



PLANNING COMMISSION AGENDA

Thursday, January 14, 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 on ordinance changes.
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from December 10, 2015
9. Adjourn

MEMORANDUM

TO: Planning Commission
FROM: Bill Cobabe
DATE: January 14, 2016
SUBJECT: Various Ordinance Changes

Background

The following Sections of Code have been identified as needing discussion, clarification, and/or revision (Please note that this list is not intended to be exhaustive or exclusive – other Sections of the Code may need to be addressed while reviewing and discussing possible changes; also, the following memo items intended to point and focus the discussion and not necessarily to inform opinion. Recommendations by staff are as outlined using the **bold**/strikethrough notation):

Definitions of Words and Terms (Section 8-2-1):

~~LOT:~~ A parcel or tract of land within a subdivision ~~and abutting a public street or a private street~~ pursuant to the requirements of this title.

~~LOT FRONTAGE REQUIRED:~~ The length, in feet, of the front lot line which is coterminous with the front street line.

~~LOT RIGHT OF WAY:~~ A strip of land not less than sixteen feet (16') in width connecting a lot to a street for use as a private access to that lot. This definition does not apply to the creation of new lots or parcels, pursuant to the County's subdivision ordinances.

Approval of Conditional Uses (Section 8-3-9 (H)(8)):

8. Recommend approval or denial **by the County Council** of conditional use permits **noted in this title as "C3"; approve or deny conditional use permits noted in this title as "C2"**.

Lot Standards (Section 8-6-2)

Except for more flexible requirements that may be specifically authorized in this title or other legal, nonconforming situations, every lot within the county shall have such area **and access** as is required by this title ~~and shall have the required frontage upon a dedicated private or publicly approved street before a building permit may be issued.~~

Improvements Required (Section 8-12-44 (D)):

Improvements Required: All lots or parcels created by the subdivision shall have ~~frontage on a street, improved and dedicated to the standards~~ **access to the lot as** required herein **in this title**. Pavement widths, curbs, gutters, sidewalks, and park strips shall be installed on existing and proposed streets by the subdivider in all subdivisions where the adopted road cross sections require these improvements:

Deferral Agreement (Section 8-12-44 (D)(1)(C)):

c. In lieu of a deferral agreement, the ~~County Council~~ **Planning Commission** may grant an improvements exemption as provided for in this subsection.

Private Lanes/Small Subdivision (Section 8-12-44 (P)(2)):

2. Private Lanes May Be Required To Be Public Street: The establishment of a new private lane or right of way shall be evaluated by the zoning administrator and county engineer, and may, at the discretion of the county council, be required to be dedicated as a public street meeting county street standards to accomplish needed and logical street connections, to provide access to properties that may otherwise have no access or limited access to the detriment of the property, or other purposes determined to be appropriate. ~~Subdivisions with proposed private lanes shall not qualify for the small subdivision review.~~



PLANNING COMMISSION AGENDA
Thursday, December 10, 2015
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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. Presentation by University of Utah students on feedback from the Listening to Morgan website associated with the required General Plan update.
7. Discussion on various *potential* ordinance changes, including the A-20 zoning, private lanes/small subdivisions, noticing requirements, requirement on number of paper copies for planning and zoning applications and the language to approve resolutions.
8. Discussion/Decision on Planning Commission resolution 15-01. A resolution setting the annual meeting schedule of the Morgan County Planning Commission for 2016.

Legislative:

9. Discussion/Public Hearing/Decision for Various Land Use Management Code Amendments – Proposed amendments to the Land Use Management Code for Morgan County:
 - Revision of Commercial and Industrial Districts Purpose Statement (Section 8-5C-1), revising the names and purposes of the districts.
 - Revision of the Codes and Symbols used in the Commercial and Industrial Use Tables (Section 8-5C-2), allowing for different levels of approval, including C1 (Staff), C2 (Planning Commission), and C3 (County Council).
 - Revision of the Commercial and Industrial Use Tables (Section 8-5C-3), specifying which uses are allowed in the various zoning districts.
 - Revision of Improvements Completed or In Progress before Building Permit Issued (8-5C-6), with changes to reflect the new zoning district types.
10. Planning Commission Business/Questions for Staff
11. Approval of minutes from October 22, 2015 and November 12, 2015

12. Adjourn

Members Present

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

Staff Present

Bill Cobabe
Gina Grandpre
Mickaela Moser

Public Present

1. Call to order – prayer. Acting-Chair Sessions opened the meeting.
2. Pledge of Allegiance
3. Approval of agenda
Bill commented that item #6, concerning the University students, will be presented at a different time.
Member Newton moved to approve the amended agenda. Second by Member Nance. The vote was unanimous. The motion carried.
4. Declaration of conflicts of interest
There were none.
5. Public Comment
There was no public comment.

Administrative:

- ~~6. Presentation by University of Utah students on feedback from the Listening to Morgan website associated with the required General Plan update.~~
7. Discussion on various ***potential*** ordinance changes, including the A-20 zoning, private lanes/small subdivisions, noticing requirements, requirement on number of paper copies for planning and zoning applications and the language to approve resolutions.

A-20 zoning: Member Nance stated that his opinion is that there are too many permitted issues within the A-20 zone. His suggestion was to allocate many of the current permitted uses in the MU-160. Member Sessions suggested removing the A-20 zone within the town center of Mountain Green. The biggest area for discussion was concerning the gravel pits that are currently allowed in the A-20 zones. Member Newton suggested adding some buffer zones. Bill suggested that instead of buffer zones, using clarifications (like 500 feet) to mitigate some of the impact for future building lots.

Member Ross suggested changing the question to, “What can we do to reduce a negative impact on the residents of Mountain Green.” Member Wilson referred to State law. There was discussion on potential places within the County to allocate gravel pits and other potential development. Member Sessions discussed the reality of many agricultural uses as opposed to the

the “country” living perception that includes green fields without any negative agricultural impacts that is associated with Ag zoning, such as smell, noise, etc. There was further discussion on areas where a zone change would make sense and possible zoning changes, especially from currently located A-20 zones to RR-5. Member Sessions suggested getting input from landowners in the General Plan updates.

Private lanes/small subdivisions: Bill stated that a private lane was intended to be a mix between a private driveway and a private street or access to a lot. The private street would not be dedicated to the County and maintained by the HOA or subdivision residents. The County engineer proposed a cross-section solution. Bill said him and the County engineer will discuss standards concerning private lanes and driveways.

Chair Haslam joined the meeting at 7:25 pm.

Noticing requirements: Bill presented the code 8-3-13. Member Sessions suggested eliminating public clamor or public comment during a public meeting for an administrative decision, as was suggested at a previous training by Brent Bateman. She stated that the public can become frustrated when they perceive their comments are not considered and Member Sessions suggested not noticing those situations as a meeting that accepts public comment. It was noted that many decisions are made before the controversies appear in the meeting and many decisions are made before specific situations are presented. It was also discussed to let the public know that any written comment would be accepted at certain times. It was noted that paperwork should be made available by the Planning Office for those interested parties.

Paper copies for planning and zoning applications: Bill explained that many applications and such are digital copies. There was some discussion about paper copies on file. Gina explained that the building permit process is now fully digital.

Language to approve resolutions: Recommend approval or denial of conditional use permits.

8. Discussion/Decision on Planning Commission resolution 15-01. A resolution setting the annual meeting schedule of the Morgan County Planning Commission for 2016.

There was a review of the upcoming 2016 scheduled Planning Commission meeting dates.

Member Newton moved to approve the annual meeting schedule of the Morgan County Planning Commission for 2016. Second by Member Nance. The vote was unanimous. The motion carried.

Chair Haslam opened the time for public comment.
There was no public comment.

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

Legislative:

9. Discussion/Public Hearing/Decision for Various Land Use Management Code Amendments – Proposed amendments to the Land Use Management Code for Morgan County:
 - Revision of Commercial and Industrial Districts Purpose Statement (Section 8-5C-1), revising the names and purposes of the districts.
 - Revision of the Codes and Symbols used in the Commercial and Industrial Use Tables (Section 8-5C-2), allowing for different levels of approval, including C1 (Staff), C2 (Planning Commission), and C3 (County Council).
 - Revision of the Commercial and Industrial Use Tables (Section 8-5C-3), specifying which uses are allowed in the various zoning districts.
 - Revision of Improvements Completed or In Progress before Building Permit Issued (8-5C-6), with changes to reflect the new zoning district types.

Bill presented the commercial and industrial use table that included all of the combined notes from his revisions for Planning Commission review. The Planning Commission members and Bill discussed the different levels of approval for many commercial uses.

Member Newton moved to recommend approval by the County Council of the revised Commercial Use Table and associated Sections (Section 8-5C-1, revising the names and purposes of the districts; Section 8-5C-2, allowing for different levels of approval, including C1 (Staff), C2 (Planning Commission), and C3 (County Council); Section 8-5C-3, specifying which uses are allowed in the various zoning districts; and, 8-5C-6, with changes to reflect the new zoning district types), with the revisions noted in the staff report dated November 12, 2015 and revisions made tonight.

Second by Member Nance.

Member Sessions commented that she thinks there are still too many permitted uses. She still has concerns with several of the items just approved.

The vote was not unanimous with Members Ross, Nance, Newton and Wilson in favor and Member Sessions and Chair Haslam opposed. The motion carried.

10. Planning Commission Business/Questions for Staff

Bill wished everyone a Merry Christmas.

11. Approval of minutes from October 22, 2015 and November 12, 2015

Member Sessions moved to approve the amended minutes from October 22, 2015. Second by Member Ross. The vote was unanimous. The motion carried.

Member Ross moved to approve the amended minutes from November 12, 2015. Second by Member Nance. The vote was unanimous. The motion carried.

12. Adjourn

Member Nance moved to adjourn. Second by Member Newton. The vote was unanimous. The motion passed.

Approved: _____ Date: _____
Chairman, Roland Haslam

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

DRAFT