



PLANNING COMMISSION AGENDA
Thursday, June 23, 2016
Morgan County Council Room
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

Legislative:

6. Discussion/Public Hearing/Decision: York Re-Zone Request: A request to re-zone approximately 4.373 acres of property located at approximately 2329 W Spring Hollow Rd from the MU-160 to RR-1 zoning.
7. Discussion/Public Hearing/Decision: Whitear Re-Zone Request: A request to re-zone approximately 6.37 acres of property located at approximately 4195 N Morgan Valley Dr. from the A-20 to RR-5 zoning.

Administrative:

8. Discussion/Decision: Giles Plat Amendment #1 – A proposed amendment to the previously adopted Giles subdivision, removing approximately .051 acres from lot 1 at approximately 296 N Morgan Valley Drive.
9. Planning Commission Business/Questions for Staff
10. Approval of minutes from June 9, 2016
11. Adjourn

Members Present

Shane Stephens
Debbie Sessions
Roland Haslam
Larry Nance
Michael Newton

Staff Present

Bill Cobabe
Mickaela Moser

Public Present

Tina Kelley
Bill York
Jill York
Kim Green
Rainey Miller
Robert Bohman

1. Call to order – prayer. Chair Haslam opened the meeting and Member Nance offered prayer.
2. Pledge of Allegiance
3. Approval of agenda – Chair added Member Nance’s report on the Enterprise Area Plan to the Staff Business agenda item.

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

4. Declaration of conflicts of interest

Member Stephens has a conflict on agenda item #8. He will participate in discussion if there are questions, but he will refrain from voting.

5. Public Comment

Rainey Miller: She attended the Enterprise Area Plan meeting that was held last night (June 22) and she currently has 10.3 acres and would like to have her property changed to RR-1 when the changes occur.

Kim Green: Some of his property is zoned for ½ acre lots up front, in his R1-20 zone. He would like his property in Spring Hollow to be zoned RR-1 all the way across. He is not currently planning to develop but would like the flexibility and option in the future.

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

Legislative:

6. Discussion/Public Hearing/Decision: York Re-Zone Request: A request to re-zone approximately 4.373 acres of property located at approximately 2329 W Spring Hollow Rd from the MU-160 to RR-1 zoning.

Bill Cobabe reviewed the application. Chair requested confirmation that each of the upcoming agenda items has been noticed correctly. Bill responded that it was advertised correctly.

Jill York, applicant: There were no questions for her.

Public Hearing:

There were no comments.

Member Sessions moved to go out of public hearing. Second by Member Nance. The vote was unanimous. The motion carried.

Member Newton moved to forward a positive recommendation to the County Council for the York Zoning Map Amendment, application number 16.014, changing the zoning district from MU-160 to RR-1, based on the findings listed in the staff report dated June 23, 2016.

Findings:

1. That the proposed amendment is in harmony with future land use planning efforts.
2. That the proposed amendment will be in harmony with existing land uses in the area.
3. That the anticipated development will not adversely impact the adjacent properties.

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

7. Discussion/Public Hearing/Decision: Whitear Re-Zone Request: A request to re-zone approximately 6.37 acres of property located at approximately 4195 N Morgan Valley Dr. from the A-20 to RR-5 zoning.

Bill said the Future Land Use Map shows that the village low density is 2-3 lots per acre and the applicant is requesting much less. It is currently zoned A-20 and not legal to build. The applicant desires a rezone to RR-5. The lot does involve the flood plain and the process involves an elevation certificate as part of the building permit process.

Member Nance questioned whether this property is included with the future Business Park area. He did not see a buffer between the residence and the commercial zone. Chair Haslam clarified that the fence line divides the property. The map they were looking at was drawn incorrectly and was difficult to discern property lines. Member Sessions said she believes they have a solution they can discuss. Chair Haslam clarified for those in the audience that they are currently reviewing the Commercial Use Table and discussing locations for commercial areas, including Peterson.

Ron Whitear, applicant: Member Nance asked what he irrigates on his property. Mr. Whitear explained what he irrigates, including 140 acres of alfalfa.

Public Hearing:

There were no comments.

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

Member Sessions moved to forward a positive recommendation to the County Council for the Whitear Zoning Map Amendment, application number 16.018, changing the zoning district from A-20 to RR-5, based on the findings listed in the staff report dated June 23, 2016.

Findings:

1. That the proposed amendment is in harmony with future land use planning efforts.
2. That the proposed amendment will be in harmony with existing land uses in the area.
3. That the anticipated development will not adversely impact the adjacent properties.

Second by Member Newton.

The vote was unanimous. The motion carried.

Administrative:

8. Discussion/Decision: Giles Plat Amendment #1 – A proposed amendment to the previously adopted Giles subdivision, removing approximately .051 acres from lot 1 at approximately 296 N Morgan Valley Drive.

This property is located in the RR-1 zone. The applicant currently owns 1.2 acres and Bill showed the area they want to section off on the map. Many of the surrounding lots are zoned RR-1. Bill showed what the area will look like if their request is granted. He explained that one benefit of the plat amendment would reduce the non-conforming of the smaller parcel.

Staff recommends approval of this application. They are currently legal, non-conforming. Member Newton asked about the sewer field and Bill said they will need to record an easement so it can be maintained. Member Nance asked if this adds to the “L-shape” lot.

Bill explained they are taking away from that and adding 2000 square feet. Bill clarified that Flag Lots are not allowed in the County, but L-shaped lots are allowed.

Dave Pike: He confirmed that the survey noting the easement will be recorded on the final plat. Chair clarified that this is noted on the conditions of approval.

Member Nance moved to recommend approval by the County Council the David Giles Plat Amendment, application #16.020, located at approximately 296 N. Morgan Valley Drive, amending the plat and reducing the size of the lot and creating a remnant parcel to be added to the Pike property to the north and west, based on the findings and with the conditions listed in the staff report dated June 23, 2016.

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 record an easement in favor of the existing David Giles subdivision lot regarding the septic discharge and drainage field that exists on the property.
2. That the owners provide an updated title report prior to recordation.
3. That all fees and taxes are paid, including any fees associated with outsourced consultants.
4. That any minor changes to the plat be handled by County Staff prior to recordation.

Second by Member Newton. The vote was unanimous. The motion passed. Member Stephens abstained.

9. Planning Commission Business/Questions for Staff

Member Nance: He reported on the Enterprise Area meeting held last night. There were 35-40 people in attendance, including County Council member John Barber. He reported that surrounding property owners at David Potter's property on Old Highway Road would like to change from A-20 to RR-1. Many other property owners agreed. Summer Ridge PRUD area

wants to stay in the residential zone. Bill confirmed that that property will not be built on. Many property owners in the current A-20 also want to change their zoning to RR-1. Member Nance suggested they let the individual property holders decide whether they want RR-1, RR-5 or RR-10. He included the northwest area of Spring Hollow Road and other surrounding areas. Brent Bohman, currently in MU-160 zone, wants to have his property changed to RR-10. Member Nance stated that Mr. Bohman requested all 160 acres of his property be changed. There were questions from the Miller's about the overlay on the map shown. There seems to be a misrepresentation of zone lines, as a few lots are split down the middle, with the two sides being in different zones.

Mr. Green stated that there is a PRUD involved and it shouldn't be confused with surrounding properties.

Member Nance discussed areas that want changes:

- All property from the Interstate to the East – change from A-20 to RR-1. (If it's East of the Interstate and West of Wardell's property on Old Highway Road, they recommend changing from A-20 to RR-1.)
- 2, 1-acre pieces in A-20 - change to RR-1
- To the North, currently in the MU-160 – change to RR-1
- Mr. Bohman's property in the MU-160 – change to RR-10

Member Nance reported that the Enterprise community wants a buffer zone by changing to the Rural Residential zoning. The commercial areas were discussed but there was no consensus reached at this meeting. Their main concern voiced at the meeting was no more gravel pits and no more asphalt plants in the community, zoning out A-20 which allows for those facilities. All property owners involved will be notified of the proposals. Chair Haslam requested a map displaying the proposed changes. Bill referred Member Nance to Jeff Ward who is the contracted GIS map person for the County. Chair asked if it could be ready in 2 weeks to make it an agenda item. Bill, Member Nance and Jeff Ward will meet to discuss and make a map for the upcoming meeting.

Bill showed the different designations on the Future Land Use Map and explained the different colors and what they represent.

Mr. Green noted that he owns several surrounding properties, including the Allen Family Trust, his father's property, among others. Many of the letters sent out for notification are being sent to these properties and should just be sent to him.

Member Nance clarified that when the map is drawn up, many residents are cross-zoned and should be notified of any changes and given the chance to choose zoning. Bill explained that many properties don't have enough acreage to allow for very much change—they're too steep to develop, or have other restrictions making it difficult or impossible to change zoning.

Member Sessions brought up that the Wild Oats Sewer concern needs to be on the future agenda and discussed. The drains that have been disconnected from the sewer need to be brought to the Health Department's attention and a letter of compliance issued. Chair requested that this issue be noted so they can follow up on it.

Chair Haslam reported that he attended the County Council meeting two days ago to represent the Planning Commission about the maps and Commercial Use Table concerns. He explained to the County Council the Planning Commission's intentions to rescind the commercial use table in order to discuss and get it ready to send together with the maps and standards and send all three together. He clarified for them that they don't want to get rid of the Commercial Use Table altogether, as that was a misunderstanding. Also, the intent is not to penalize existing businesses. He proposed a possible form based zoning. Chair Haslam also encouraged the Planning Commission members to think of ways to address the problems and concerns they've faced in the last several months, while reviewing the Commercial Use Table. Member Nance voiced his concern for any loopholes that may exist, specifically referring to the pet crematorium.

Robert Bohman, member of Bohman Ranch commented: He wanted to clarify about his family's property in the MU-160 zone in Enterprise. With the proposal to change to RR-10, they are not objecting to the changes. It isn't that they sought to change, but they do not object, as it would eliminate the possibility of having a gravel pit. Currently, gravel pits are allowed in the MU-160 zone.

10. Approval of minutes from June 9, 2016

Member Nance moved to approve the amended minutes from June 9, 2016. Second by Member Sessions. The vote was unanimous. The motion carried. Member Newton abstained.

11. 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