



PLANNING COMMISSION AGENDA  
Thursday, April 28, 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: Re-Zone – Rees Re-Zone Request: A request to re-zone approximately 125 acres of property located at approximately 2020 Round Valley Road from the A-20 to RR-1 zoning.

**Administrative:**

7. Planning Commission Business/Questions for Staff/Ordinance Update
8. Approval of minutes from April 14, 2016
9. Adjourn

Members Present

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

Staff Present

Bill Cobabe  
Gina Grandpre  
Mickaela Moser

Public Present

Mark Rees  
Tina Cannon  
Tina Kelley  
Veloy Dickson  
Lee Dickson  
Merrilee Esplin  
Bruce Tonks

Carol Tonks  
Kirk Tonks

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

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

**Legislative:**

6. Discussion/Public Hearing/Decision: Re-Zone – Rees Re-Zone Request: A request to re-zone approximately 125 acres of property located at approximately 2020 Round Valley Road from the A-20 to RR-1 zoning.

There was nothing to add from either Bill Cobabe or Mark Rees about this application. Chair Haslam clarified they have letters from all affected property owners.

Public Hearing--  
There was none.

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

**Member Newton moved to forward a positive recommendation to the County Council for the Rees Zoning Map Amendment, application number 16.011, changing the zoning district from A-20 to RR-1, based on the findings listed in the staff report dated April 28, 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 Ross. The vote was unanimous. The motion passed. Member Stephens abstained from voting on this item.**

#### **Administrative:**

##### 7. Planning Commission Business/Questions for Staff/Ordinance Update

The Planning Commissioners discussed County Standards. Attractive nuisances were defined as situations where people could go into uninvited on a property, such as an abandoned house or a swimming pool (abandoned or not). Bill clarified that “barriers to access” is a phrase, so that wording in the packet made sense (along with other barriers). There was discussion on water standards, and that there should be a minimum required in addition to state requirements. Bill inserted “All uses shall comply with applicable state and local standards.” Member Newton suggested adding the same wording on the next item also. Member Nance wanted clarification on the process to approve the conditional use table. Member Sessions stated that what they are reviewing and discussing tonight are standards, not conditions.

Land Use Ordinance Text Amendment – Conditional Use Standards:

#### C. Environmental Concerns:

3. Air pollution and incinerators were of concern for Member Nance. He wanted an ordinance to eliminate businesses with any type of furnace or incinerator, as they contribute to air pollutants. Member Sessions stated that there are additional pollution contributors: freeway and agricultural pollution. Member Stephens asked how they could regulate or monitor a standard suggesting no pollution among businesses. Bill provided the example of a machine shop and how that type of business provides good jobs and valuable service for the County, but they emit some level of pollution. Bill suggested minimum standards or levels for air pollution, which the County could monitor. He also suggested eliminating certain uses (like crematoriums) that produce pollution that County residents are not comfortable with. One example used was to require a scrubber to be installed on an incinerator.

a. It was decided to add water and air quality standards: Developments which produce any air pollution and/or discharge of water course shall demonstrate compliance with all federal, state, and County air and water quality standards.

5. Chair Haslam removed Planning Commission wording and added County Engineer as the responsible party in its place.

Member Sessions would like to add a noise standard, added as #13 and the current #13 moved to make a new #14 on the current list. Bill said he would work with the County Engineer to get decibel recommendations.

6. The slope will be changed from 30% to 25%.

7. Members Sessions and Stephens had concerns with this item. Bill said there are changes being made to internal policies to eliminate the back and forth from one engineer to another. Bill reworded hillside construction to “in a geologic hazard area as identified as per 8-5H, the application will be approved only

after the applicant provides:” Chair Haslam wanted to combine 7a and 7b. He also wanted to eliminate responsibility for the Planning Commission on 7c and insert the County Engineer in its place. Chair Haslam suggested inserting the 25% slope (instead of 30%) for 7a.

8. Make #8 a letter d under the previous #7.

9. Bill will move this up to e under #7. He will re-number them so they are in the correct order.

10. Eliminate Planning Commission and inserting County Engineer and Public Works Director.

12. Some replacement of Planning Commission with County Engineer. There was discussion as to what role the County Engineer would play in the major assessments. Commissioners would like to have the current County Engineer review this item and its subsequent (a), (b) and (c).

13. Replace Planning Commission with County Engineer as the governing body. Bill suggested adding the phrase “reasonable standards” in the wording somewhere.

#### D. Conditions Relating to Compliance with Intent of General Plan and Characteristics of Vicinity (or Neighborhood)

Member Sessions suggested restricting steel warehouses and enforcing a more attractive façade for the outside of a commercial building. She also had recommendations for traffic and road repair.

#### E. Conditions Relating to Performance:

2. Member Sessions stated that the 115% bond changed to 110%, per State code. Chair suggested adding the County Engineer here also. Chair discussed the 3 year rehabilitation effort number. He said 3 years seems too long. Bill said he will reword to reflect the intent of that statement and change it to 1 year. Member Nance suggested changing “may” to “shall” in pertaining to the requirement of a bond. Chair clarified there are 2 different types of bonds and distinctions. It was decided to keep the “may” for the cost of construction and change the wording to “shall” for the cost of rehabilitation. Member Newton reminded that these are the Standards by which conditions are made. He cautioned that a circumstance may arise where a bond is not necessary and he would like the discretion to decide. Bill suggested a landscaping plan and added that to wording as a 2b.

4. Chair added governing body after the planning commission. Bill changed the applicant “may” be required, to the applicant “shall” be required.

#### F. Energy Conservation Concerns:

#### G.

The planning commission decided to remove both items F and G. By removing those, public comment would not weigh in on decisions. The public would still be able to voice frustration and opinions, but it would not be required by law for public comment to be considered during conditional use permits.

#### Section 8-8-5 (General Standards)

Chair would like to have a standard for the developer to put up their own fencing. “Where fencing is

required, the developer shall install a fence”. This wording is to keep livestock contained where applicable and appropriate.

G. No “central” water system.

H. In all occurrences, Chair would like planning commission changed to governing body and County engineer.

J. Environment: Chair wanted to remove automatic irrigation system as being required by the planning commission. He suggested changing the wording from “shall” to “may”. Discussion ensued on the automatic irrigation wording. Bill will reword and bring it back to the Planning Commission.

K. Remove planning commission.

P. There was some confusion as to what was required. Some felt it was redundant. Leave it in for now.

Bill will have these revised notations in 2 weeks as well as architectural standards. He presented upcoming training opportunities in Vernal. Bill reported on the General Plan Update Committee. They will meet May 5, 2015 and the Rural Planning Group will come and discuss how to manage growth. May 12, 2016 is the joint Planning Commission and County Council meeting with Brent Bateman at 5:00 pm. Planning Commission meeting will commence afterward. Bill will be gone after that until June 12. May 19, 2016 is the date for an open house style meeting to discuss the new flood plain maps.

Member Ross commented on the newly approved Mountain Green sub-committee to discuss planning suggestions. He introduced proposed members. The compiled list includes a large number of people who will be contacted by email in the next few days to share their thoughts on the A-20 areas in Mountain Green. Member Ross felt they can accomplish what they need to in 2 meetings, which is to recommend what they want and do not want in the specified area. The area being covered is from the Mtn. Green exit to Ken Lane residence (which lies within the fire district.) There are people from Whisper Ridge, Rollins Ranch, landowners, stakeholders, Mtn. Green residents, etc. who are invited to participate. The process begins with this committee and they will make recommendations to the planning commission. The public will be invited to that meeting, as well as the subsequent county council meeting. Member Ross will send the email to those on the committee, plan 2 meetings, and be the head of the committee to direct discussion and concerns. They will not turn anyone away from this committee meeting and additional discussion about concerns in Mountain Green is welcome.

8. Approval of minutes from April 14, 2016

Planning Commissioners requested a revised copy of the amended minutes for review and approval at the next meeting.

9. Adjourn

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

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

ATTEST: \_\_\_\_\_ Date: \_\_\_\_\_

Mickaela Moser, Transcriptionist  
Planning and Development Services