



PLANNING COMMISSION AGENDA

Thursday, March 24, 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

Administrative:

6. Discussion/Decision for Whittier Estates traffic proposal.

Legislative:

7. Discussion/Public Hearing/Decision: Land Use Map Amendment – Amending the Zoning Map of the County to reflect recent changes in the Zoning Ordinance.

8. Discussion/Public Hearing/Decision: Land Use Management Code Amendment – A proposed text amendment to the following Sections of Title 8 Chapter 8 of the Land Use Management Code of the County amending: Section 8-8-4 “Performance Standards”

9. Discussion/Public Hearing/Decision: Land Use Management Code Amendment – A proposed text amendment to the following Sections of Title 8 Chapter 8 of the Land Use Management Code of the County amending: Section 8-8-5 “General Standards”

Administrative:

10. Planning Commission Business/Questions for Staff

11. Approval of minutes from March 10, 2016

12. Election of Chair and Vice Chair

13. Adjourn

Members Present

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

Staff Present

Bill Cobabe
Gina Grandpre

Public Present

1. Call to order – prayer. Chair Haslam opened the meeting. Member Stephens offered prayer.
2. Pledge of Allegiance
3. Approval of agenda –
Member Nance moved to approve the agenda. Second by Member Newton. The vote was unanimous. The motion carried.
4. Declaration of conflicts of interest
Chair Haslam has a conflict with agenda item #6.
5. Public Comment –
There was none.

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

Administrative:

6. Discussion/Decision for Whittier Estates traffic proposal.

Staff – Bill declared that he didn't have additional information and turned it over to Mr. Gardner. Chair stated that he will continue to conduct the meeting but will refrain from commenting on this item.

Blair Gardner, principle property owner– He stated there was a site distance problem from Morgan Valley Drive. They had a traffic engineer conduct a study and they developed a proposal to allow for a no left-hand turn off of 3900 N. He said he has also contacted neighbors involved. He also addressed the slowing speed limit around the corner where traffic will be entering/exiting onto Morgan Valley Dr. Besides that issue, they are ready to begin construction of the 26 approved new homes.

Member Sessions – Wanted clarification as she thought that the origin agreement was to do a traffic study concerning the speed. Since there is a natural speed reduction with the curve of the road, there may be a traffic warning sign to slow speed around the curve but not an official sign to change speed in that area.

Mr. Gardner responded that the main concern from the County Engineer was the sight distance and how the speed reduction is affected by that.

Member Sessions clarified that the Planning Commission members received emails from Mark Miller, County Engineer.

Wendell Pasch, Principle Owner – He clarified the sign would be a suggested speed of 30 mph around the curve in question. He read the email from Mark Miller, County Engineer.

Chair Haslam clarified that tonight they are discussing the no left hand turn off of 3900 N.

Member Sessions – She stated that she doesn't understand why traffic would be able to drive straight through, but not make a left-hand turn.

Member Nance stated he is ready to make a motion. **Member Nance moved to not require a no left turn sign at 3900 N. Second by Member Ross.**

Chair Haslam opened for discussion.

Member Sessions said they can't ignore the engineer's recommendation. She feels they can't overrule the professional counsel from the traffic study.

Member Nance can't see where the engineer recommended the no left turn sign. Bill directed him to page 11 of the traffic study.

Chair Haslam asked Bill to help provide clarification. Chair understands that the only way to take traffic safely off 3900 N and deal with the increased traffic is to put a no left turn off of 3900 N. Bill responded that is not the case and Staff is not making a recommendation about this. It has been brought forward by the applicant and their traffic engineer (Hales), not the County Engineer. He said there were several proposals made to address this potential problem. There was discussion about a possibility of lowering the speed limit on Morgan Valley Dr. and eliminating left turns to solve the problem.

Member Nance asked where he could find their traffic engineer's recommendation. He was directed to the correct page in the Staff Report.

Member Sessions said her concern is with the existing residents, by imposing the no left turn sign, it makes it difficult for those residents who live near the new subdivision and wouldn't be able to turn left where they used to.

Member Stephens suggested widening 3900 N. There was also discussion about moving their access road. Member Newton reminded that there is another access point in which subdivision residents could turn left.

Member Nance withdrew his motion.

Chair Haslam stated there is no motion to discuss.

Mr. Gardner said this is their only option and all other suggestions have been exhausted.

Member Newton moved to recommend to the County Council that a no left turn sign be placed on 3900 N. based on the findings listed in the Hales Engineering memorandum dated November 5, 2015.

Second by Member Ross.

Discussion:

Member Newton – supports the engineer's recommendation and property rights to develop.

Member Stephens – clarified possible traffic turns exiting the subdivision.

The vote was not unanimous with Members Stephens, Ross, Newton, Nance for and Member Sessions against. The motion carried.

Legislative:

7. Discussion/Public Hearing/Decision: Land Use Map Amendment – Amending the Zoning Map of the County to reflect recent changes in the Zoning Ordinance.

Staff - Bill stated that 44 notices went out to property owners – the outstanding issue is the Business Park area near the Airport and south of Browning, as he didn't receive additional direction for boundaries concerning that area. He made a few changes in Neighborhood Commercial and gave the updated corrections concerning the changes

Member Sessions – She mentioned she spoke with Bill regarding Peterson and the storage units need to stay in General Commercial. That is the way it is reflected on the map.

Chair Haslam stated that only part of the storage units are pictured on the map and he wondered if General Commercial going to follow the property line? Bill stated if they want it to apply, it will apply.

Member Nance asked how they can approve a map without the revision of the table?

Chair Haslam responded that if they're okay with the map, they can approve the map, but not present it to the Council until standards are approved and updated. There was discussion about reviewing changes to the Use Table and a possible time frame.

Chair Haslam went into public hearing.

Randall Heath – He is the owner of the dry ice sand blasting in the Mountain Green Business Park. He is unsure of the purpose of changing the table and just wants to be able to continue doing what they've been doing for 15 years. He stated they make noise and would like to see more commercial development in that area.

Tina Kelley – She is a little bit confused about the discussion at the last meeting, but you said you want to have more discussion on the Business Park definition, you wanted to know what that really means and not rush with decisions. She was at the County Council meeting in which their direction to the Planning Commission was to bring both the standards and the map together to avoid further confusion.

Tina Cannon – When I was at the last Planning Commission meeting, I was understanding that you were still discussing it, not voting on it. The solution is not to rush it. We've created conflicting uses in this area. I'd rather we do it right the second time rather than correcting it a third or fourth time.

Member Stephens moved to go out of Public Hearing. Second by Member Nance. The vote was unanimous. The motion carried.

Chair Haslam – Reviewed the current options: Approve the map but not let it go to county council, amend the map, etc.

Member Stephens moved to postpone this until the standards are in place and completed with the maps and any changes on the commercial use table are reviewed and updated. Second by Member

Nance.

Chair Haslam – Clarified they are suspending the rule to postpone until the next meeting.

Member Newton – Suggested setting a time limit. He will make an amendment to the motion.

Member Newton moved to amend the motion to postpone will last no longer then June 9, 2016. Second by Member Sessions.

Member Nance stated that is only 2 months away, only 4 meetings. He suggested moving it to the 1st meeting in July.

The vote on the amendment was not unanimous with 4 yes (Members Stephens, Ross, Sessions, Newton) and one nay (member Nance). The motion carried.

The amended motion: That we postpone this until June 9, 2016 and that the standards are in place and completed with the maps and any changes on the commercial use table are reviewed and updated. The vote was unanimous. The motion carried.

8. Discussion/Public Hearing/Decision: Land Use Management Code Amendment – A proposed text amendment to the following Sections of Title 8 Chapter 8 of the Land Use Management Code of the County amending: Section 8-8-4 “Performance Standards”

Staff – Bill commended the Planning Commission for making hard decisions.

Chair Haslam – We can table it or postpone it until the next meeting. Chair requested the material being discussed be attached to their current packet.

Member Nance moved to postpone this item until the next meeting on April 14, 2016. Second by Member Ross.

Member Sessions suggested having the public hearing to hear those that came to the meeting.

Member Nance withdrew the motion.

Public Hearing:

Darlene Mussleman – She has several concerns. In Enterprise there are gravel pits, gravel trucks and this is not a healthy or safe environment. She requests any form of monitoring the number and frequency of truck movement. She is also concerned with the healthy air staying healthy with no help from the gravel pits. She also has issues with the Enterprise road conditions. She watches the gravel pits and understands their workers are supposed to leave the gravel pit every 10 minutes and the current Sheriff can't enforce the law since he doesn't understand the wording. She complained the Planning Commission isn't doing enough to check up on conditions stemming from development.

Carolyn Morrison – She made some comments that were not picked up by the audio.

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

Member Stephens was excused from the meeting around 8:00 pm.

9. Discussion/Public Hearing/Decision: Land Use Management Code Amendment – A proposed text amendment to the following Sections of Title 8 Chapter 8 of the Land Use Management Code of the County amending: Section 8-8-5 “General Standards”

Bill said they didn't have a chance to go over these either.

Chair Haslam – So we are postponing both items 8 and 9? We are still in the same boat as the other. Chair clarified there will be another public hearing concerning these postponed items when they are re-discussed, on April 14, 2016.

Public Hearing for General Standards –

Darlene Mussleman – She presented the same concerns and issues as before: Health and safety. What do we want to see in Morgan? We don't want to see smoke in the stacks (from the asphalt plant), we want to see the mountain views. She wants to continue to enjoy her yard. The flood lights are lighting up the night sky. A conditional use permit needs to be put in to eliminate the lights from being brighter than the stars and moon. How much improvement do we have for asphalt plant pollution? I want to know what the county will require to update an old asphalt plant with the latest and greatest pollution control. She compared them to the beautiful Holcim plant with their updated pollution controls. She is also concerned with water safety, addressing the water wells. She showed where the current water wells lie, including by her home. There are stacks of asphalt that they got from somewhere that she is nervous it will seep into the water supply. We don't want to be like Wisconsin and have to drink bottled water. She addressed digging behind the homes where Wilkinson's went in and dug out a 30 feet drop to bury something. It was 90 degrees. They have a nice home but there is a huge ravine being dug out that hasn't ever been addressed. She feels the Planning Commission is not aware of all the digging going on that may affect the water, health and safety of local residents.

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

Member Nance moved to postpone items 8 & 9 until April 14, 2016. Second by Member Newton. The vote was unanimous. The motion carried.

Administrative:

10. Planning Commission Business/Questions for Staff

Member Nance elaborated on the comments made that many conditions are not being enforced. Bill stated that Mrs. Musselman's comments were correct and there were no conditions put in place, therefore cannot be enforced.

Member Ross mentioned that she contact the EPA. Bill said that lies outside the scope of what the County can do.

Member Nance suggested not allowing businesses that the county can't enforce their air pollution in the commercial use table. Member Newton replied that you cannot mitigate all pollution, even without businesses. If it was strictly residential, there still isn't effective pollution control. He further stated that we can learn from mistakes made from issues brought up by Mrs. Musselman.

Chair Haslam suggested setting reasonable, legitimate conditions on incoming businesses. Bill said that will protect citizens from unsafe pollution but there is very little way to eliminate impact on the environment. Member Nance suggested reviewing permitted uses and finding some that are not conducive to Morgan County.

Chair Haslam commented that Morgan County is in no way set up to regulate pollution. Member Nance wants to maintain the standard where Morgan has the cleanest air in the state. Bill advised members to bring changes in order for that to happen but he will not advise on code changes.

Member Nance had a specific request: To bring any permitted use to the table that will bring pollutants into the County.

Member Ross – He suggested reviewing compliance issues with performance standards. Member Sessions suggested compliant reviews for incoming businesses.

Tina Cannon – Council has discussed this issue about code enforcement but if the code is written correctly, they may be able to do something. She brought up the benefits businesses bring that are not addressed in code. Bill said many code violations are complaint driven and addressed accordingly.

Member Nance stated he is not against businesses.

Bill gave the example of Dell Web in Arizona.

Member Newton commented that everyone go through the standards and come prepared with changes or solutions. He advocated for any interested parties to participate and voice their concerns. He noted to learn from past mistakes and look to the future with prepared changes and suggestions.

Bill presented training on April 13th for UCIP, for Gary, Debbie and Larry.

Member Ross requested to add something to the next agenda, that they discuss the A-20 in Mountain Green.

11. Approval of minutes from March 10, 2016

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

12. Election of Chair and Vice Chair

Member Nance moved to move item 12 to April 14, 2016. Second by Member Ross. The vote was unanimous. The motion passed.

13. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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