion of Lots 4 and 5, removing that added property from Lot 3, based on the findings and with the conditions listed in the staff report dated October 22, 2015, *with the following additional conditions:*"

1. List any additional findings and conditions...

Sample Motion for *denial* – "I move we recommend denial the Dickson Farms Lot Amendment – Lots 3-5, application #15.066, located at approximately 1280 S HWY 66, amending the plat and adding approximately 55 feet on to the western portion of Lots 4 and 5, removing that added property from Lot 3, *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: Flood Plain Map
Exhibit E: Current Plat
Exhibit F: Proposed Amended Plat

Staff Contact

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

Exhibit A: Vicinity Map

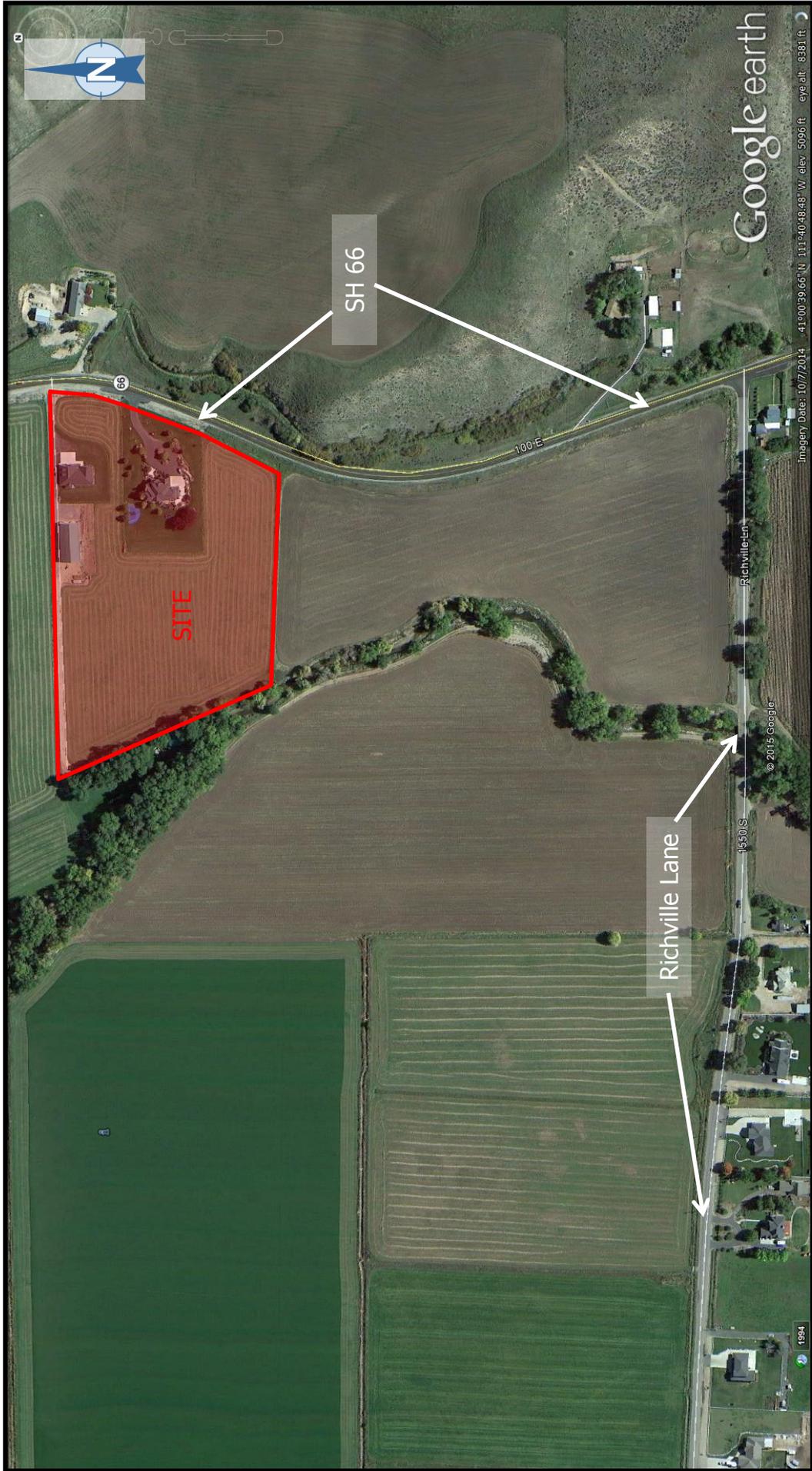


Exhibit B: Future Land Use Map

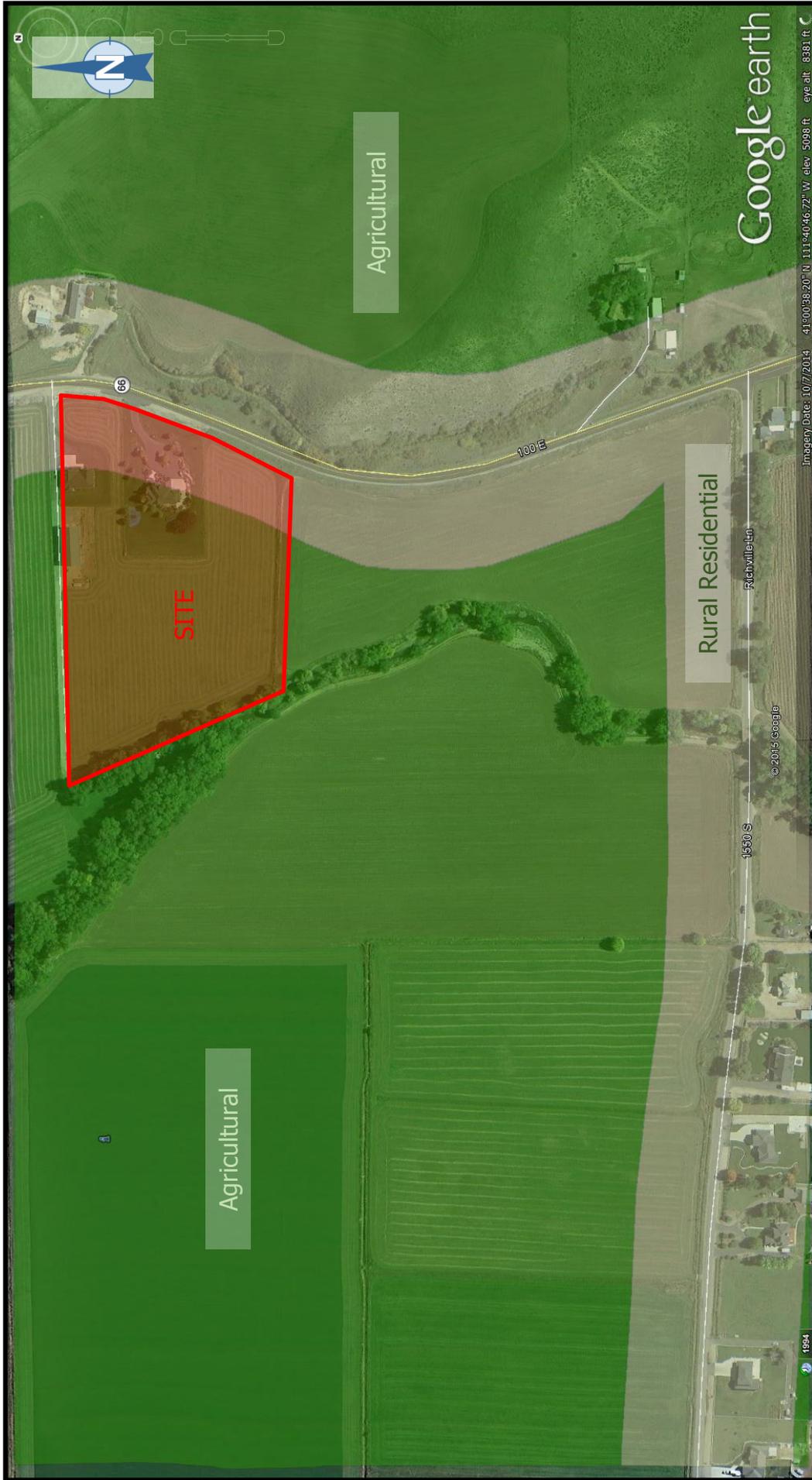


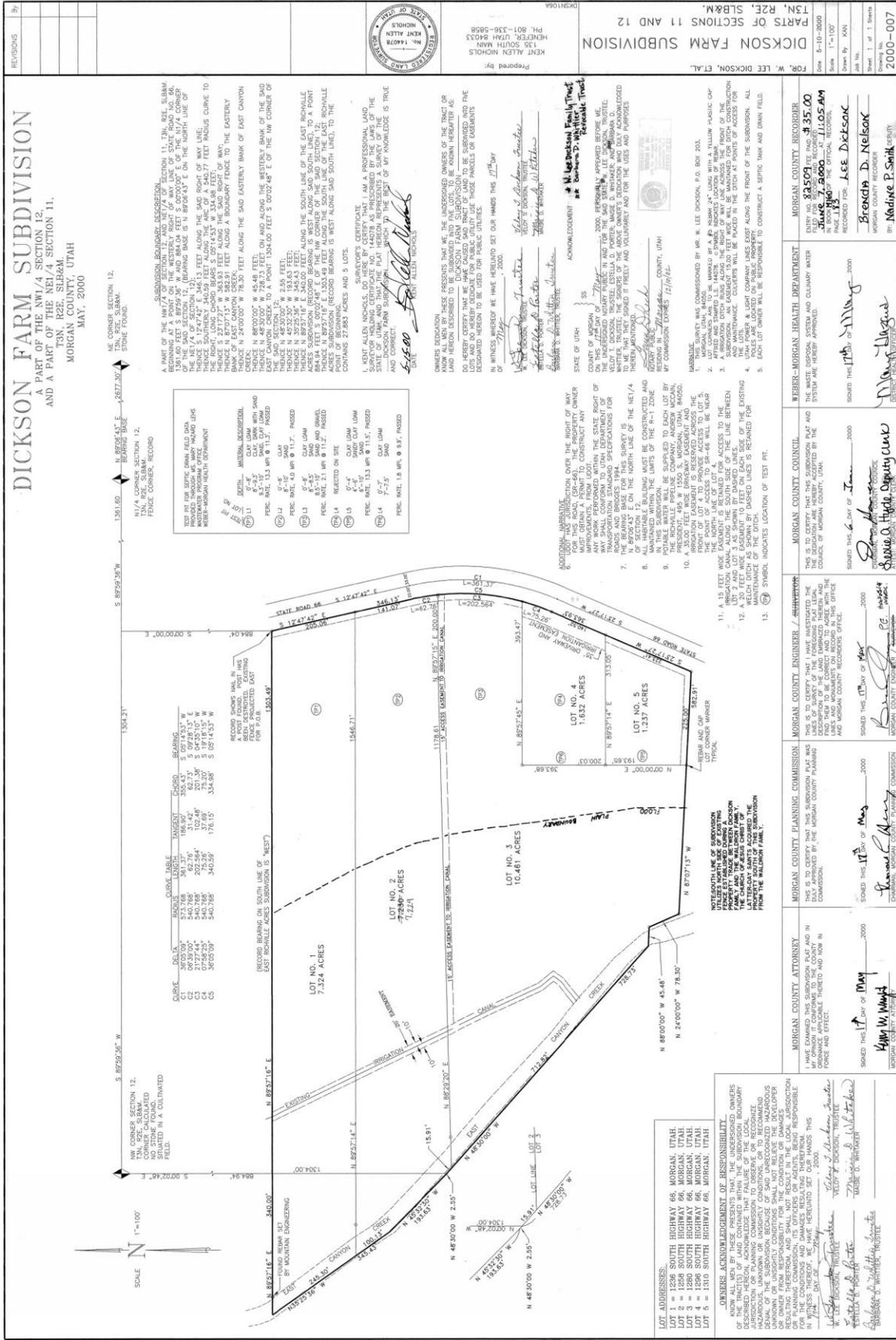
Exhibit C: Current Zoning Map



Exhibit D: Flood Plain Map



Exhibit E: Current Plat





Planning Commission
Staff Report

Flapjack Drizzle Conditional Use Permit
Public Meeting
October 22, 2014

Application No.: 15.065
Applicant: Douglas Wright
Owner: Same
Project Location: 4090 W 5800 N Unit E
Mountain Green
Current Zoning: C-B (Commercial Buffer)
General Plan Designation: Business Park
Acreage: (existing building)
Request: Conditional Use for a Syrup Manufacturer
Date of Application: September 9, 2015
Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested conditional use permit based on the following findings and with conditions listed below:

Findings:

1. That the proposed use has been identified as a food-products manufacturing use, which is allowed as a conditional use in the CB zoning district.
2. That the proposed use will be relatively limited in scale, and will employ 1-4 employees.
3. That the proposed facility will not adversely impact the adjacent properties.
4. That any potential impact on the existing neighborhood will be minimal.

Conditions:

1. That there are no retail sales at the site.
2. That the exterior of the facility be maintained in an attractive manner, painted and generally kept looking aesthetically pleasing.
3. That water and sewer utilities connections are provided at the time of building permit.

Background

Flapjack Drizzle is a small company that produces syrup. The facility will be small in scale, producing about 500 bottles of product per day. The impact on the local water/sewer facilities will also be small, as the requirements are only for about 50 gallons of water per day. Approximate hours of operation would be 7 AM to 7 PM daily, and the facility would utilize existing parking for the expected 1-4 employees. No retail sales of product would be allowed.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as Business Park. According to the General Plan, the Business Park designation “provides for areas for the development of uses that provide employment involving light manufacturing, assembling, warehousing, and wholesale activities. The Business Park designation is intended to encourage campus-style commercial development near the airport which incorporates amenities including attractive streetscapes and enhanced landscaping. This use category provides for employment in commercial and light industrial uses that are compatible with adjacent or surrounding land uses. The areas designated for Business Park uses have adequate transportation and infrastructure access, and emphasize minimal conflict with existing adjacent land uses. This designation provides for the development and accommodation of administrative and research industries, offices, and limited manufacturing and support services. Typical uses may also include construction contractors, small, screened storage yards, and small warehousing spaces.” The proposed conditional use would meet the anticipated general planning designation.

The zoning of the parcel is C-B (Commercial Buffer). The purpose of the zone is to provide areas for appropriate transitions of commercial uses. The proposed conditional use permit would collocate a relatively low-impact use at an existing commercial site. The ordinance allows for this kind of use with the granting of a conditional use permit.

Ordinance Evaluation. Morgan County Code, Chapter 3, Section 8-2-1 defines conditional use as the following:

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this title.)

Staff Response: Due to the preexisting uses already on the parcel, any impact due to the collocation of the proposed use will be minimal. The site lies within a predominately light commercial use area. The proposed conditional use permit will not adversely impact adjacent properties or businesses.

Property Layout. The proposed use would be located in an existing building and will not require the modification of the property.

Roads and Access. The property is located on 5800 N. It is not anticipated that the proposed conditional use will have a significant impact on the roadway and existing traffic patterns.

Grading and Land Disturbance. No grading/land disturbance is being proposed at this time. The parcel appears to lie outside of the flood plain.

Water Source. The proposed use will require approximately 50 gallons of water per day, similar to what a household uses per person per day.

Fire Protection. A fire protection plan, or other considerations as approved by the local fire official, will be required during the building permit process.

Sanitary Sewer Systems. Sewer service will be utilized by the proposed use, and approval will be required by the Mountain Green Sewer District.

Storm Water. Storm water drainage is accommodated in the existing system. As the proposed conditional use will not expand the impervious surface area of the parcel, additional storm water drainage is not required.

Geologic and Geotechnical Evaluations. No additional construction will be associated with this proposed conditional use; therefore, geologic and geotechnical evaluations are not required.

Utilities. Connections to existing utilities in the area should be sufficient to supply the proposed use.

Model Motion

Sample Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Council for the Flapjack Drizzle Conditional Use Permit, application #15.065, located at approximately 4090 W 5800 N, allowing for the installation of a syrup manufacturing facility, based on the findings and with the condition listed in the staff report dated October 22, 2015.”

Sample Motion for a *Positive* Recommendation *with conditions* – “I move we forward a positive recommendation to the County Council for the Flapjack Drizzle Conditional Use Permit, application #15.065, located at approximately 4090 W 5800 N, allowing for the installation of a syrup manufacturing facility, based on the findings and with the condition listed in the staff report dated October 22, 2015, *with the following conditions:*”

1. List any additional findings and conditions...

Sample Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Council for Flapjack Drizzle Conditional Use Permit, application #15.065, located at approximately 4090 W 5800 N, allowing for the installation of a syrup manufacturing facility, based on the findings and with the condition listed in the staff report dated October 22, 2015, *based on the following findings:*

1. List any additional findings...

Supporting Information

- Exhibit A: Vicinity Map
- Exhibit B: Future Land Use Map
- Exhibit C: Existing Zoning Map
- Exhibit D: Wildland Urban Interface Map
- Exhibit E: Applicant's Narrative

Staff Contact

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

Exhibit A: Vicinity Map



Exhibit B: Future Land Use Map



Exhibit C: Existing Zoning Map

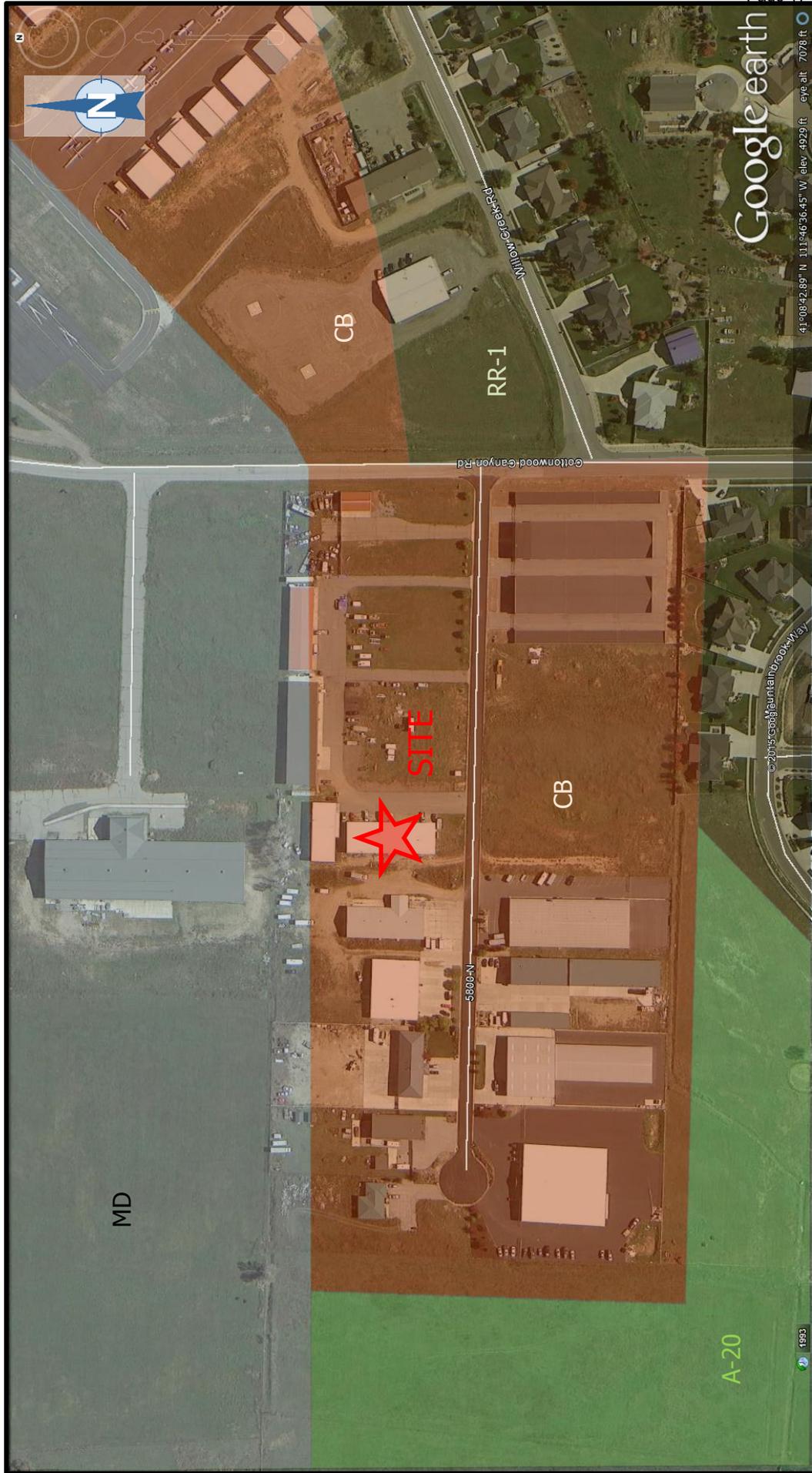


Exhibit D: Applicant's Narrative**To Planning and Development Services
Morgan County**

Flap Jack Drizzle is a small start up syrup company. We have identified a location in the Cottonwood Commercial Park in Mountain Green as a good location for commercial production of our buttermilk syrup. The proposed production location address is 4090 west on 5800 north suite E.

The purpose of this narrative is to help Morgan County Planning and Development Services determine the compatibility of our syrup production and business activity at this location.

Approximate hours of operation (7am to 7pm), minimal sound and odor emissions during operational hours. Parking demands won't exceed the existing parking allotted to suite E.

To make our syrup we use buttermilk, butter, corn syrup, sugar, baking soda, guar gum, and vanilla. The ingredients are heated and the mixture is agitated and reduced in moisture content. After cooking and reduction, the mixture is put in an insulated container then into bottles in what is called a hot pour. This all takes place in a space about 200 square feet. The heating equipment for the cooking and reduction process is electric and steam. Product for the syrup is brought to the production facility in a small delivery vehicle. Finished produce is removed from the production facility by the same vehicle. A three

hole sink, with a non-continuous drain, cleans all the bottles and cooking equipment using dish soap and Clorox. Estimated water usage is about 50 gallons a day. A grease trap located under the three hole sink manages the residual butter from cleaning the cooking and dispensing containers. Product to make the syrup is kept in coolers. Finished syrup is kept in coolers as well. 1 to 4 people are involved in syrup production, shipment and accounting. At this location there is adequate utilities for production requirements. The space inside this location would only need small modification to accommodate syrup production. Inside the facility the space would be used for storage of raw and finished syrup, storage of packaging and manufacturing equipment, production area, bathroom, a break area and office space. Production capacity is estimated to be about 500 bottles a day. There will be a business sign in the window. There will be no storage or business activity conducted outside except for loading and unloading product.

Owners

Kent and Jeannette Swanson

DBA Flap Jack Drizzle

801-425-7313

P.O. Box 352

Eden, Utah 84310

e-mail: fjdrizzle@hotmail.com



Planning Commission
Staff Report

Northside Creek Excavation Conditional Use Permit
Public Meeting
October 22, 2015

Application No.: 10.049
 Applicant: Rulon Gardner
 Owner: Same
 Project Location: approximately 6471 N Silver Leaf Dr (intersection of Silver Leaf and Cottonwood Canyon Road)
 Mountain Green
 Current Zoning: RR-5
 General Plan Designation: Village Low Density
 Acreage/Lots: approximately 92.524 acres/22 lots, 4 parcels, 1 private road
 Request: Approval of Northside Creek CUP, allowing for excavation and construction of a reservoir
 Date of Application: October 14, 2010
 Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested conditional use permit based on the following findings and with conditions listed below:

Findings:

1. That the proposed use has been identified as a land excavation/reservoir. These kinds of uses are conditionally (C3) allowed in RR-5 zoning districts.
2. That the proposed public facility utility is a use that may be permitted based on meeting certain criteria in the Code.
3. That the proposed facility will implement measures in an effort to not adversely impact the adjacent properties.
4. That any potential impact on the existing neighborhood will be minimal.
5. That there will be no employees – this will be a reservoir for holding water and for recreation purposes.
6. That the requirements of the County Engineer have been or will be addressed (see note attached in Exhibit G).

Conditions:

1. That the developer work with Mike Waite (Public Works Director) and Mark Miller (County Engineer) to ensure that the roads are in the same state of use and repair at the end of the excavation period.
2. That the developer provides a revegetation plan and/or uses hardscape materials to help

- prevent erosion on sloped areas.
3. That all other requirements of the County Engineer and Public Works Director are met.

Background

This is a request to construct a small reservoir in the Cottonwood Canyon area. The property is located generally north of the intersection of Cottonwood Canyon Road and Silver Leaf Drive. The proposed conditional use permit is for the excavation of material sufficient to ultimately construct the reservoir.

While this site is currently relatively isolated, there is proposed to be expansion of residential units in the area, including building out Stone Ridge (Cottonwoods Phase 4) and the immediately adjacent Northside Creek subdivision, which has 22 proposed lots. Due to the nature of the proposed conditional use permit, and the kinds of noises, dust, and dirt that are generated, mitigating efforts should be taken to ensure minimal impact on these areas. Further, heavy truck traffic along Cottonwood Canyon Road and Silver Leaf Drive will almost certainly cause damage to the existing roadway. The developer has agreed that any adverse effect of his activities on the roadway will be repaired by him prior to final completion of the project.

The developer has been working on this project with the County, State, and other interested parties for several years. As this is mainly an engineering-related project, the County Engineer and Public Works Director have worked closely with the developer to ensure that the County's interests will be met. It is anticipated that this project will help deal with the water shortages that the area experiences each summer, and will work in connection with the Cottonwoods Mutual Water Company system to provide secondary water to the area.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property has a Village Low Density Residential designation. According to the General Plan, the Village Low Density Residential 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 or master planned communities." The ultimate use of this parcel will be for open space and both active and passive recreation, which is in keeping with the purposes of the General Plan designation. The proposed CUP will make these uses possible.

The zoning of the parcel is RR-5 (Rural Residential - 5 acre lot minimum). The purposes of the RR-5 zone is

- 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.

Further, these (Rural Residential) districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses. The proposed conditional use permit would be a short-term use. The ordinance allows for this kind of use with the

granting of a conditional use permit.

Ordinance Evaluation. Morgan County Code, Chapter 3, Section 8-2-1 defines conditional use as the following:

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this title.)

Staff Response: Due to the nature of this kind of excavation, any impact due to the location of the proposed use will need to be mitigated in terms of noise, traffic, and other potential nuisances. While the site is currently fairly remote, there may be some disturbance to local land owners, and care should be taken to ensure compliance with conditions outlined in the Code and this report.

Property Layout. The property involved in the reservoir comprises Parcel A, which is approximately 64 acres, of which approximately 24 acres will be under water and reserved as a water storage easement held by Cottonwoods Mutual Water Company.

Roads and Access. Access to the lot will be derived from Cottonwood Canyon Road/Silver Leaf Drive. It is anticipated that the proposed conditional use could have a significant impact on the roadway and existing traffic patterns. The developer has provided a truck route schedule, and the roadways will be monitored for wear and other impact.

Grading and Land Disturbance. This project is essentially a large-scale grading project, with excavation of the material and minimal, non-mechanized processing on the site. The resulting land formation will be a large pond that will hold secondary water and provide recreation opportunities. The County Engineer has reviewed and approved the preliminary drawings. Portions of the parcel appears to lie within the flood plain; however, as this is also a natural drainage channel, the reservoir will be designed to accommodate any/all flood events.

Water Source. Water shares have been procured for the proposed eventual reservoir.

Fire Protection. The property is outside the Wildland Urban Interface Area. However, there will be no structures built in connection with the conditional use permit.

Sanitary Sewer Systems. Sewer service will not be utilized by the proposed use.

Storm Water. Storm water drainage will be accommodated in the proposed system. The County Engineer has reviewed the drainage plans and has approved the proposed drawings.

Geologic and Geotechnical Evaluations. Consideration has been given to the geotechnical requirements of such an improvement. The requirements of the County Engineer have been addressed.

Utilities. No utilities are to be installed.

Model Motion

Sample Motion for *positive recommendation* – “I move we forward a positive recommendation to the County Council for the Northside Creek Conditional Use Permit, application #10.049, located at approximately 6471 N Silver Leaf Drive, allowing for the excavation and construction of a reservoir, based on the findings and with the conditions listed in the staff report dated October 22, 2015.”

Sample Motion for *positive recommendation with conditions* – “I move we forward a positive recommendation to the County Council for the Northside Creek Conditional Use Permit, application #10.049, located at approximately 6471 N Silver Leaf Drive, allowing for the excavation and construction of a reservoir, based on the findings and with the conditions listed in the staff report dated October 22, 2015, *with the following conditions:*”

1. List any additional findings and conditions...

Sample Motion for *negative recommendation* – “I move we forward a negative recommendation to the County Council for the Northside Creek Conditional Use Permit, application #10.049, located at approximately 6471 N Silver Leaf Drive, allowing for the excavation and construction of a reservoir, *based on the following findings:*

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Future Land Use Map
Exhibit C: Existing Zoning Map
Exhibit D: Flood Plain Map
Exhibit E: Proposed Layout of Reservoir

Staff Contact

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

Exhibit A: Vicinity Map

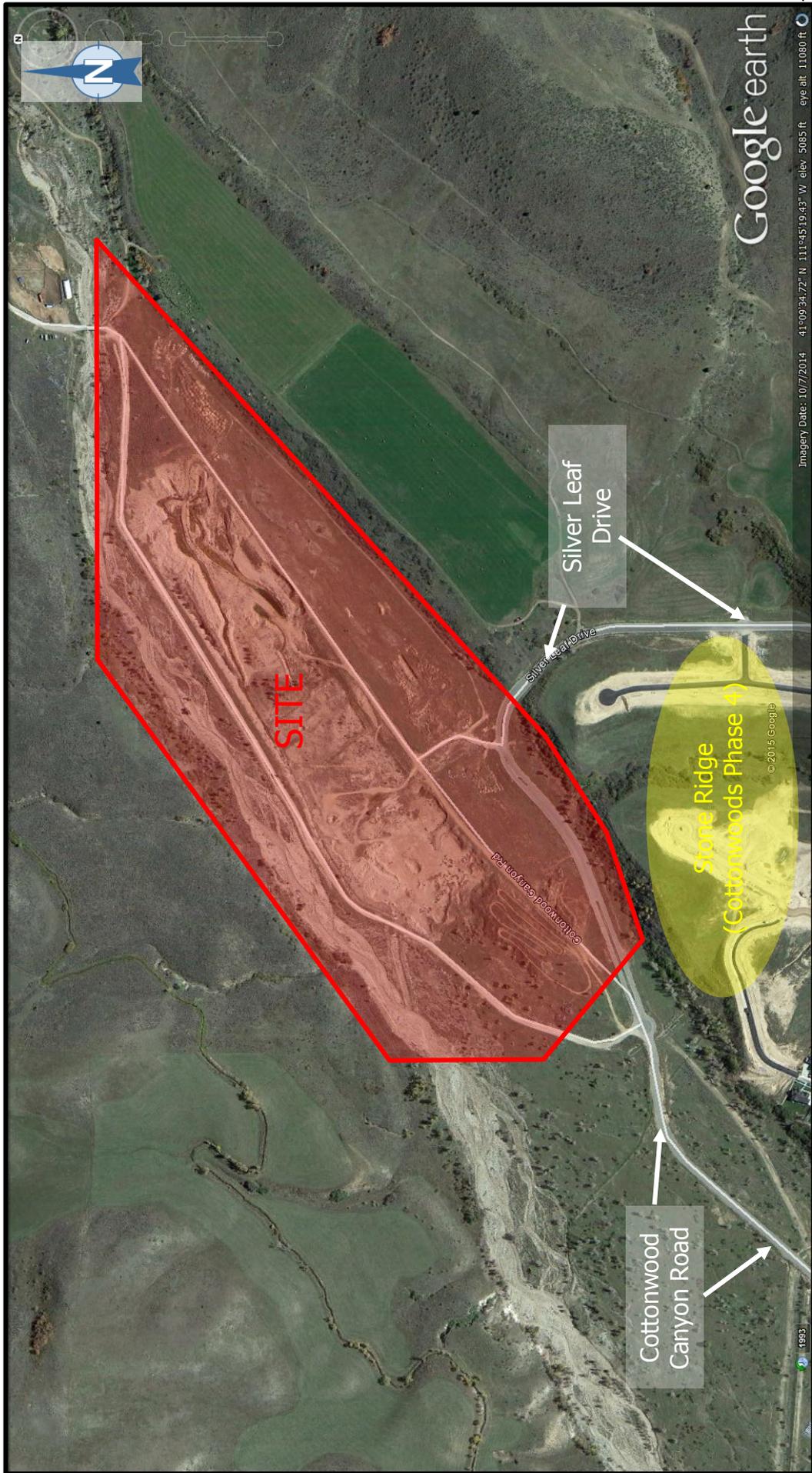


Exhibit B: Future Land Use Map

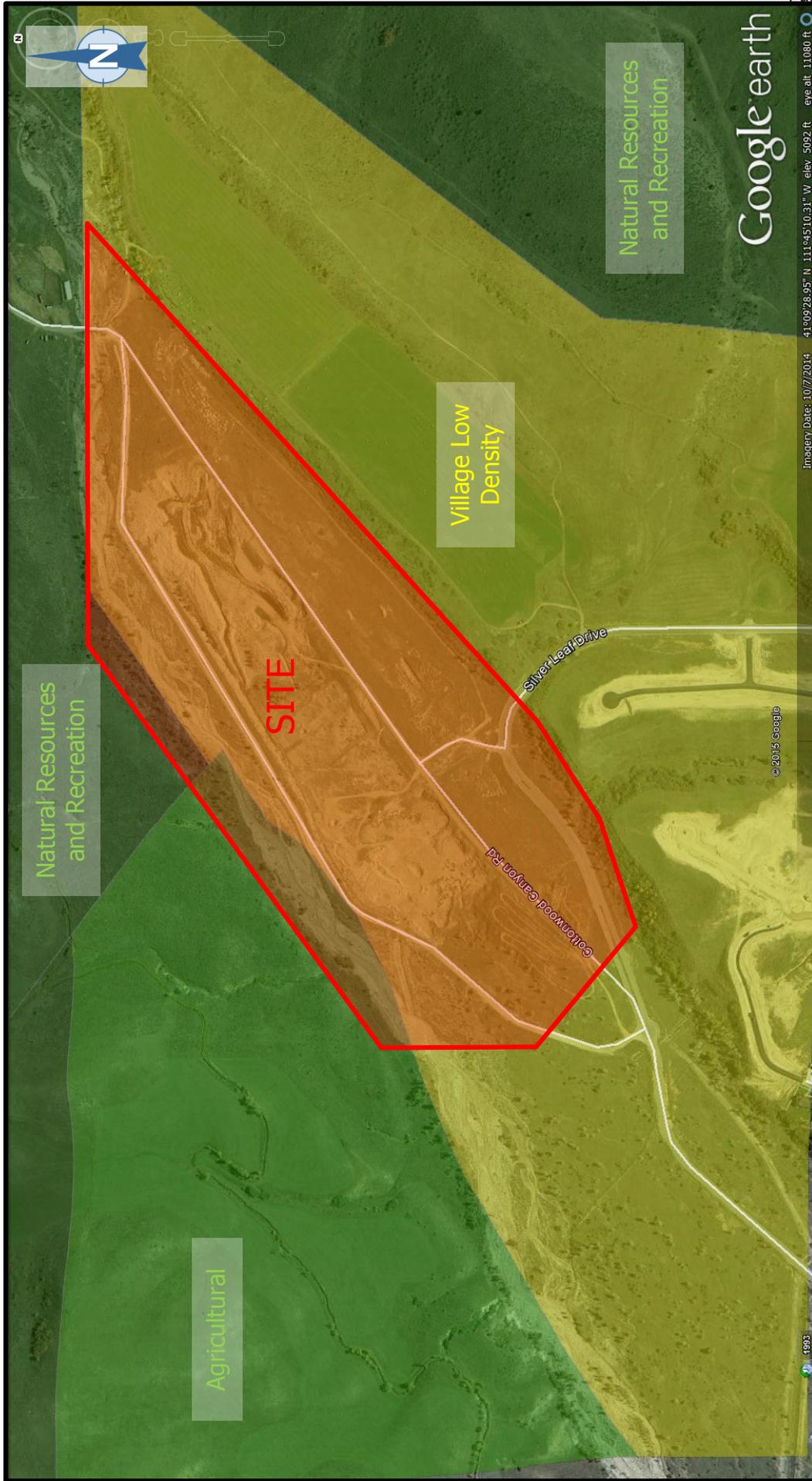


Exhibit C: Existing Zoning Map

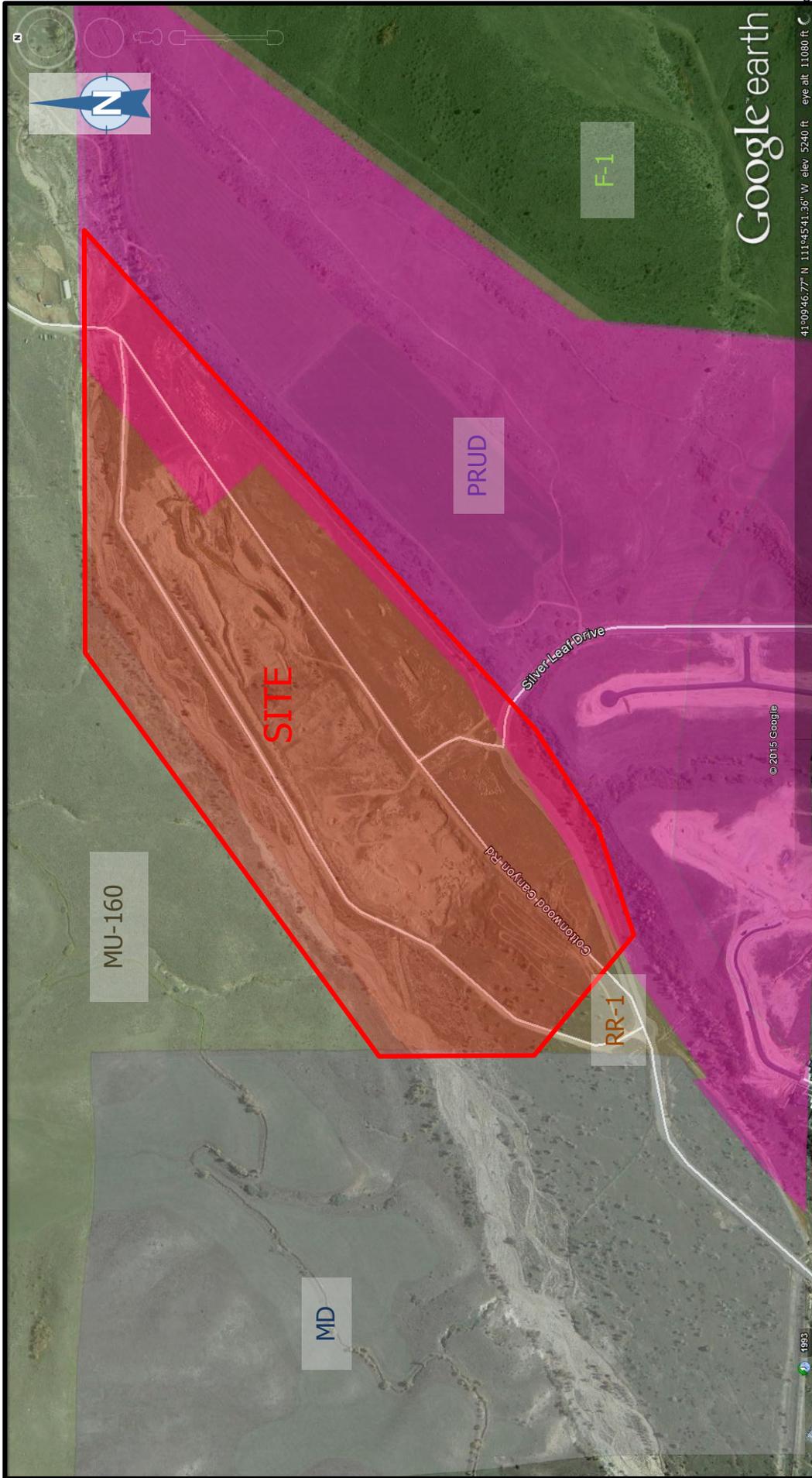
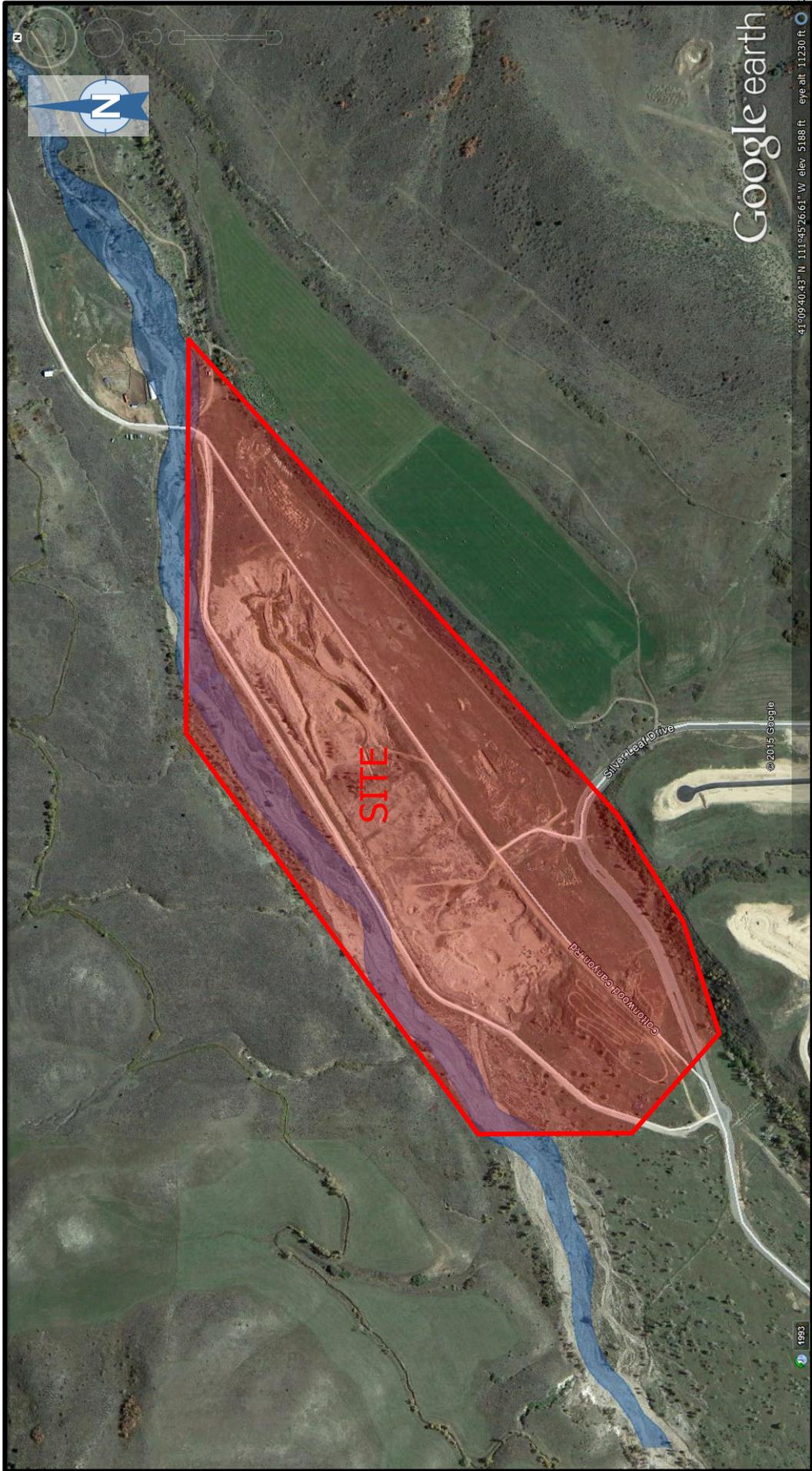


Exhibit D: Flood Plain Map





Planning Commission
Staff Report

Northside Creek PRUD Amendment
Public Meeting
October 22, 2015

Application No.: 10.037
 Applicant: Rulon Gardner
 Owner: Same
 Project Location: approximately 6471 N Silver Leaf Dr (intersection of Silver Leaf and Cottonwood Canyon Road)
 Mountain Green
 Current Zoning: RR-5
 General Plan Designation: Village Low Density
 Acreage/Lots: approximately 92.524 acres/22 lots, 4 parcels, 1 private road
 Request: Amendment to Lots 1-22, Parcels A, D, E, F, H, and I
 Date of Application: July 21, 2010
 Date of Previous Meeting: (Previous Approval – August 2006)

Staff Recommendation

County Staff recommends approval of the requested amendment to the previously approved Northside Creek PRUD based on the following findings and with 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 Northside Creek PRUD Plat, originally approved in 2006. The existing/approved plat was never recorded due to market conditions as well as the changed desires of the applicant. Since 2010 the application has been under various stages of revision. The approved plat includes 22 residential lots and four open space lots, with a private

street – Cobble Creek Way.

Changes over the previous plat include the combination of previous Parcels D and E into new Parcel A, the creation of new Parcel D in what was Lot 1, the realignment of Cobble Creek Way, adjusting lot lines for lots on the south east side, resulting in nine lots of approximately $\frac{3}{4}$ of an acre each, creation of lots on the north side of the property (new lots 110 and 111) and the remaining lots on the north west side of the property of about $\frac{2}{3}$ to $\frac{3}{4}$ ths of an acre each. The number of lots remains the same, although somewhat smaller in size.

This reduction in size equates to a larger open space. While there is no stipulation in the Code, and there is no development agreement associated with this PRUD, the overall open space is approximately 70 acres, with the remaining approximately 22 acres in roadway or lots (equates to about 80% open space).

The bulk of the open space will be used in the Northside Creek Reservoir, which will provide secondary water for the Cottonwoods Mutual Water Company, as well as providing an active recreation location. The CUP for the excavation and construction of the associated Reservoir are a separate application.

It should be noted that this is following a bit of an unusual course for PRUD approvals. Not only has the time frame for review and approval been lengthy for various reasons, the procedure for approval has been adapted to match our current standards. Thus, this point in the approval process would normally be considered the “preliminary plat” stage, following which construction documents would be submitted and approved by the County Engineer and infrastructure improvements will begin. Once the infrastructure has been constructed and upon recommendation of the County Engineer, the County would conditionally accept the improvements and a bond would be set for the one year warranty period. Final plat approval would accompany this warranty period commencement, and the final mylar prepared, approved, and recorded. We would expect a similar process going forward with this application as well.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property has a Village Low Density Residential designation. According to the General Plan, the Village Low Density Residential 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 or master planned communities. The residential density is a maximum of 2 units per acre.” This PRUD, with the 22 lots of over $\frac{1}{2}$ acre each, open spaces, and recreation opportunity, matches the desired character of the General Plan.

The zoning of the parcel is RR-5 (see Exhibit C). As noted above, the size of the lots are determined by the plat. It should be noted that the plat indicates the following setbacks for each lot:

PROPERTY IS ZONED RR-5.
A. FRONT YARD SETBACK IS 50 FEET.
B. REAR YARD SETBACK IS 25 FEET.
C. SIDE YARD SETBACK IS 20 FEET.
D. CORNER LOT SIDE YARD SETBACK IS 20 FEET.

Ordinance Evaluation:

Property Layout. The property is located generally north of the intersection of Silver Leaf Drive and Cottonwood Canyon Road. The setbacks are noted on the plat (see above).

Roads and Access. The property has two points of access. The main access will be from Silver Leaf Drive on the south, which will lead into Cobble Creek Lane. Each lot will gain access from this private drive. The north end of Cobble Creek terminates at a 12' access easement recorded against the property in favor of agricultural parcels further up Cottonwood Canyon. Thus, even though Cobble Creek Lane is a private road, adjacent property owners will still be able to gain access to their property.

Grading and Land Disturbance. Portions of the property appear to lie within the flood plain; however, no residential lots are affected by the floodplain.

Site grading will be extensive and will be governed by the Northside Creek Reservoir Conditional Use Permit. Other site work for roads and drainage have been reviewed and approved by the County Engineer.

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

Geologic Hazards. The subdivision was completed prior to the County Geologic Hazards Ordinance.

Model Motion

Sample Motion for *Approval* – “I move we recommend approval by the County Council the Northside Creek PRUD Amendment, application #10.037, located at approximately 6471 W Ridges Road, amending the approved plat, based on the findings and with the conditions listed in the staff report dated October 22, 2015.”

Sample Motion for *Approval with additional conditions* – “I move we recommend approval by the County Council the Northside Creek PRUD Amendment, application #10.037, located at approximately 6471 W Ridges Road, amending the approved plat, based on the findings and with the conditions listed in the staff report dated October 22, 2015, *with the following additional conditions:*”

1. List any additional findings and conditions...

Sample Motion for *denial* – “I move we recommend denial by the County Council the Northside Creek PRUD Amendment, application #10.037, located at approximately 6471 W Ridges Road, amending the approved plat, based on the findings and with the conditions listed in the staff report dated October 22, 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: Flood Plain Map
- Exhibit E: Existing Northside Creek PRUD Plat
- Exhibit F: Proposed Amended Plat

Staff Contact

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

Exhibit A: Vicinity Map

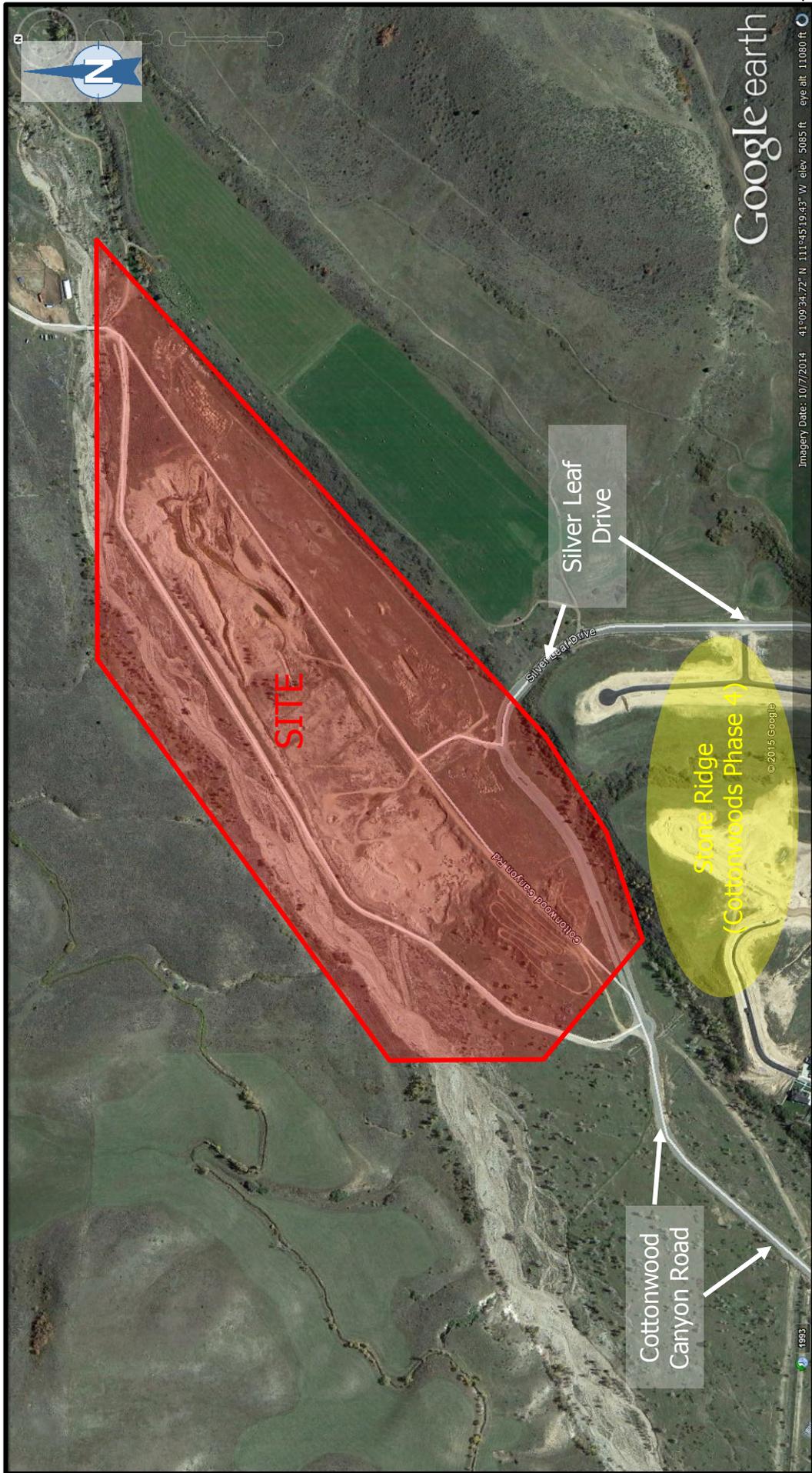


Exhibit B: Future Land Use Map

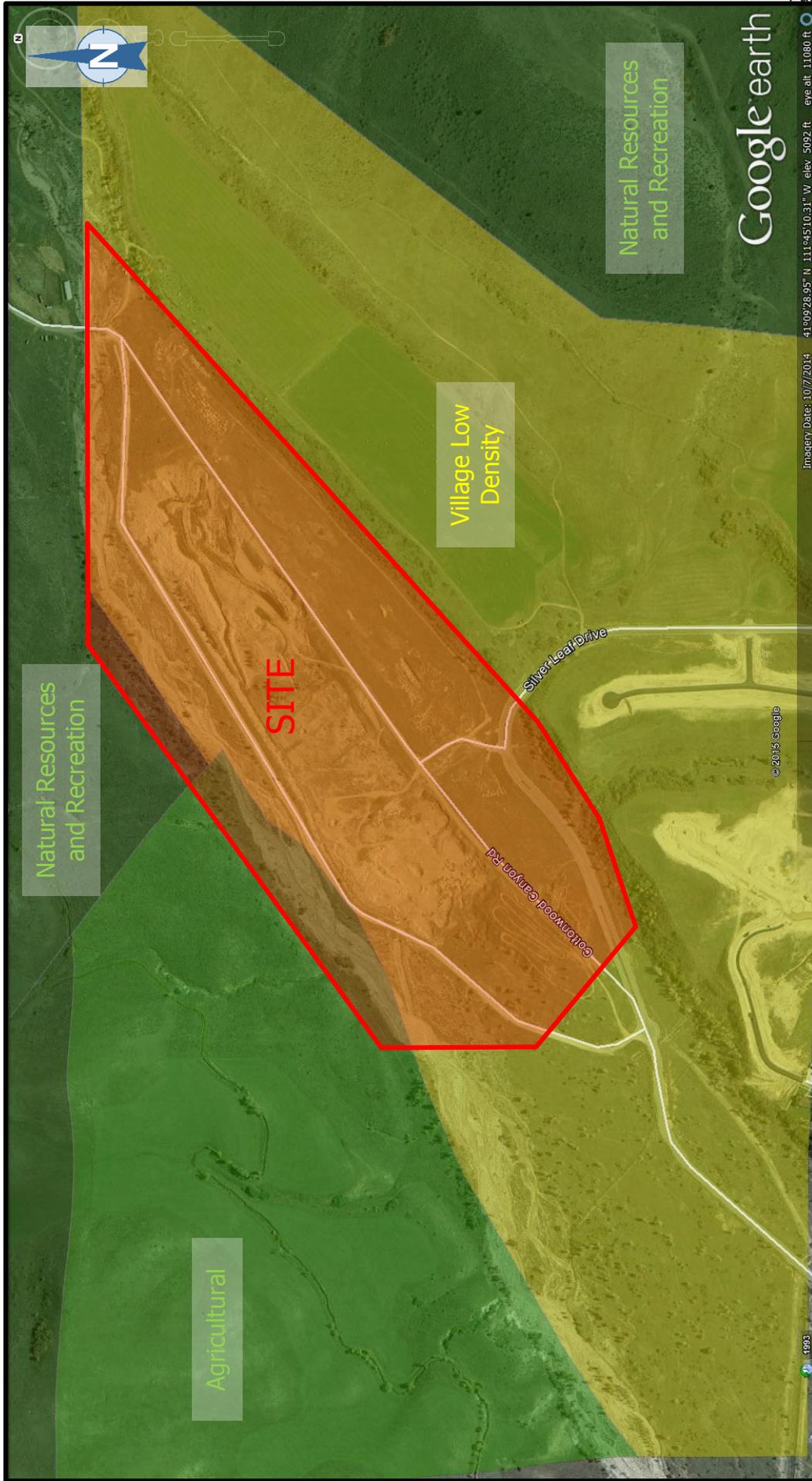


Exhibit C: Existing Zoning Map

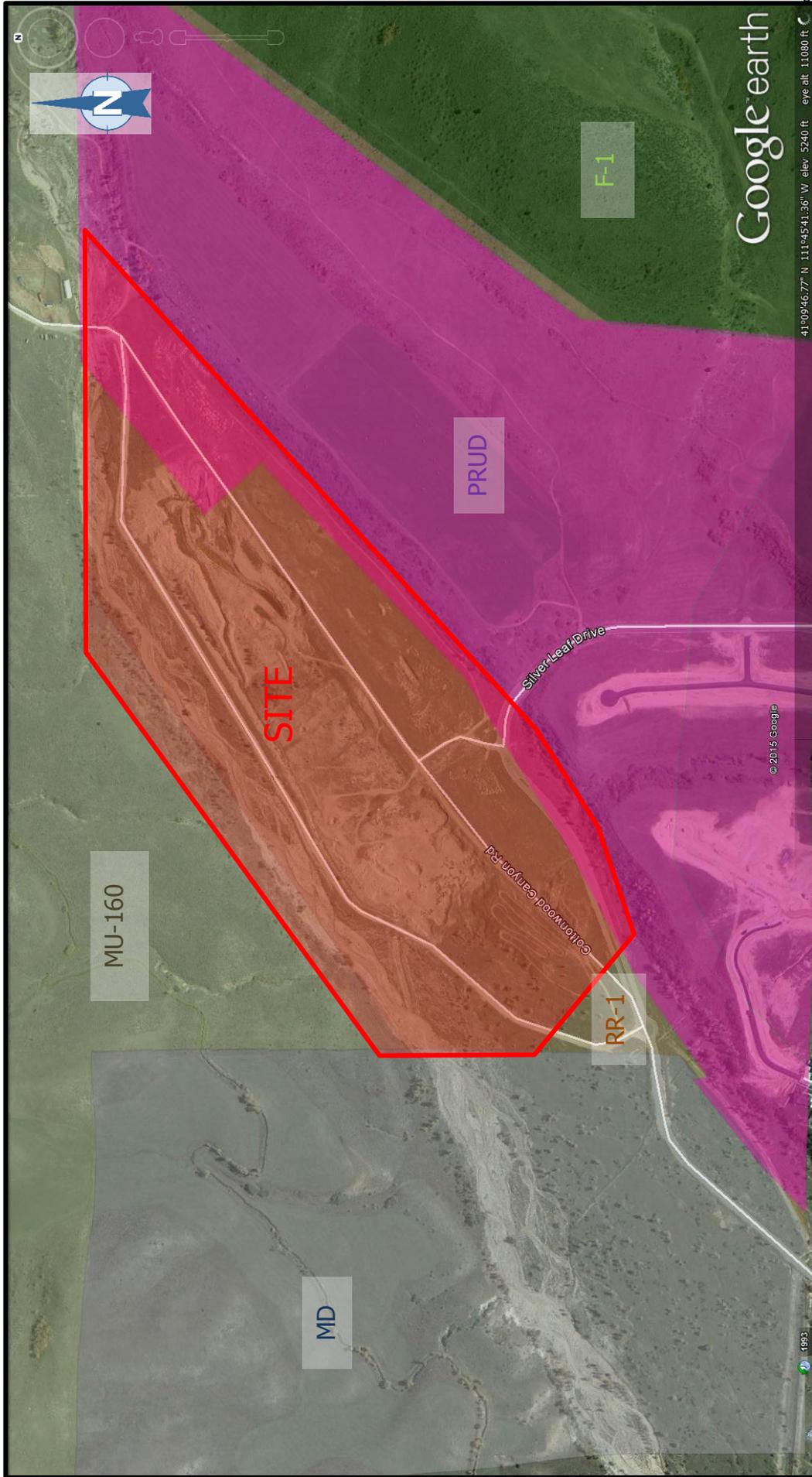


Exhibit D: Flood Plain Map



Exhibit E: Existing Northside Creek PRUD Plat

GENERAL NOTES

- PROPERTY IS ZONED RR-5
 - FRONT YARD SETBACK IS 50 FEET
 - REAR YARD SETBACK IS 25 FEET
 - LEFT YARD SETBACK IS 25 FEET
 - CORNER LOT SIDE YARD SETBACK IS 30 FEET
- ALL PUBLIC UTILITY AND DRAINAGE EASEMENTS (P/U & D/E) ARE TO BE IN THE FRONT YARD OF EACH LOT AS SHOWN HEREON. CONSTRUCTION WITHIN THIS PROJECT SHALL CONFORM TO THE ARCHITECTURAL GUIDELINES SET FORTH IN THE CC AND RR WITH APPROVAL BY THE ARCHITECTURAL COMMITTEE.
- REFERENCE GEOTECHNICAL INVESTIGATION REPORT PREPARED BY APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC. DATED NOVEMBER 4, 2009, PROJECT NO. 104062, REGARDING SOIL CHARACTERISTICS FOR THIS SITE.
- FOUNTAIN GREEN EXPERIENCES FLUCTUATING GROUNDWATER LEVELS THROUGHOUT THE YEAR. THE GEOTECHNICAL INVESTIGATION REPORT (SEE NOTE 4) DESCRIBES ANTICIPATED SUBSURFACE CONDITIONS AS AVAILABLE. KNOWN FRESH WATER PONDING ON THE TOP OF FROZED GROUND IS ALSO A COMMON OCCURRENCE. IT IS UNLAWFUL TO DISCHARGE ANY SURFACE OR SUBSURFACE WATERS TO THE SANITARY SEWER SYSTEMS. SUCH UNLAWFUL DISCHARGES ARE SUBJECT TO FINES AND PENALTIES PROVIDED BY FOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT ORDINANCE 5.20209.
- BROWNING ARMS OPERATES A FIRE ARMS TEST RANGE ON NEARBY PROPERTY. PERIODIC GUNFIRE WILL BE AUDIBLE WITHIN THE BOUNDARIES OF THIS PROPERTY.
- PARCELS A, B, C, D, E, F, AND G ARE TO BE OWNED AND MAINTAINED BY NORTHSIDE CREEK, LLC UPON THE RECORDING OF THIS PLAT.
- AN AVIATION EASEMENT IN FAVOR OF THE MORGAN COUNTY AIRPORT IS GRANTED FOR THE FREE AND UNRESTRICTED PASSAGE OF AIRCRAFT OF ANY AND ALL KINDS FOR THE PURPOSE OF TRANSPORTING PERSONS OR PROPERTY THROUGH THE AIR. IN THROUGH AIRSPACE ABOVE THE AIRSPACE OVER THIS LAND PARCEL, THE EASEMENT GRANTER THE RIGHT OF FLIGHT FOR THE PASSAGE OF AIRCRAFT IN AIRSPACE, TOGETHER WITH THE RIGHT TO CAUSE OR CREATE, OR TO PERMIT OR ALLOW TO BE CAUSED OR CREATED, SIGN ANNOUNCEMENTS AS THEY BE NECESSARY IN OR PAY AIRING OR OCCUR FROM OR DURING THE OPERATION OF AIRCRAFT IN COMPLIANCE WITH ALL FEDERAL, STATE OR LOCAL AVIATION LAWS AND REGULATIONS, AND OTHER AERONAUTICAL ACTIVITIES THEREIN.
- AN EASEMENT IN FAVOR OF HILKINSON COTTONWOOD MUTUAL WATER COMPANY IS GRANTED OVER PARCELS C AND D FOR OPERATIONS OF SAID WATER COMPANY.
- FOUNTAIN GREEN IS A KNOWN TO FOUNTAIN COMMUNITY. THIS SUBDIVISION IS LOCATED ADJACENT TO PROPERTY THAT IS FENCED/ENCLOSED IN ACCORDANCE WITH S.U.C.L. CHANGES ARE HEREBY NOTIFIED THAT AGRICULTURAL OPERATIONS (HORK, HOURS, DRIVEN EARLY, AND RUN LATE) AND THAT THESE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.
- FOUNTAIN GREEN RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE INTERNATIONAL BUILDING CODE, AS ADOPTED, ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY FOUNTAIN COUNTY.
- PARCEL 9 IS TO BE OWNED AND MAINTAINED BY MORGAN COUNTY UPON RECORDING OF THIS PLAT.

NORTHSIDE CREEK PRUD, SUBDIVISION

LOCATED IN THE NORTHWEST, SOUTH-WEST AND NORTHEAST QUARTERS OF SECTION 20, AND THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, MT. MERION, MORGAN COUNTY, UTAH

GRAPHIC SCALE
1 inch = 200 ft.

DENSITY CALCULATIONS
1- BASE DENSITY 100.76 ACRES 499-5-2045 UNITS
2- DENS DENSITY IS 106-2 04 UNITS
3- TOTAL UNITS=22 47 OR 22 UNITS
4- LIGHT PER 4.4 ACRES

DEVELOPER:
RC GARDNER DEVELOPMENT
20 SOUTH 4500 WEST, SUITE 330
SALT LAKE CITY, UTAH 84119
(801) 486-1230

SURVEYOR'S CERTIFICATE

I, **KEITH R. ROBERT**, do hereby certify that I am a Licensed Land Surveyor, and that I hold certificate No. **10155**, as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the plat of land shown on this plat and described below, and have subdivided said tract of land into lots and streets, hereafter to be known as **NORTHSIDE CREEK PRUD, SUBDIVISION**, and that the same has been correctly surveyed and **subdivided into 15 lots** shown on the plat. I further certify that the same conforms with the laws and requirements of the applicable zoning ordinances.

BOUNDARY DISCREPANCY

Beginning at a point on the section line, said point being North 02°09'14" East 46.65 feet from the East Quarter Corner of Section 20, Township 5 North, Range 2 East, Salt Lake Base and Meridian, and running:

- Thence North 89°40'30" East 210.00 feet to the section line;
- Thence South 89°41'41" East 124.33 feet along the section line;
- Thence southeasterly 272.81 feet along the arc of a 112.76 foot radius curve to the right, (center bears North 84°14'41" West and long chord bears South 45°30'00" East 245.41 feet, with a central angle of 40°23'41");
- Thence North 89°00'00" East 246.16 feet;
- Thence westerly 128.56 feet along the arc of a 2006.00 foot radius curve to the right, (center bears North 07°42'00" East and long chord bears South 87°45'04" West 103.34 feet, with a central angle of 3°02'15");
- Thence North 86°12'48" West 490.01 feet;
- Thence South 84°55'02" East 618.95 feet;
- Thence South 48°56'41" West 333.21 feet;
- Thence South 47°00'41" West 225.36 feet;
- Thence South 39°45'48" West 405.46 feet;
- Thence South 32°14'20" West 447.51 feet;
- Thence South 55°51'01" West 517.42 feet;
- Thence South 42°21'14" West 402.25 feet;
- Thence South 41°53'11" West 456.35 feet;
- Thence South 56°19'30" West 440.68 feet;
- Thence North 43°33'30" East 545.66 feet;
- Thence southeasterly 353.46 feet along the arc of a 1035.00 foot radius curve to the right, (center bears North 02°07'11" East and long chord bears South 55°24'11" West 392.25 feet, with a central angle of 11°25'00");
- Thence North 64°05'52" East 411.71 feet;
- Thence North 27°54'08" West and long chord bears North 63°59'22" East 415.52 feet, with a central angle of 42°59'00");
- Thence North 47°03'52" East 630.46 feet;
- Thence northeasterly 422.49 feet along the arc of a 593.00 foot radius curve to the right, (center bears North 48°41'08" East and long chord bears North 63°59'22" East 415.52 feet, with a central angle of 42°59'00");
- Thence North 66°10'52" East 417.28 feet;
- Thence northeasterly 306.17 feet along the arc of a 2610.00 foot radius curve to the right, (center bears North 3°24'08" West and long chord bears North 82°21'54" East 341.41 feet, with a central angle of 8°21'55"); to the section line and point of beginning.

Contains 4,156.46 square feet, 106.16 acres, 22 lots, 17 Parcels

Date: _____
Keith R. Robert
Licenses No. 10155

OWNER'S CONSENT TO RECORDATION

I, the undersigned, do hereby consent to the recording of this plat and the showing described hereon and that said plat will be subdivided into lots, parcels and public streets to hereafter be known as **NORTHSIDE CREEK PRUD, SUBDIVISION**.

I do hereby declare for purposes of the public use of parcels of lands shown on this plat to be used for public use, and do hereby declare, defend, and waive the claims heretofore against any conditions or other encumbrances on the subdivided parcels which shall remain in effect until the subdivision is approved, and maintenance of the streets and do hereby declare the easements on said parcels for public utility and drainage purposes including the easements on said parcels for public utility and drainage purposes shall be in effect until the subdivision is approved and the plat is recorded by the County Clerk.

In witness whereof we have hereunto set our hands this _____ day of _____, 2015.

OWNER'S ACKNOWLEDGEMENT OF RESPONSIBILITY

I, the undersigned, do hereby declare that on the subdivided parcels of the plat contained in this plat I am the owner of said parcels and in accordance with the information on file in this office I also certify that a copy of all accepted improvement plans for this subdivision have been submitted to this office each affixed with a stamp and signature of a professional engineer registered in the State of Utah and is in the custody of the owner or developer.

In witness whereof we have hereunto set our hands this _____ day of _____, AD, 20____.

REGAN G. GARDNER, manager of Northside Creek, L.L.C.
CHARLES MOUNT, Hill Family LLC
WENDY WALKER, Browning Arms Company
Note: See Sheet 1 of 4 for Owner's Signature Acknowledgments.

COUNTY ENGINEER'S APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. I ALSO CERTIFY THAT A COPY OF ALL ACCEPTED IMPROVEMENT PLANS FOR THIS SUBDIVISION HAVE BEEN SUBMITTED TO THIS OFFICE EACH AFFIXED WITH A STAMP AND SIGNATURE OF A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF UTAH AND IS IN THE CUSTODY OF THE OWNER OR DEVELOPER.

DATE: _____
MORGAN COUNTY ENGINEER

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE MORGAN COUNTY PLANNING COMMISSION.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

COUNTY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE MORGAN COUNTY COUNCIL.

ATTEST:
COUNTY CLERK: _____
CHAIRMAN: _____

BY: _____
DEPUTY RECORDER

6-SHEET 1 OF 4 | job no. L-1128

ACKNOWLEDGMENT

STATE OF UTAH
County of MORGAN

On this _____ day of _____, AD, 20____, personally appeared before me, the undersigned Notary Public, in and for said County of _____, in said State of Utah, the signer(s) of the above Owner's declaration, _____, in number, who duly acknowledged to me that _____ signed a treaty and voluntarily and for the uses and purposes therein mentioned.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC
RESIDING IN _____ COUNTY

LEGEND

- DEVELOPER'S PROPERTY
- PROPOSED STREET EASEMENT
- EXISTING CORNER
- PARCEL - PUBLIC UTILITY & DRAINAGE EASEMENT
- SEE MAP REFER TO THE YELLOW PLATED MAP, OR THE STAMPED GREEN DISK & LAND SURV.
- SEPARABLE AREA SEE GENERAL NOTE 1
- BOUNDARY
- BOUNDARY SURV. LAND SURV.

HILKINSON COTTONWOOD MUTUAL WATER COMPANY

APPROVED THIS _____ DAY OF _____, 20____, BY THE HILKINSON COTTONWOOD MUTUAL WATER COMPANY.

HILKINSON COTTONWOOD MUTUAL WATER COMPANY

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT

APPROVED THIS _____ DAY OF _____, 20____, BY THE MT. GREEN SEWER IMPROVEMENT DISTRICT.

MT. GREEN SEWER IMPROVEMENT DISTRICT

MORGAN COUNTY ATTORNEY'S APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE MORGAN COUNTY ATTORNEY.

MORGAN COUNTY ATTORNEY

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE MORGAN COUNTY PLANNING COMMISSION.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

COUNTY COUNCIL APPROVAL

APPROVED THIS _____ DAY OF _____, 20____, BY THE MORGAN COUNTY COUNCIL.

ATTEST:
COUNTY CLERK: _____
CHAIRMAN: _____

BY: _____
DEPUTY RECORDER



Planning Commission
Staff Report

Warner Gravel Pit Conditional Use Permit
Public Meeting
October 22, 2015

Application No.: 15.051
 Applicant: Staker Parson Mountain Green
 Owner: Jack B Parson Companies
 Project Location: approximately 4950 Old Highway Road (near the intersection of Trappers Loop Road and Old Highway Road)
 Mountain Green
 Current Zoning: A-20
 General Plan Designation: Village Low Density, Town Center, and Village Residential (4 Dwelling Units per Acre (DUA))
 Acreage: approximately 51.51 acres
 Request: Approval of Warner Gravel Pit CUP, allowing for excavation processing
 Date of Application: May 28, 2015
 Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested conditional use permit based on the following findings and with conditions listed below:

Findings:

1. That the proposed use has been identified as a gravel pit. These kinds of uses are conditionally (C3) allowed in A-20 zoning districts.
2. That the proposed gravel pit is a use that may be permitted based on meeting certain criteria in the Code.
3. That the proposed facility will implement measures in an effort to not adversely impact the adjacent properties.
4. That any potential impact on the existing neighborhood will be minimal.
5. That the requirements of the County Engineer have been or will be addressed (see note attached in Exhibit G).

Conditions:

1. That the developer work with Mike Waite (Public Works Director) and Mark Miller (County Engineer) to ensure that the roads are in the same state of use and repair at the end of the excavation period.
2. That the developer provides a revegetation plan and/or uses hardscape materials to help prevent erosion on sloped areas.

3. That all other requirements of the County Engineer and Public Works Director are met.
4. That the hours of operation are set forth as 7 AM to 5:30 PM, Monday through Friday.

Background

This is a request to complete the mining of the Warner Pit in the Mountain Green area. The property is located generally north of the Old Highway Road, near the intersection of Trappers Loop Road and Old Highway. The proposed conditional use permit is for the continued excavation of material. The original conditional use permit was granted in 1997 and was good for a period of 13 years, after which time it expired.

This site is located immediately adjacent to a residential area to the east (Rollins Ranch) Due to the nature of the proposed conditional use permit, and the kinds of noises, dust, and dirt that are generated, mitigating efforts should be taken to ensure minimal impact on these areas. Further, heavy truck traffic along Old Highway Road will almost certainly cause damage to the existing roadway. The developer will need to repair any adverse effect of his activities on the roadway will be repaired by him prior to final completion of the project. As this is mainly an engineering-related project, the County Engineer and will continue to work closely with the developer to ensure that the County's interests will be met.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property has a Village Low Density Residential, Town Center, and Village Residential (4 DUA) designation. According to the General Plan, the Village Low Density Residential 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 or master planned communities." The Town Center designation "denotes areas suitable for a mixture of commercial, employment, and supporting residential uses in appropriate locations. Horizontal mixes uses would be required for master planned projects, and vertical mixed uses would be encouraged. Residential uses in the Town Center category should be vertically and/or horizontally integrated, and complementary to non-residential uses. Town Center projects should be designed to provide maximum compatibility with surrounding land uses. Increased aesthetic and architectural design requirements and focus on streetscape creation are paramount to the development of a Town Center area." The Village Residential designation "provides for a combination of single family attached and detached dwellings, townhomes, and duplexes. Substantial common open space for visual relief and recreation amenities would serve residents. This designation is found in the Mountain Green area with designated densities of up to 4 units per acre, and is appropriate for established village areas with infrastructure to support the uses." The anticipated ultimate use of this parcel will be for potential commercial and residential development. The proposed CUP will make these uses possible.

The zoning of the parcel is A-20 (Agricultural - 20 acre lot minimum). The purposes of the A-20 zone is "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." (LUMC 8-5A-1 (C))

Ordinance Evaluation. Morgan County Code, Chapter 3, Section 8-2-1 defines conditional use as the following:

CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this title.)

Staff Response: Due to the nature of this kind of excavation, the impact on adjacent properties due to the location of the proposed use will need to be mitigated in terms of noise, traffic, and other potential nuisances. There may be some disturbance to local land owners, and care should be taken to ensure compliance with conditions outlined in the Code and this report.

Property Layout. The property comprises 51.51 acres. The site has had some excavation, and the remaining area will be mined for gravel and sand.

Roads and Access. Access to the lot will be derived from Old Highway. It is anticipated that the proposed conditional use could have a significant impact on the roadway and existing traffic patterns. The developer has provided a truck route schedule, and the roadways will be monitored for wear and other impact.

Grading and Land Disturbance. This project is essentially a large-scale grading project, with excavation of the material and processing on the site. The resulting land formation will be a relatively smoothly graded to facilitate future development. The County Engineer has reviewed and approved the preliminary drawings.

Water Source. This site will use water from the existing water sources available on the site.

Fire Protection. The property is within the Wildland Urban Interface Area. There will be no permanent structures built in connection with the conditional use permit.

Sanitary Sewer Systems. Sewer service will not be utilized by the proposed use.

Storm Water. Storm water drainage will be accommodated in the proposed system. The County Engineer has reviewed the drainage plans and has approved the proposed drawings.

Geologic and Geotechnical Evaluations. Consideration has been given to the geotechnical requirements of such an improvement. The requirements of the County Engineer have been addressed.

Utilities. No utilities are to be installed.

Model Motion

Sample Motion for *positive recommendation* – “I move we forward a positive recommendation to the County Council for the Warner Gravel Pit Conditional Use Permit, application #15.051, located at approximately 4950 Old Highway Road, allowing for the excavation and processing of gravel and sand, based on the findings and with the conditions listed in the staff report dated October 22, 2015.”

Sample Motion for *positive recommendation with conditions* – “I move we forward a positive recommendation to the County Council for the Warner Gravel Pit Conditional Use Permit, application #15.051, located at approximately 4950 Old Highway Road, allowing for the excavation and processing of gravel and sand, based on the findings and with the conditions listed in the staff report dated October 22, 2015, *with the following conditions:*”

1. List any additional findings and conditions...

Sample Motion for *negative recommendation* – “I move we forward a negative recommendation to the County Council for the Warner Gravel Pit Conditional Use Permit, application #15.051, located at approximately 4950 Old Highway Road, allowing for the excavation and processing of gravel and sand, *based on the following findings:*

1. List any additional findings...

Supporting Information

- Exhibit A: Vicinity Map
- Exhibit B: Future Land Use Map
- Exhibit C: Existing Zoning Map
- Exhibit D: Proposed Layout of Gravel Pit
- Exhibit E: Applicant’s Narrative
- Exhibit F: Storm Water Pollution Prevention Plan (SWPPP)

Staff Contact

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

Exhibit A: Vicinity Map

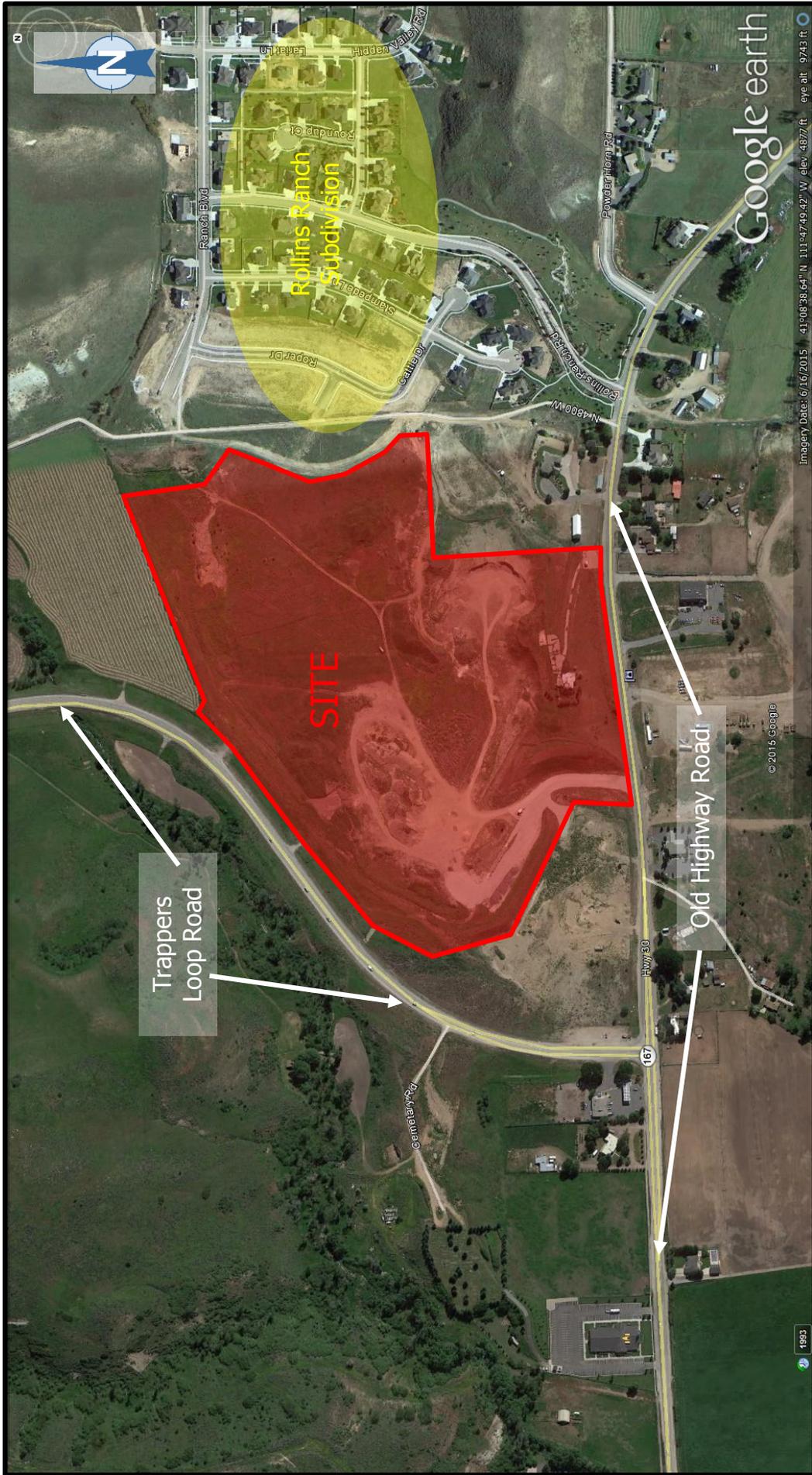


Exhibit B: Future Land Use Map

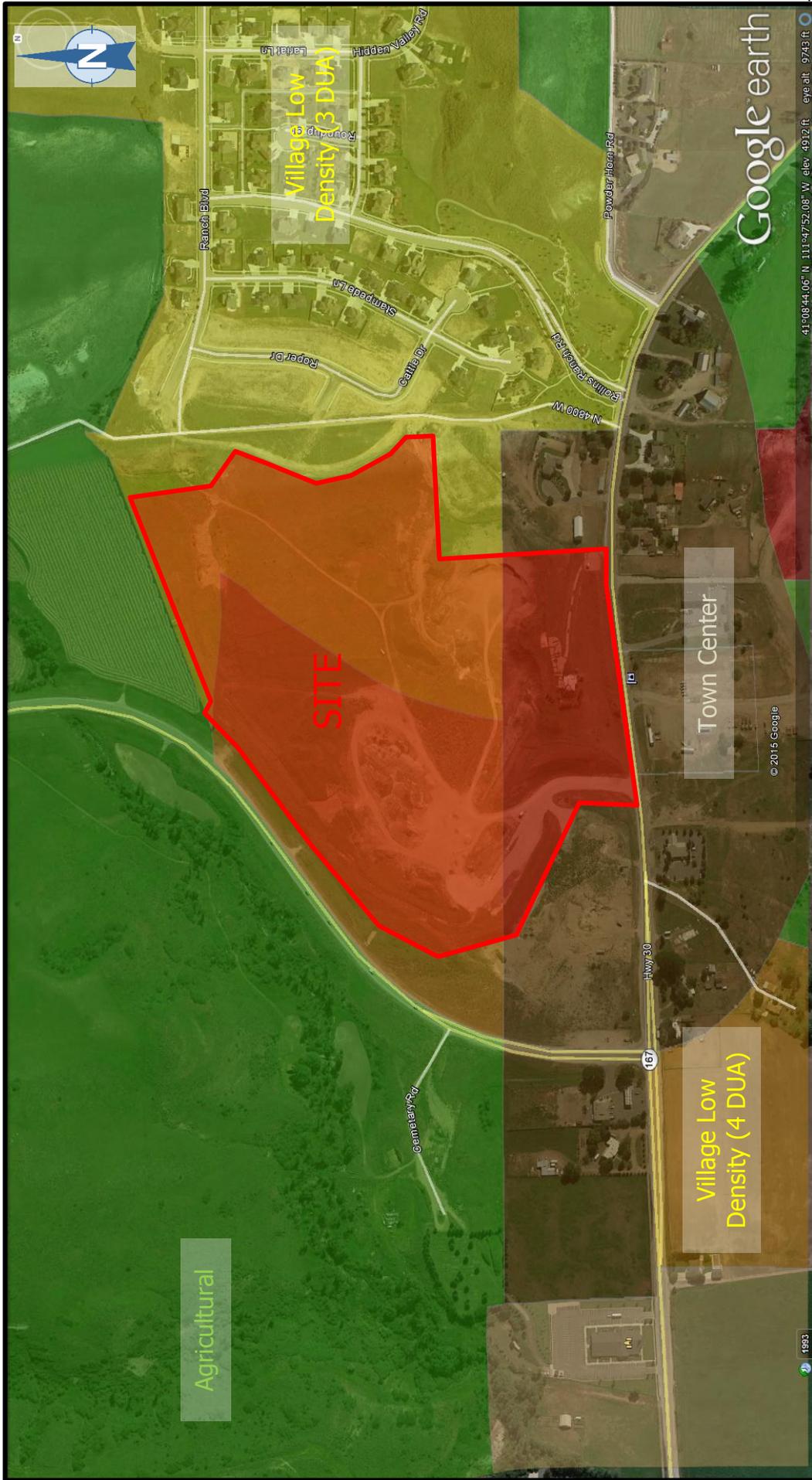


Exhibit C: Existing Zonng Map

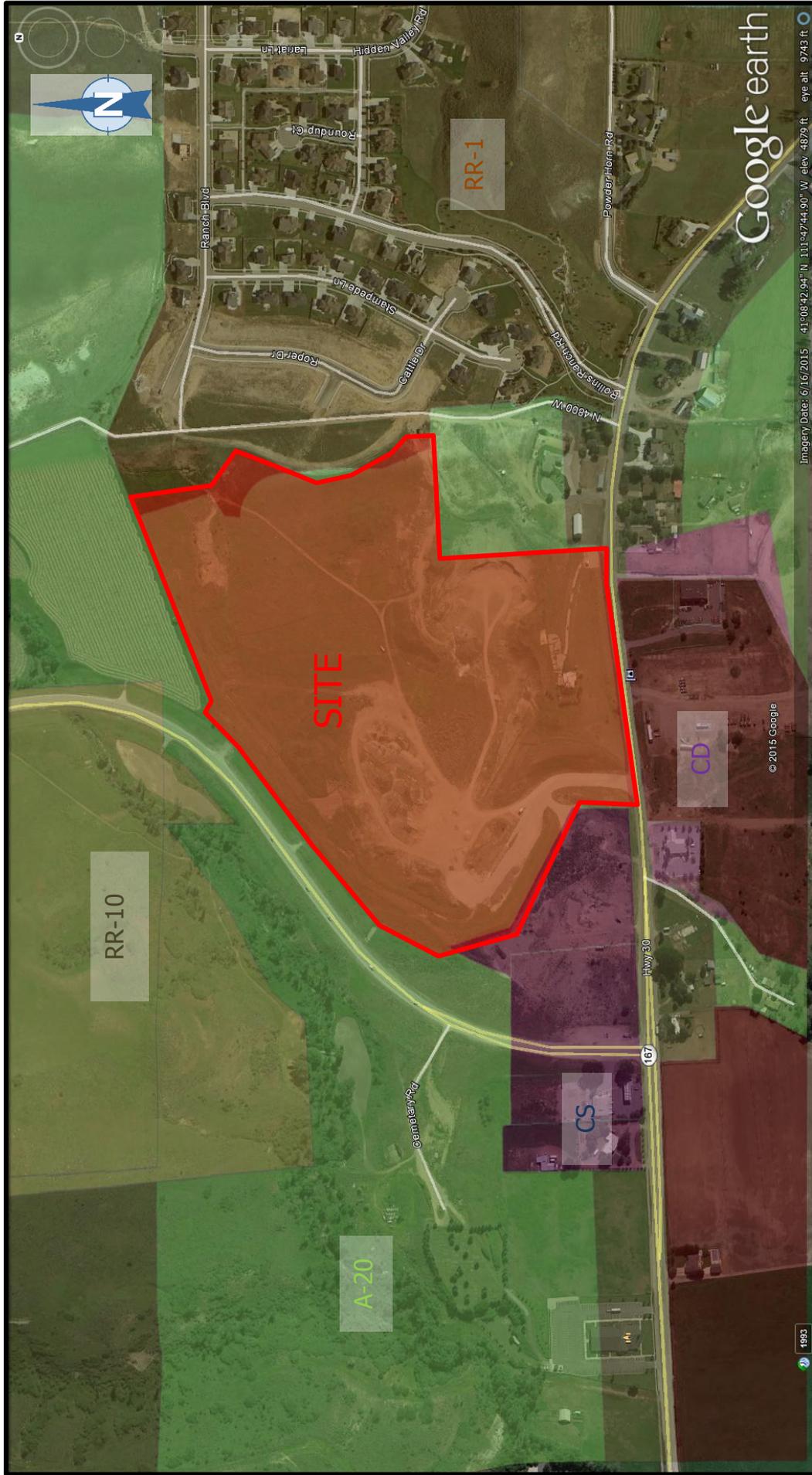


Exhibit D: Proposed Layout of Gravel Pit

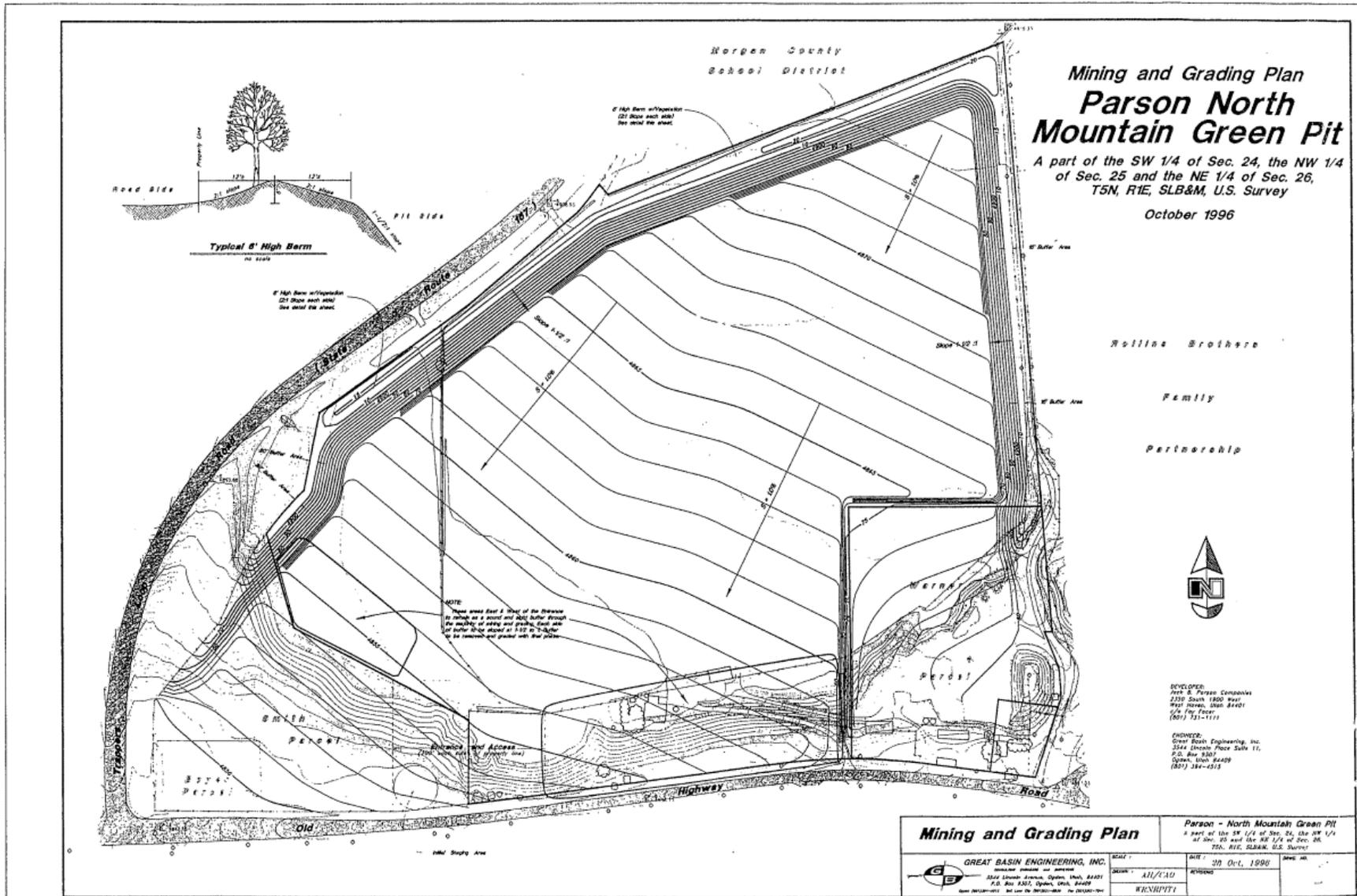


Exhibit E: Applicant's Narrative

**REVISED (VERSION 2)
WRITTEN NARRATIVE
FOR
JACK B. PARSON COMPANIES
CONDITIONAL USE PERMIT APPLICATION
MOUNTAIN GREEN – WARNER PIT**

PROJECT NAME:	STAKER PARSON COMPANIES MOUNTAIN GREEN – WARNER PIT
APPLICANT INFORMATION:	JACK B. PARSON COMPANIES, ATTN. REAL ESTATE MANAGER 2350 SOUTH 1900 WEST OGDEN, UT 84401
PROJECT DESIGNER INFORMATION:	STAKER PARSON COMPANIES, ATTN. NICK WARDELL 2350 SOUTH 1900 WEST OGDEN, UT 84401

In February of 1997 Jack B. Parson Companies (“JBP”) was issued a conditional use permit at this same location (See Attached). It was the intent of JBP to have the reserves mined off of the property and have the property fully reclaimed by February of 2010. For the first ten (10) years of work taking place in the pit, extraction rates were consistent with the time allotted by Morgan County in the original granting of a conditional use permit. However, due to the economic downturn in 2007-2008, progress slowed significantly to the point where only removal of materials from existing stockpiles and mining of a very small area in the Southeast corner of the pit adjacent to the Paul Warner residence existed. Up until recently, demands for material at this location were not significant enough for the need to process further materials.

At this time, JBP desires to renew its conditional use permit to allow for the final extraction and processing of remaining materials. While much work has been completed at the location to date, work still remains to extract remaining reserves and fully reclaim the property as represented in the 1997 mining and grading plan (See Attached). JBP’s plan to extract and process material, grade, and reclaim the property is still consistent with the original design. However, the current ‘performance standards for conditional uses’ as set forth by the Morgan County Code have each been addressed in the attached (ATTACHMENT ‘A’). Because the timeframe has lapsed in the original conditional use permit to complete the work, it is the intent of JBP to renew its conditional use permit so that work can be completed and the site

can be completely reclaimed to make way for the utilization of the property for new development.

During the term of the last conditional use permit, JBP has been a good neighbor and steward in adhering to the conditions originally set in that conditional use permit issued in 1997. The demand for rock has increased recently to the point where it makes sense for the company to re-commence processing operations at this location in an effort to complete its mining and grading obligations, reclaim the property and make way for further growth and development in this area.

The original and proposed mining plans are consistent with one another and are designed to minimize any adverse impact to the area as far as traffic, noise or emissions are concerned. However, Staker Parson Companies proposes that the amount of trips for truck traffic be as follows:

- A. Trucking from Old Farm to freeway be limited to 15 trips per hour loaded.
 - 1. Unrestricted trucking to the freeway would be allowed if the new proposed interchange is built.
- B. Trucking over Trappers Loop Road – unrestricted.
- C. Trucking from Pit to Peterson exit be restricted to three (3) trucks loaded per day without review and approval of the Morgan County Engineer. Any exceptions to this must be reviewed and approved by the Morgan County Engineer.
- D. Signs, walking path, safety devices will be directed by the Morgan County Engineer.

Staker Parson Companies also proposes the following hours of operation be allowed to limit any impacts to neighboring property owner's:

- A. Monday thru Friday – 6:00am to 6:30pm.
- B. Saturdays – 8:00am to 5:00pm.

The property is unique in that a very valuable and needed aggregate source remains that can be utilized in roads, concrete, asphalt, and associated sand and gravel in the immediate vicinity, at reasonable costs. After mining is completed, the utilization of the land will offer a broad range of development potential to this area.

ATTACHMENT 'A'
To the Written Narrative
for
Jack B. Parson Companies or ('JBP')
Conditional Use Permit Application

APPLICANT'S RESPONSES TO THE FOLLOWING COUNTY CODE ITEMS:

SECTION 8-8-4 PERFORMANCE STANDARDS FOR CONDITIONAL USES

A. Conditions Relating To Safety For Persons And Property:

1. No Buildings will be added to the facility. A small scale house structure and related scale exists on the property for the weighing and ticketing of product being sold. This building was constructed in accordance with local building codes at the time it was installed. Also, an existing single-family residence still remains on the site. It is the intent of the applicant that permits and plans for demolition will be submitted for prior to extracting materials in the area of this residence.
2. N/A, No irrigation ditches, drainage channels, and other potential attractive nuisances exist on or are adjacent to the property.
3. JBP intends to locate its processing plant for processing material at appropriate distances (a minimum of 600 feet) from incompatible uses such as single-family residences that are occupied.
4. N/A.
5. N/A.
6. All truck loading and unloading will take place at or very near the stockpile area designated at the far West end of the property or at the processing plant located at a minimum of 600 feet from any single-family residence.
7. No added improvements are intended to be installed. Fire hydrants currently exist along the frontage of Old Highway Road immediately adjacent to the property as well as throughout the Rollins Ranch Subdivision to protect the homes located in that neighborhood.
8. N/A.
9. Fencing currently exists and no added improvement is anticipated.
10. The current entrance to the pit will be the only means of traffic circulation in and out of the property.

11. REFER TO WRITTEN NARRATIVE ABOVE.
12. REFER TO WRITTEN NARRATIVE ABOVE.

B. Conditions Relating To Health and Sanitation:

1. The Northwest Irrigation Company's secondary water system stubbed to the property will be utilized for the source of water on the property for dust control and for the processing of materials at the location of the processing plant. A water truck will also be onsite during the times of processing materials to maintain impacted areas with the use of water being applied to those areas.
2. The processing of material will only take place at those times a mobile plant is mobilized to the site. At locations where this mobile plant operates such as this location, JBP installs and supplies proper temporary sanitation facilities for its workers to use and agrees to do the same at this location.
3. N/A.

C. Environmental Concerns:

1. N/A.
2. N/A, none exist.
3. Processes for the control, elimination or prevention of land, water or air pollution; the prevention of soil erosion; and the control of objectionable odors.
 - a. N/A, the possibility of degradation of water quality does not exist at the site.
 - b. N/A, no possibility of discharge to existing watercourses exists.
 - c. Applicant intends to strip existing topsoil from those areas of extraction prior to commencing any extraction activities, then stockpile that topsoil, and install that topsoil after completion of final grade for the seeding of vegetation. No streams, watercourses, swales, floodplains or right-of-ways exist on the property.
4. The planting of ground cover or other surfacing to prevent dust and erosion.
 - a. N/A, no conditions like this exist.
 - b. Those areas not being disturbed by extraction activities will be maintained.
 - c. N/A, no critical areas exist on the property.
 - d. Because the site is being graded according to the attached 'Mining & Grading Plan' for future development of the property, these conditions will be met.

5. Restructuring will occur in accordance with the supplied 'Mining & Grading Plan'.
6. All slopes will be removed during the extraction of materials process so erosion will not occur.
7. N/A.
8. If determined to be required, it will be supplied.
9. N/A, conditions such as this will not exist.
10. N/A, no natural drainages exist on the property.
11. Drawings and plans have been supplied.
12. N/A. Because this is a continuation of an existing permit, no conditions like this exist currently on the property.
13. If requested by the planning commission, JBP will strive to meet those additional reasonable standards.

D. Conditions Relating To Compliance with Intent Of General Plan And Characteristics Of Vicinity (Or Neighborhood):

1. N/A.
2. Because this is a continuation of an existing use, and due to the fact that any processing plant intended to be located on the property with the condition that the operator agree to operate at a distance of a minimum of 600 feet from incompatible uses, no need for screening is requested by the applicant.
3. N/A. This will occur as the property is developed.
4. N/A. No final development activities will occur on the site at this time.
5. Upon completion of the extraction of materials and removal of stockpiled material, it is the intent of the applicant to remove the small scale house structure and related scales under proper permit.
6. N/A.
7. N/A.
8. N/A, see 'Mining & Grading Plan'.
9. Values will be maintained as this will not be a continuous on-going operation in perpetuity and the property being left in a state for future development of a compatible use to neighboring properties.
10. N/A, see 'Mining & Grading Plan'.

E. Conditions Relating To Performance:

1. Time limits. SEE APPLICATION.
 - a. It is not possible to extract and sell through the materials processed in

accordance with the supplied 'Mining & Grading Plan' within the allotted two (2) year period of this section. Due to the current market conditions and lack of local market demands on the types of materials being processed, applicant requests ten (10) years to complete the required mining and grading activities as well as to sell through and remove the materials being stockpiled on the property.

- b. Action in the form of selling material from stockpiled materials on this property will take place immediately following issuance of a conditional use permit.
2. Bonding for the activities performed on this property can be supplied if one is not already in place from the previous conditional use permit.
3. No development activity interest has been received on this property to date.
4. Because applicant has agreed not to perform processing activities within 600 feet of an incompatible use, applicant feels this condition will be met. Because construction activities of neighboring developments are utilizing similar equipment being utilized by the applicant to extract materials, applicant does not see any impact above and beyond that construction activity occurring in the immediate vicinity of the property.
5. Applicant agrees that it will do so.

F. Energy Conservation Concerns:

1. N/A.
2. Not feasible with the requested use.
3. N/A.
4. N/A.
5. N/A.
6. Already accomplished with existing berms of earthen material and vegetation.
7. Already established on the property from prior conditional use permit requirements.
8. N/A, grading plan already addresses this concern.
9. N/A.
10. No ongoing maintenance required for currently installed improvements.

G. Conditional Use Permits Are Public Comment Items:

Applicant agrees to the standards set forth in this paragraph.

SECTION 8-8-5: GENERAL STANDARDS FOR CONDITIONAL USE DEVELOPMENTS:

- A. Properties are corporately owned by entities that are affiliated. Jack B. Parson Companies is a 'DBA' of Staker & Parson Companies.
- B. Landscaping, Fencing and Screening: Site is currently fenced and screening is provided by way of earthen berms located around the perimeter of the property.
- C. Signs and Lighting: N/A
- D. Grading and Drainage Plan: See submittal.
- E. Planting Plan: Site is not being developed into its final use at this time so no plantings should be required.
- F. Use not Detrimental: This type of use occurs frequently in areas such as this with no detrimental impacts to health and safety or general welfare of those persons residing the vicinity of this property due to the measures already agreed to above and that will take place while material is being extracted.
- G. Water And Sewer System: N/A, existing structures/improvements were constructed under the prior conditional use permit and codes and should be considered legal (perhaps non-conforming) structures at this time.
- H. Bond: Applicant agrees to bond for the stipulated amounts and timeframes required under this section.
- I. Fees and Costs Paid By Applicant: Applicant agrees to cover the costs of engineering and professional fees incurred in connection with this application.
- J. Environmental: Those areas disturbed by the extraction process will be graded, topsoil materials placed, then re-seeded with a seed blend to match existing natural vegetation, and/or crop for agricultural purposes until such time that a future development application is submitted to the County.

- K. Plans, Plats, and Documents: See 'Mining & Grading Plan'
- L. Standards and Requirements: Applicant agrees to any standards and requirements set forth in this title or applicable ordinances.
- M. Character of District: The proposed use is preparing the property to conform to this standard and allowing the future development to keep with the general character of the district.
- N. Plan Preparation: Plans for this application were completed by a licensed professional land surveyor in the State of Utah.
- O. Storm Drainage Facilities: Not applicable as all storm water shall be retained onsite until future development occurs.
- P. Permits Required: Any and all permits required for this use will be submitted for and obtained by applicant.

Exhibit F: SWPPP

(Attached Separately)



PLANNING COMMISSION AGENDA
Thursday, October 8, 2015
Morgan County Council Room
6:00 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. 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 –Conditional Use Table
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from September 24, 2015
9. Adjourn

Members Present

Shane Stephens
Debbie Sessions
Roland Haslam
Larry Nance

Staff Present

Bill Cobabe
Gina Grandpre
Mickaela Moser

Public Present

Tina Cannon

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

Legislative:**Administrative:**

6. Discussion/Decision – Conditional Use Table

Member Sessions commented that she feels their work on the Conditional Use Table is still not streamlining the process for businesses enough to be appealing and efficient. Member Nance commented that he would like to see the process more simple for those applying for a business use. There was discussion on neighborhood commercial uses.

Chair Haslam clarified that the County Council has directed the Planning Commission to go through the Conditional Use Table. Member Nance advocated putting more permitted uses on the table to allow for a quicker approval for potential businesses. Bill stated that a conditional use is a permitted use provided that all of the provisions and standards are met with the County Code. He clarified that the purpose of discussions about the use table is to assign if they should be permitted or to what degree they should be allowed. There was discussion on transportation, support transportation, freight, delivery services, storage, telecommunications, data processing, finance and insurance, real estate and rentals, and what should be permitted in each category. Chair Haslam reminded that the changes they are making to the Conditional Use Table will be

forwarded to the County Council for their review and they may further change what the Planning Commission is recommending for approval.

It was decided to skip item #7 of the agenda and move forward with approval of last week's minutes.

7. Planning Commission Business/Questions for Staff

8. Approval of minutes from September 24, 2015

Member Stephens moved to approve the amended minutes from September 24, 2015. Second by Member Nance. The vote was unanimous. The motion carried.

9. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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