



PLANNING COMMISSION AGENDA  
Thursday, July 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

Administrative:

6. Discussion – Updating Zoning Maps
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from July 14, 2016
9. Adjourn

Morgan County Zoning Map Amendment  
(Discussion only)  
June 28, 2016

## **Background**

The Planning Commission and County Council are working to make the processes and procedures for doing business in Morgan County simpler and more transparent. Further, there is disparity between the General Plan designated areas and what the current zoning ordinance allows for. As a result, the designations of the various zoning districts have been proposed to be modified. The following notes the designations as changed:

### **8-5C-1: PURPOSE:**

The purpose of the following districts is:

- A. ~~Commercial-Buffer~~ **Business Park** District **CB (BP)**: To provide areas for appropriate transitions of **between** commercial uses **and residential uses. Developments are intended to reduce impact adjacent properties by using landscaping, setbacks, and building design.**
- B. Neighborhood Commercial District **C-N (NC)**: To provide areas in appropriate locations where convenience buying outlets may be established to serve surrounding residential neighborhoods. The regulations of this district are designed to promote a combination of retail and service facilities which in character and scale are necessary to meet day to day needs of area residents.
- C. ~~Commercial Shopping District C-S: To provide areas in appropriate locations where a combination of businesses, commercial, entertainment and related activities may be established, maintained and protected. The regulations of this district are designed to promote and encourage the development of comparison shopping centers.~~
- D. ~~Highway Commercial District C-H: To provide areas in appropriate locations adjacent to highways or major streets where activities dependent upon or catering to thoroughfare traffic and the traveling public may be established, maintained and protected. The regulations of this district are designed to encourage harmony between traffic needs and centers for retail commercial, entertainment, automotive facilities, and other appropriate highway related activities.~~
- E. General Commercial District **C-G (GC)**: To provide areas in appropriate locations where a combination of businesses, commercial, entertainment, and related activities may be established, maintained and protected. Regulations of this district are designed to provide a suitable environment for those commercial and service uses which are vital to economic life, but some of which would be intrusive and disruptive in a shopping center type of commercial development.

- F. **Light Manufacturing** —~~Distribution District M-D~~ **(LM)**: To provide areas in appropriate locations where light manufacturing, industrial processes and warehousing not producing objectionable effects may be established, maintained and protected. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.
- G. **General Industrial District M-G** **(I)**: To provide for areas in appropriate locations where heavy industrial processes necessary to the economy may be conducted. The regulations of this district are designed to protect environmental quality of the district and adjacent areas.

The intent of these changes seems apparent in the **Bold/Strikethrough** formatting above, where the amended text indicates which new zoning district would be applied to which former designation. Further, the "C-S" and "C-H" districts were anticipated to be combined in the newly named "GC" or General Commercial zoning district.

It should be noted that the geographically defined boundaries of those areas currently designated in the several commercial districts have not changed nor are proposed to be changed by this amendment. Rather, it is a formal declaration of the names of each district and specifying on the official zoning map how the amended names should be reflected.

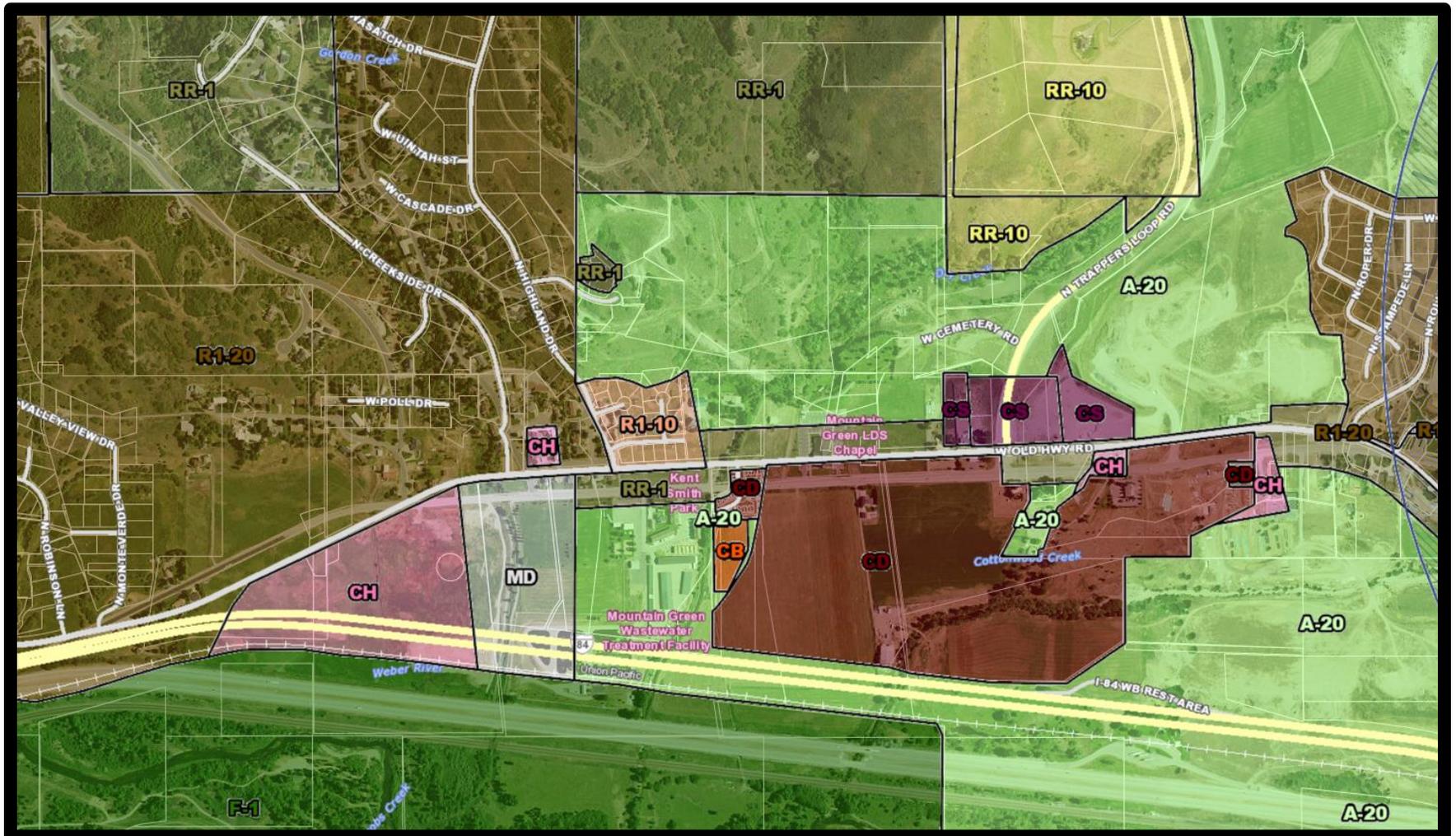
Attached are the zoning maps that are currently in place as well as the maps with the new designations indicating the changes that **may** occur according to the text as stated above. Both have been provided for your reference.

**UPDATE FOR 28 Jul 2016:**

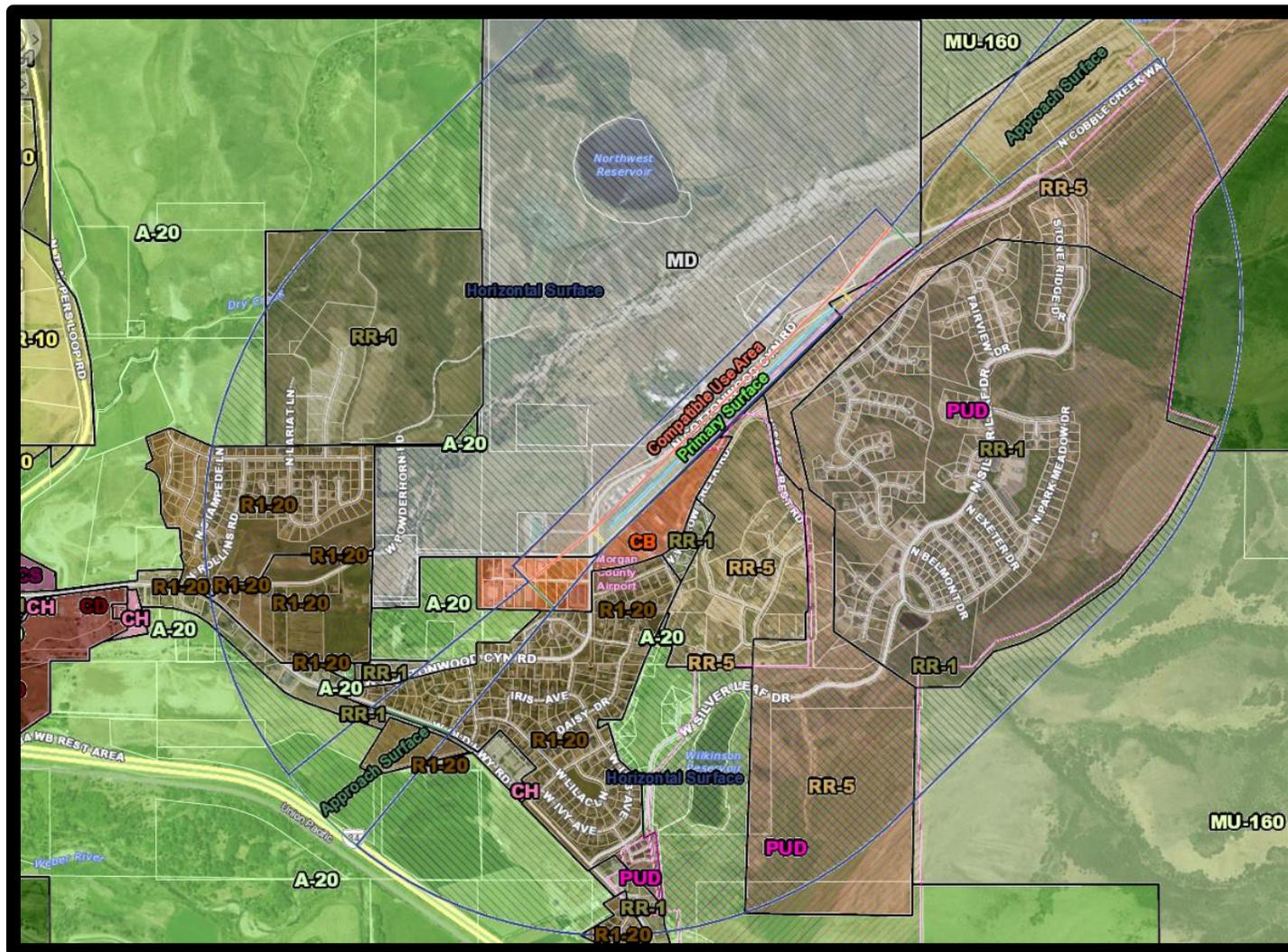
There has been extensive conversation regarding changing the maps in Mountain Green. In particular, there has been interest in establishing separate zoning designations for the Mountain Green area that may be more restrictive than the rest of the County, and are better in conformity with the Mountain Green Area Plan, the Mountain Green DAT, and the expressed current desires of the folks in Mountain Green. This would be fairly easy to accomplish – we could just add the prefix "MG" for Mountain Green to the commercial zoning designations and then prepare a separate table for the Mountain Green area. So, for example, if a certain property is to be designated as Business Park, in Mountain Green they may want to not allow certain uses that elsewhere in the County would be acceptable. The designation on the map would be "MG – BP" and the table would list those uses that are allowed in the "MG – BP" district.

It becomes a question, then, of how far to delineate the Mountain Green area. Due to its relative proximity to Mountain Green, the Peterson area is potentially the next area to experience the kind of pressure to develop that Mountain Green is experiencing, and there are businesses in the Peterson area which may be better served by being included in a Mountain Green area zoning scheme. This will be something we need to discuss in the meeting.

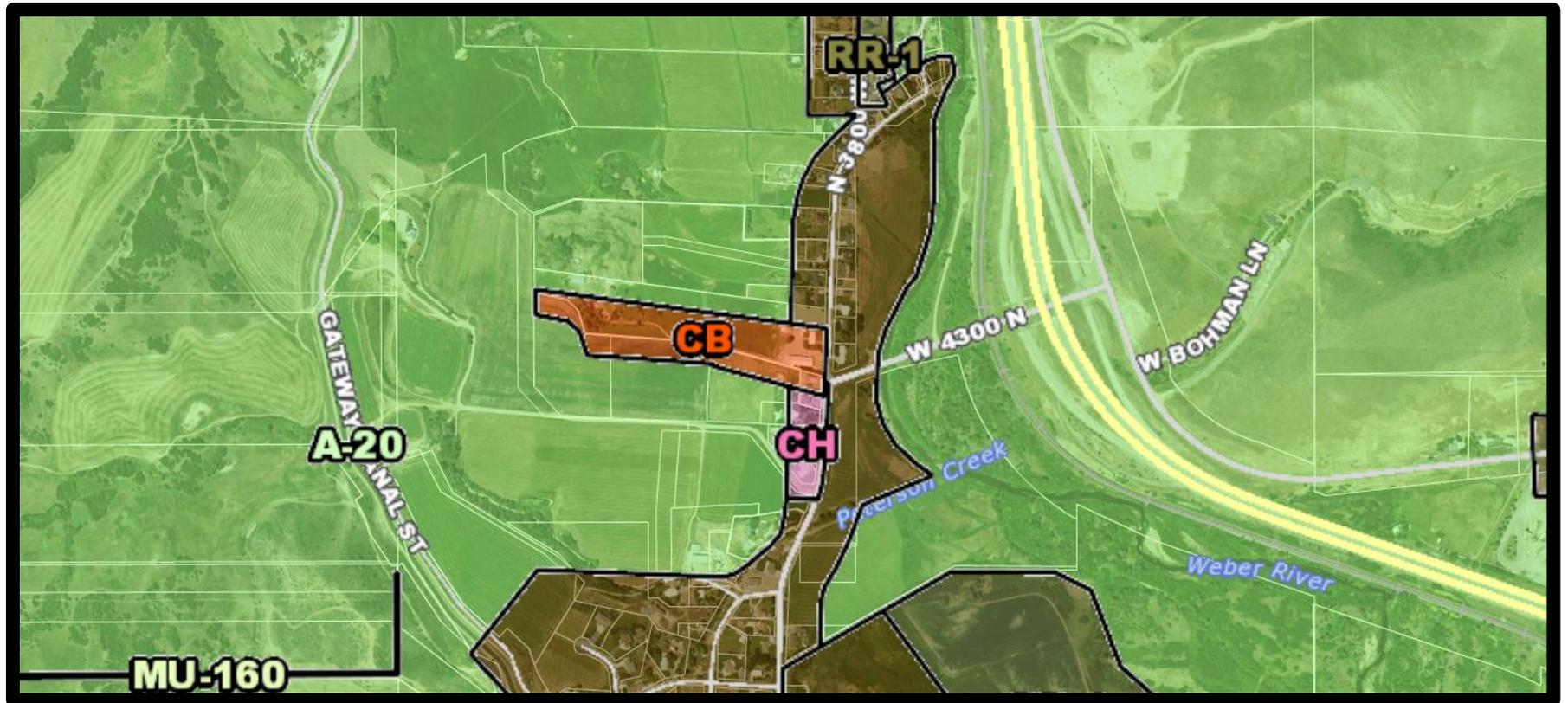
Map 1 – Mountain Green – Central Area **\*\*\*CURRENT DESIGNATIONS\*\*\***



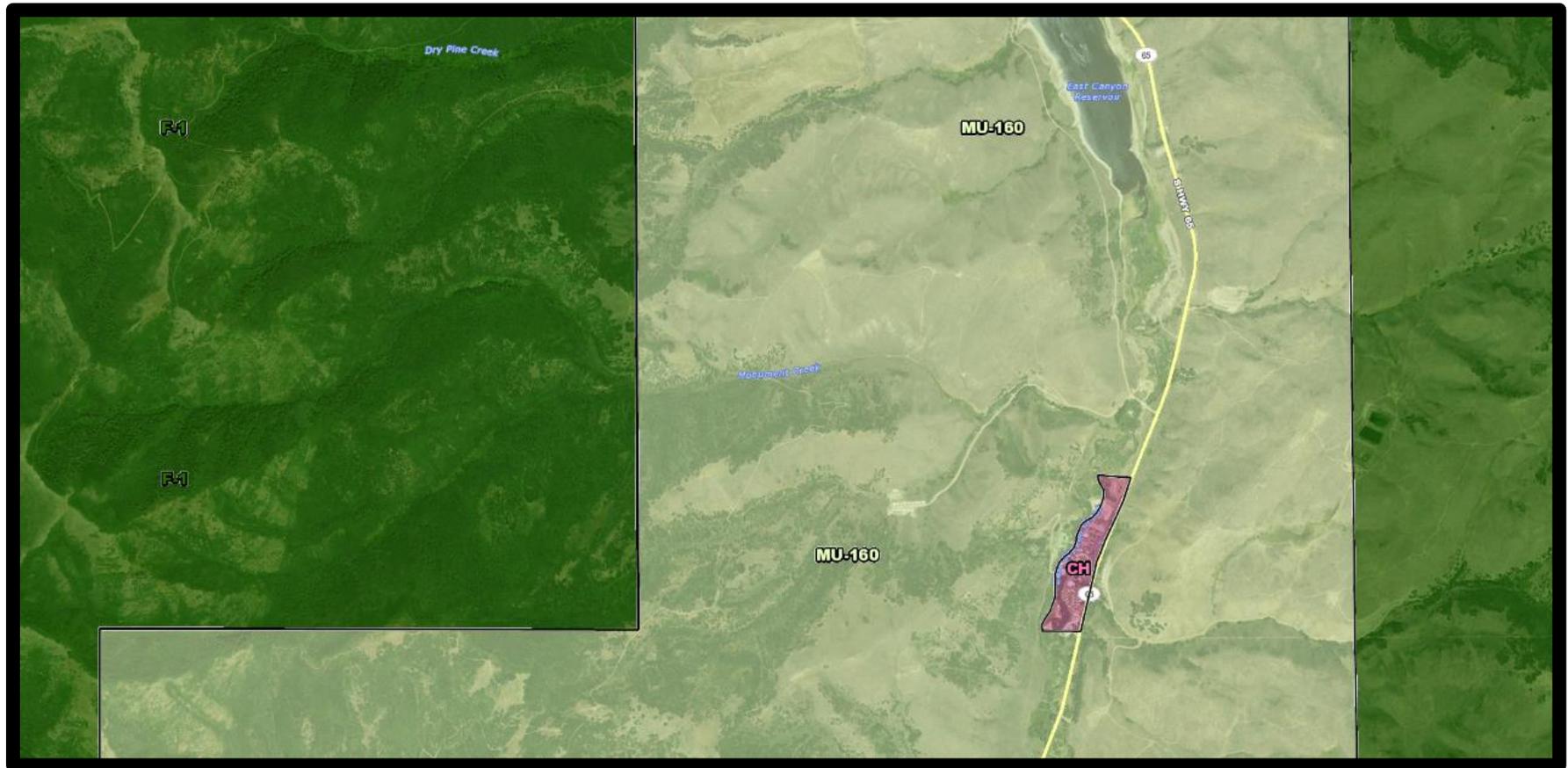
Map 2 – Mountain Green – Eastern Area **\*\*\*CURRENT DESIGNATIONS\*\*\***



Map 3 – Peterson/Enterprise Area **\*\*\*CURRENT DESIGNATIONS\*\*\***

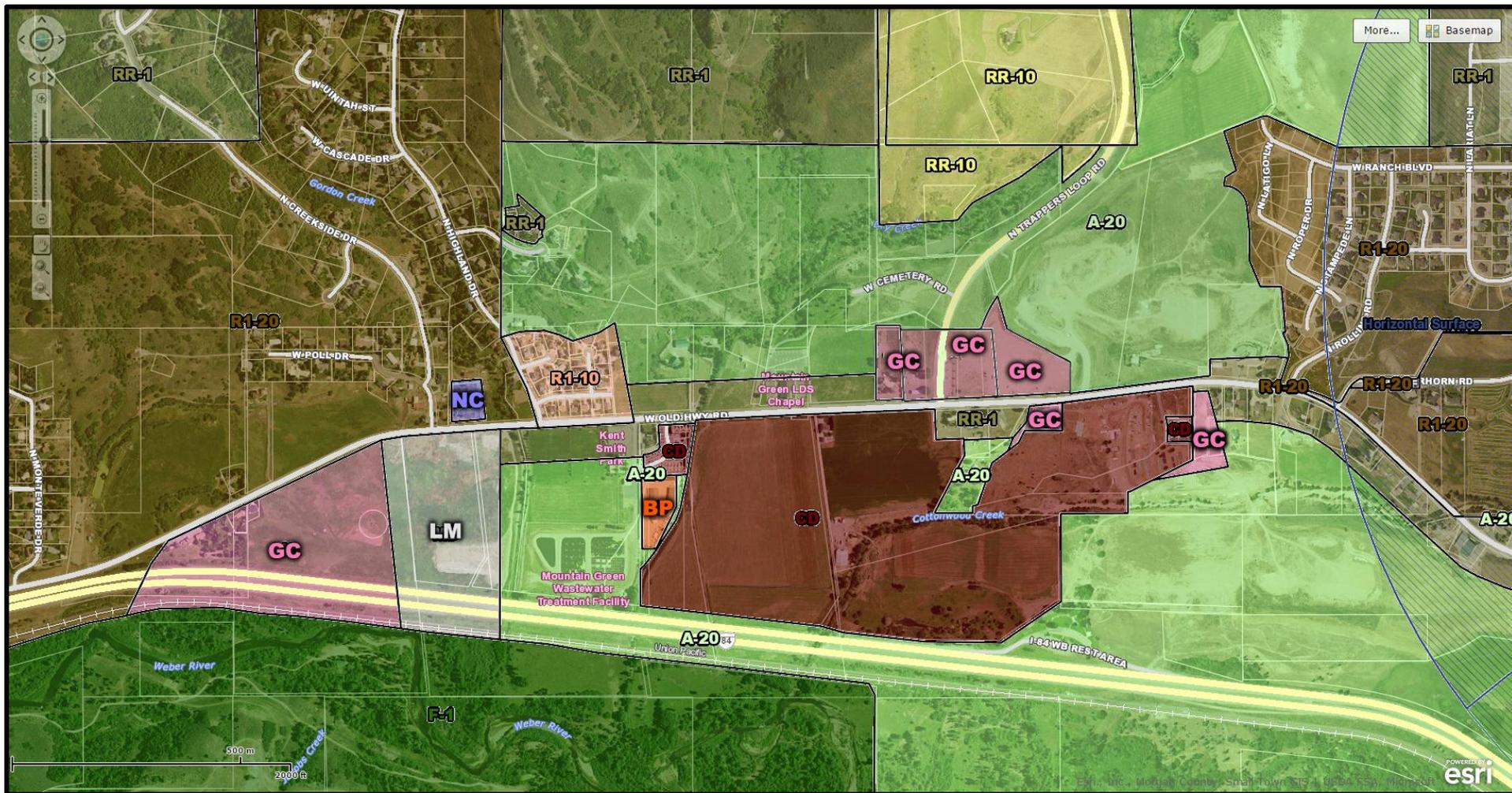


Map 4 – East Canyon Area **\*\*\*CURRENT DESIGNATIONS\*\*\***





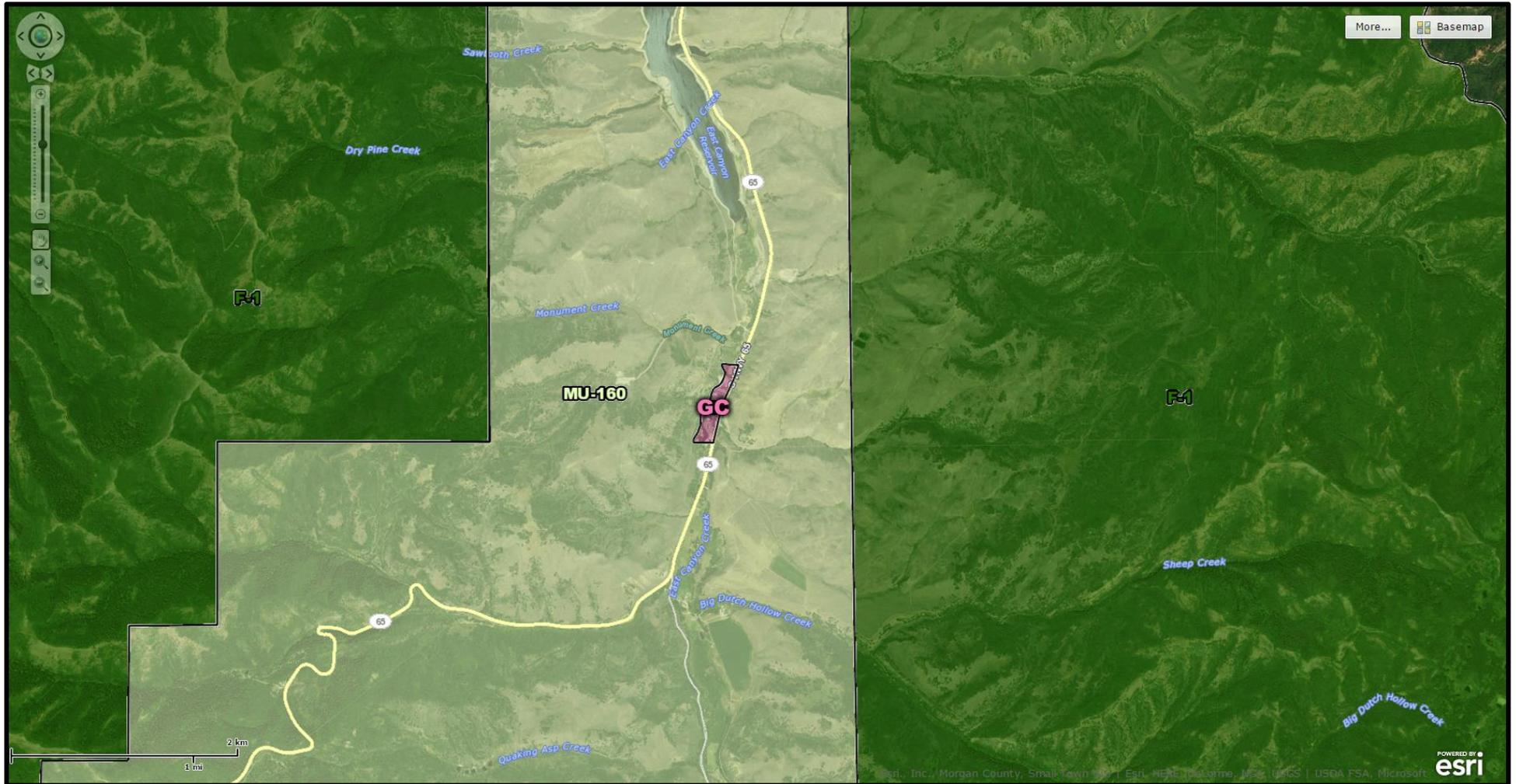
Map 1 – Mountain Green – Central Area **\*\*\*NEW DESIGNATIONS\*\*\***

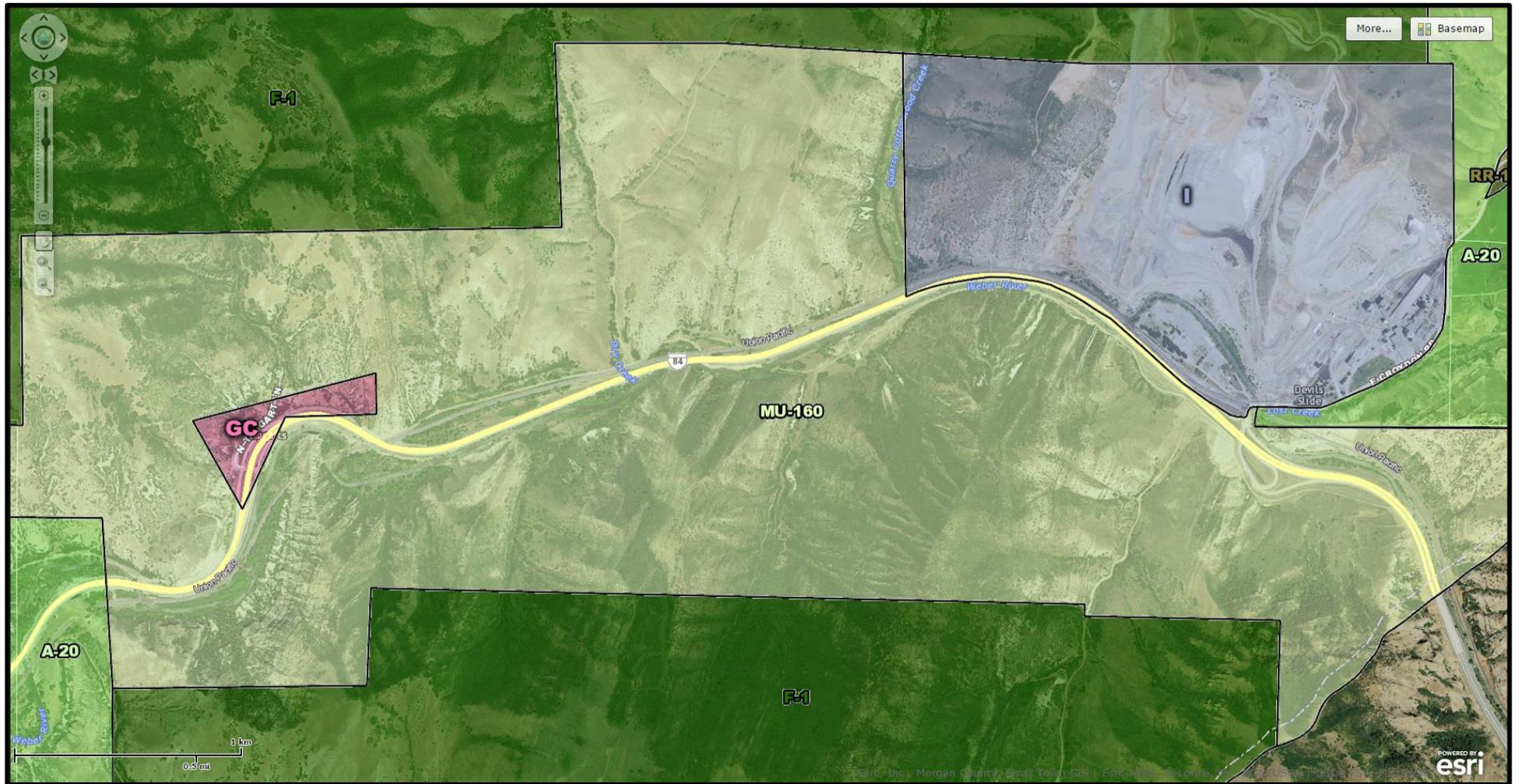






Map 4 – East Canyon Area **\*\*\*NEW DESIGNATIONS\*\*\***







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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 and Decision on Reynolds/Peterson Subdivision Prelim & Final – A proposed small subdivision preliminary & final plan of approximately two (2) lot subdivision of approximately 8 acres, where lot 1 will contain approximately 1.76 acres, and lot 2 will contain approximately 6.36 acres, on property located at approximately 2981 S Morgan Valley Dr.
7. Discussion and Decision on Riverwood Farms Small Subdivision Preliminary & Final – A proposed small subdivision of approximately 4 lots consisting of 5 acres each. Located at approximately 3499 Bigler Lane in Morgan, Utah.
8. Discussion and Decision on Meadowridge Plat 2nd Amendment – An amendment to the Meadowridge Condominiums Plat, eliminating the condominiums and dividing an approximately 0.913 acre parcel into two parcels of approximately 0.444 acre and 0.469 acre.
9. Discussion – Chairman Turner on Commercial Use Table and Cabin Zoning
10. Discussion – Member Nance on Enterprise Zoning Maps
11. Update – Member Ross on Mountain Green Zoning Maps
12. Planning Commission Business/Questions for Staff
13. Approval of minutes from June 23, 2016
14. Adjourn

Members Present

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

Staff Present

Bill Cobabe  
Gina Grandpre

Public Present

Tina Kelley  
Tina Cannon  
Rainey Miller

1. Call to order – prayer. Chair Haslam opened the meeting and Member Ross offered prayer.
2. Pledge of Allegiance
3. Approval of agenda

**Member Nance moved to approve the agenda. Second by Member Ross. The vote was unanimous. The motion carried.**

4. Declaration of conflicts of interest

Member Sessions stated for the record that her husband employs two of the Penrod's sons (from Riverwood Farms) as pipe movers.

5. Public Comment

Daniel Smith has a residence on Bigler Lane. He wants to go on public record that he owns shares of water and he wants that delivery system protected. In the planning of surrounding area, he wants to ensure that delivery is guaranteed to his property.

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

Administrative:

6. Discussion and Decision on Reynolds/Peterson Subdivision Prelim & Final – A proposed small subdivision preliminary & final plan of approximately two (2) lot subdivision of approximately 8 acres, where lot 1 will contain approximately 1.76 acres, and lot 2 will contain approximately 6.36 acres, on property located at approximately 2981 S Morgan Valley Dr.

Bill – He reviewed the request for a small subdivision dividing one lot into two lots. He mentioned the steep drop off and discussed frontage on this unique lot. He added a

condition #6, to include the “no build line” on the final plat.

Member Sessions asked Bill about his statement about the frontage needing to be contiguous, but she can't find it listed in the code. That needs to be fixed. Member Sessions had another concern after driving to the site: There is a sheer drop-off on the South East side along the road. According to the code it does not allow frontage since you can't access the lot from the road. Chair Haslam commented that it is straight down and cuts off 187 feet. That leaves less frontage than what's required. Bill clarified that there is one driveway between the two properties.

Member Sessions also questioned the sidelines and whether they are at right angles. Bill clarified that the setbacks in RR-1 are 200 feet. Member Wilson wondered what the property owner's other options are. Bill gave a few examples, including variances, but explained that other options are very limited because of this property's unique shape.

Chairman Haslam wondered if it is beneficial to address the applicant or give them a few weeks to reconfigure or request a variance. Member Nance wondered if the applicant had questions for the Planning Commission.

Applicant – Brett Peterson. He showed on the map where the road and driveway accesses are. He stated that the houses are in the RR-1 zone and positioned to try to make his plan work. He isn't quite sure how to reconfigure but would like to go the route of a variance if there's a chance it'll pass. He is not a developer and isn't sure how to proceed.

Chair Haslam explained that they are interpreting the code and his changes don't seem to work with the County code. The Planning Commission is an advisory board and by postponing, the applicant won't have to reapply. He asked Mr. Peterson if he'd like to postpone or have a definite answer tonight. Mr. Peterson chose to postpone. There was some discussion on how he should go about the variance process.

**Member Nance moved to postpone item #6 to September 8<sup>th</sup>, 2016. Second by Member Sessions.**

Member Stephens added that they may wish to come earlier than the September 8<sup>th</sup> meeting.

**Member Nance withdrew his motion.**

**Member Nance moved to postpone item #6 to September 8<sup>th</sup>, 2016 or sooner if they are ready to present to the Planning Commission. Second by Member Sessions.**

**The vote was unanimous. The motion carried.**

7. Discussion and Decision on Riverwood Farms Small Subdivision Preliminary & Final – A proposed small subdivision of approximately 4 lots consisting of 5 acres each. Located at approximately 3499 Bigler Lane in Morgan, Utah.

Bill clarified that this application consists of 4 lots. There is access from Morgan Valley Drive at Bigler Lane. Bill pulled up the Future Land Use Map and showed the lot configuration.

Chairman Haslam asked if there were any questions for staff.

Member Nance asked if Bill knew where the irrigation line is. Bill stated that the applicant can answer that later.

Member Sessions asked, “Where are we with the engineer?” Bill has been in touch with the County Engineer but hasn’t heard back, other than he was okay with putting this item on the agenda.

Chairman Haslam asked if they’ve exceeded the 1000 feet for private lane. Bill replied there are no standards for a private lane, as opposed to a private street.

Chairman Haslam – Up at the top, there is a utility maintenance. He wondered how access is given during a private lane. Bill said he has all the required documents. Chair stated they still have concerns with the 48-inch culvert.

Applicant – Jarod Penrod:

Member Nance asked, “Where is the irrigation line?”

Mr. Penrod responded that they have a valve on the other side of the canal. He showed where the irrigation line is on the map and which properties it runs through.

Chairman Haslam – How is this going to affect the current residence? Mr. Penrod responded that he didn’t know but is also waiting for a response from the engineer. Mr. Penrod said he lives on Lot 1. The easement is a civil matter.

Chairman Haslam – We would like to have you identify the pipelines on the plat.

**Member Sessions moved to approve the Riverwood Farms Small Subdivision, application number 16.012, allowing for a four lot subdivision of land located at approximately 3499 Bigler Lane, based on the findings and with the conditions listed in the staff report dated July 14, 2016, with the following additional condition #6: that the irrigation pipelines are**

**identified on the final plat.**

Conditions:

1. That all outstanding fees for outside reviews are paid in full prior to recording the final mylar.
2. That all requirements of the County Engineer are met.
3. That any minor corrections are made with County Staff prior to submitting a final mylar.
4. That a current updated Title Report is submitted with the final mylar.
5. That all other local, state, and federal laws are adhered to.
6. **That the irrigation pipelines are identified on the final plat.**

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. The proposal complies with current zoning and subdivision requirements.
4. The Planning Commission of the County shall have the ability to approve, approve with conditions, or deny a small subdivision in accordance with the regulations outlined in the Morgan County Code.
5. Those certain conditions herein are necessary to ensure compliance with adopted laws prior to subdivision plat recording.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

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

8. Discussion and Decision on Meadowridge Plat 2nd Amendment – An amendment to the Meadowridge Condominiums Plat, eliminating the condominiums and dividing an approximately 0.913 acre parcel into two parcels of approximately 0.444 acre and 0.469 acre.

Staff – Bill stated that this is in the Cottonwoods. Bill showed what was currently recorded on the plat. There is a note on the plat stating no access to the back of the property.

Member Sessions – The note on the plat states that there is no “driveway” on the back of the property. She suggested changing the note on number 8 to read “vehicular ingress and egress”.

Chairman Haslam – Any more questions for staff?

Applicant – Scott Gardner. He said he thinks it fits better with the Cottonwoods and would also request that there be no vehicular access on the back side.

**Member Sessions moved to recommend approval by the County Council of the Meadow Ridge Plat 2nd Amendment, application #14.035, located at approximately 6060 N Majestic Way, amending the plat and eliminating the condominiums, replacing them with two lots, based on the findings and with the conditions listed in the staff report dated July 14, 2016, with the following additional condition:**

**#4. That Note number 8 on the plat state that vehicular (instead of driveway) ingress or egress onto Silver Leaf Drive is prohibited.**

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 provide an updated title report prior to recordation.
2. That all fees and taxes are paid, including any fees associated with outsourced consultants.
3. That any minor changes to the plat be handled by County Staff prior to recordation.
- 4. That Note number 8 on the plat state that vehicular (instead of driveway) ingress or egress onto Silver Leaf Drive is prohibited.**

**Second by Member Ross.**

Member Nance commented that they should approve this application and Member Sessions clarified that they don't have authority to approve it, only to forward their recommendation to the County Council.

**The vote was unanimous. The motion carried.**

9. Discussion – Chairman Turner on Commercial Use Table and Cabin Zoning

Austin Turner – He commented that he appreciates all that the Planning Commission does.

Some important things: Bring in more business. Many business owners have expressed concern to him over the years about the difficulty of bringing their business to Morgan County. Chair Turner would like to ease the process and reap the benefits of having businesses and their tax base.

Cabin Zoning: Morgan County doesn't participate in cabin zoning and he would like to discuss this as a possible option. Chair Turner referenced the cabins and the taxes received from them in Summit County.

He reiterated the importance of emergency services and the budget is in a desperate need of help. He thinks diversification would help bring in revenue, as opposed to raising property taxes.

Member Wilson asked about the return on taxes for second homes at Snow Basin.

Member Nance asked what kind of businesses are complaining about the difficulty of coming to Morgan. Chair Turner responded that there are medical/pharmaceutical and hardware companies in particular. Member Nance also asked about location of property where businesses could come. Member Sessions mentioned infrastructure, especially fiber optic companies, being a deterrent for potential businesses.

Member Stephens suggested controlling growth, as he sees it a privilege to live in Morgan. He would rather pay more to live rurally than in a crowded subdivision.

Ultimately, the money is running out and the big question is: where is it going to come from?

They discussed the % increase for property taxes in order to fix problems with the roads.

All agreed that the communication tonight between the County Council and the Planning Commission members was beneficial. It was decided to set up a work night, decided by the County Council, and both groups can attend and discuss.

#### 10. Discussion – Member Nance on Enterprise Zoning Maps

Chair had a map constructed to assist in the areas of discussion. There was discussion about MU-160 zoning and PRUD's as well as possible locations for commercial development.

Chairman Haslam – He clarified that in addition to redoing the Future Land Use Map, they also want to go forward with the rezone change.

It was mentioned about the differences between commercial vs. residential development and the resistance and impact from those.

**Member Stephens moved to limit further discussion to one minute. Second by Member Newton.**

Member Nance asked, "If you don't want to continue discussion, what do you want to do?"

**Member Stephens withdrew his motion.**

Chair asked if they want to move forward with a public hearing to involve more discussion from the public. Member Wilson was in favor of a public hearing. The Enterprise Area discussion would be a separate agenda item from the Future Land Use Map Rezone on an upcoming agenda. A decision would not have to be made that night.

Member Nance thanked Jeff for creating the map and for his attendance.

11. Update – Member Ross on Mountain Green Zoning Maps

Member Ross needs something concrete from his sub-committee to present to the Planning Commission. Their recommendations need to be compiled. The residents are in favor of rezoning in Mountain Green, particularly in Commercial zones. Mountain Green residents feel their zoning is very different from other parts of the County and their zoning codes should reflect that. Another meeting is needed for their recommendations to be ready for the Planning Commission.

Chair Haslam asked for a speedy consensus so the Planning Commission can move forward with what the County Council has requested. Member Ross said he will have notes from an additional meeting to present at the next Planning Commission meeting.

The Miller's were in the audience and Chair wondered if they had any questions about the agenda items. They clarified they wanted an update on the Enterprise Area committee.

12. Planning Commission Business/Questions for Staff

Chair Haslam wondered about the Wild Oats septic situation. Bill will keep them informed and hadn't heard anything new.

13. Approval of minutes from June 23, 2016

**Member Newton moved to approve the amended minutes from June 23, 2016. Second by Member Nance. Member Ross and Member Wilson abstained.**

**The vote was "I" by Members Stephens, Nance, Sessions, and Newton. The motion carried.**

14. 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

UNAPPROVED