



PLANNING COMMISSION AGENDA

Thursday, May 26, 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: Nye re-zone request to re-zone approximately 2.5 acres of property located at approximately 2545 W Old Hwy Rd from the RR-1 to R1-20 zoning.
7. Discussion on the Commercial Use Tables.
8. Discussion on the Conditional Use Standards Amendment.
9. Discussion on the Commercial Zoning Maps.

Administrative:

10. Planning Commission Business/Questions for Staff
11. Approval of minutes from May 12, 2016
12. Adjourn

Members Present

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

Staff Present

Gina Grandpre
Mickaela Moser

Public Present

Tina Kelley
Cody Nye
Gloria Wood
David Potter
Kirk McGary
Todd Walker
Shanna Walker

Matt Moore
Lovellette Butterfield

1. Call to order – prayer. Acting Chair Sessions opened the meeting and Member Stephens offered prayer. Chair Haslam joined the meeting at 6:39 pm.
2. Pledge of Allegiance
3. Approval of agenda –
4. Declaration of conflicts of interest
There was none.
5. Public Comment

Kirk McGary: He has spoken to several Planning Commission and County Council members about reviewing the zoning maps around the Enterprise area. He would like to make a committee to discuss issues concerning residents in that area. He also requested that the Planning Commission ask the County Council to delay the decisions concerning the map until that particular area can be discussed.

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

Legislative:

6. Discussion/Public Hearing/Decision: Nye re-zone request to re-zone approximately 2.5 acres of property located at approximately 2545 W Old Hwy Rd from the RR-1 to R1-20 zoning.

Gina filled in for Bill, as he is out of the country. She introduced the Nye's rezone request. The vicinity map is village low density. She highlighted the Nye's property and showed the neighboring properties, which are zoned RR-1 and R1-20. She showed where the milk farms are located and stated they lie within the A-20 zone.

Cody Nye: He is the applicant. He clarified that he would like two lots for possible future development opportunity.

Public Hearing:

Gloria Wood: She would like it rezoned. She lives across the street and said it needs to be rezoned.

David Potter: He owns a neighboring property and was unaware of what the Nye's intent was. He is in the cattle business, and his opinion is that there should not be very many houses in that area because of the

cattle, sewer and water concerns. There are several raccoons and skunks that live in the house that will be torn down and would like to see them exterminated before demolition so they don't move into neighboring structures.

Cody Nye: He clarified that under the proposed zoning, besides the existing home, it would allow for only one additional home. The process has begun for demolition and he has applied for permits.

Member Wilson asked Chair Haslam if he saw any concerns with water pooling in Mr. Potter's land, as he is in excavation. Chair responded that in his personal opinion, it shouldn't be a problem for water to gather.

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

Member Sessions moved to forward a positive recommendation to the County Council for the Nye Zoning Map Amendment, application number 16.013, changing the zoning district from RR-1 to R1-20, based on the findings listed in the staff report dated May 26, 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.

Member Stephens asked about the road and Gina said it doesn't meet County specs and will be addressed after the rezone.

The vote was unanimous. The motion carried.

7. Discussion on the Commercial Use Tables.

Gina said the public hearing is scheduled for June 9th, the next Planning Commission meeting. Those surrounding the areas on the commercial zoning map will be notified by mail. Member Sessions commented that there is no area within the County that allows cemeteries. Member Stephens said to eliminate the crematoriums and allow cemeteries in commercial zones. The Council has requested that the Commercial Use Table, Standards and Commercial Zoning Map be ready to forward all together. There was some discussion about how to remove and replace the old table, as it is an ordinance. Member Wilson suggested recommending to remove the old table and then recommend that the new commercial map be adopted. Gina reiterated that the maps in the packet reflect the changes they discussed. Member Nance stated that they were not going to proceed with changes to the commercial use table until the committee from Mountain Green has met and made decisions. Enterprise doesn't have commercial zones so that particular table and issue don't apply to a subcommittee that may be formed in that area.

The Planning Commission was directed to take the old commercial use ordinance out and give them recommendations (including Standards and everything) to adopt the new. Chair understands that according to Brent Bateman, the Council does not have to do it all at once, but in pieces. Gina showed what was noticed in the newspaper and the advertised notices are not entirely correct. Member Sessions said that some of those decisions that were noticed have not yet been decided and suggested they send recommendations in pieces to the County Council. Chair said they should discuss and decide what they're going to do with the Commercial Use Table tonight. Chair said they should give them (County Council)

the old table, what was in place prior to Feb 2, 2016.

The map and standards will not be done by the second meeting in June. Chair stated there are 2 conditional use tables and only one conditional use map. The Planning Commission will forward the maps that are done, while the others will be worked on at the next meeting, which has been noticed for the public hearing. Chair commented that many of the Standards are ready to forward. Member Sessions stated that the County Engineer has not responded to the concerns sent to him about the Standards. Commissioners are trying to decide how to handle this task. There is a potential problem that the notice for amending the zoning map to reflect recent changes in the zoning ordinance is not accurate, so the Planning Commission may cancel that and re-notice when they're ready. Chair doesn't feel that they're ready to proceed and the County Council wouldn't get their request until July, as noticing presents its own problem. Member Wilson said they could gather public input (as public comment) at the noticed June 9th meeting and then re-notice correctly for a decision at a later date. The Planning Commission agreed that the notice advertised in the newspaper about "amending the zoning map of the County to reflect recent changes in the zoning ordinance" does not accurately reflect the discussions in Planning Commission meetings or their intentions. It was decided to cancel all 3 notices, advertise a new hearing, and discuss the items that were incorrectly noticed on the July 14th meeting.

June 9: work session (discuss maps, standards, conditional use table)

June 23: cancel

July 14: public hearing

Member Sessions and Member Ross have comments they will discuss at the next work session. Gina said Mark Miller (County Engineer) had a funeral and has not sent back his review/opinion of those items the Planning Commission requested.

Member Nance moved to cancel the June 9th notices and have a work session to discuss the table, standards and map as a work session on June 9, 2016. Second by Member Ross. The vote was unanimous. The motion passed.

8. Discussion on the Conditional Use Standards Amendment.
9. Discussion on the Commercial Zoning Maps.

Administrative:

10. Planning Commission Business/Questions for Staff

Sub-committee in Enterprise: Enterprise residents want to make changes to the current zoning. Gina thought the residents in Enterprise want to make changes to the area plan or general plan. Chair asked Member Nance to be in charge of finding out exactly what the Enterprise people want to do. He would like to know their intent and have Member Nance report back at the next meeting. Member Nance played a voicemail he received, clarifying that Enterprise residents want to do what Mountain Green residents are doing: discussion on zoning within their area.

Member Nance moved for the Planning Commission to form an Enterprise subcommittee to address immediate zoning concerns in Enterprise and forward any recommendations to the Planning Commission by the July 28, 2016 meeting. This subcommittee should consist of landowners, stake holders and elected officials. Member Nance will be the head of this committee.

Second by Member Sessions.

The vote was unanimous. The motion passed.

Member Ross's update on the Mountain Green committee: They met June 24th, with 20+ people in attendance. The main suggestion was to rezone A-20 to RR-1. Some will be left in the A-20, but the overall preference was RR-1 as opposed to A-20. They also discovered there is nowhere in the County that permits cemeteries, as it is a legal, non-conforming use. The next meeting is June 14th and Rollins Ranch will be discussed. At the Mountain Green sewer improvement meeting, there was a question about the equestrian place being put into a zone that they're not allowed. They had asked to be added to the sewer and then disconnected, as it's in violation. They're supposed to be in contact with the Health Department for a resolution. Member Ross wondered where the problem was and what can be done in the future to avoid a potential disaster.

Chair would like to add to the next agenda after Bill is back (July 14): an update on the Equestrian building to discuss this sewer problem.

11. Approval of minutes from May 12, 2016

Member Nance moved to approve the minutes from May 12, 2016. Second by Member Sessions. The vote was unanimous. The motion carried. Members Ross and Stephens abstained.

12. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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