



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

Rees Zoning Map Amendment
Public Hearing
April 28, 2016

Application No.: 16.011
Applicant: Mark Rees
Owner: Bruce Tonks, Mark Rees, (Gene Ercanbrack property – new owner)
Project Location: Approximately 2020 Round Valley Rd (Round Valley Area)
Current Zoning: A-20
General Plan Designation: Rural Residential
Acreage: ~127 acres
Request: Amend the Zoning Map, changing the existing designation from A-20 to RR-1
Date of Application: April 18, 2016
Date of Previous Hearing: Future Land Use Map Amendment Approval – September 15, 2015

Staff Recommendation

County Staff recommends approval of the requested zoning map amendment based on the following findings and with the conditions listed below:

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.

Background

This application is for an amendment to the Morgan County zoning map. The property is located in the Round Valley area, generally located south of the proposed Rivala development. (See Exhibit A). The entire property contains approximately 127 acres and is currently zoned A-20. (See Exhibit C).

Analysis

General Plan and Zoning:

The General Plan and Future Land Use Map anticipate the development of property in this area. In changing the designation for the property last year to the Rural Residential Future Land Use

Map Designation, the General Plan demonstrated the desire of the County to allow for some moderate development, while also protecting property from rapid and dense development, and ensuring that the relatively undeveloped areas of the County remain pristine. The current designation specifically notes that:

The Rural Residential category designation accommodates semi-rural large lot development, with generous distances to streets and between residential dwelling units in a viable semi-rural character setting. Residential density in rural residential areas is a maximum of 1 unit per acre.

As can be seen in Exhibits A-C, and as noted above, there is already some compatible development/zoning that has been approved for the area.

The 2010 Morgan County General Plan identifies the following as four of the six visions for the County that may be applicable to the proposal (*see pages 4 & 5 of the 2010 Morgan County General Plan*):

1. Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.

2. Morgan County respects property rights and recognizes personal responsibility to the land and communities.

...

5. Morgan County public policies support the viability of working and hobby farms, protection of agricultural lands, and the conservation of natural resources and rural character.

6. Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages, or be located within master-planned communities.

The proposed zone change appears to coincide with the stated vision for Morgan County.

In changing the zoning district for the applicant's property, the County is reflecting the policies and desires of the General Plan and in accordance with the County Ordinance. The purpose of the RR-1 zoning district is as follows:

D. Rural Residential Districts:

- 1. The purposes of providing a rural residential district are:*
 - a. To promote and preserve in appropriate areas conditions favorable to large lot family life;*
 - b. Maintaining a rural atmosphere;*

- c. *The keeping of limited numbers of animals and fowl; and*
 - d. *Reduced requirements for public utilities, services and infrastructure.*
2. *These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.*

It is anticipated that the proposed zoning map amendment will meet these purposes and generally be in harmony with the desires of the residents as well as the property owners. The impact on adjacent properties will be negligible.

Ordinance Evaluation:

Morgan County ordinance anticipates amendments to the zoning map. Section 8-3-3: *Amendments to Title and Zoning Map* indicates that:

The county council may amend this title, including the zoning map, but only in accordance with the following procedure:

- A. *The county council may instruct staff to study and make recommendations for amendments to this title or the zoning map in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the planning commission for their consideration. The planning commission shall review and make recommendation to the county council regarding the proposed amendment pursuant to subsection 8-3-4D of this chapter.*
- B. *The planning commission may instruct staff to study and make recommendations for amendments to this title in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the planning commission for their consideration. The planning commission shall review and make recommendation to the county council regarding the proposed amendment pursuant to subsection 8-3-4D of this chapter.*
- C. *Any property owner may initiate an amendment to this title or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the planning and development services department in accordance with subsection 8-3-4A of this chapter.*

Section 8-3-4: *Procedures for Amendments and Rezonings* states:

- D. *Planning Commission Review and Recommendation: Upon receiving a recommendation from staff regarding an amendment to this title or the zoning map, and after holding the required public hearing, the planning commission shall review the amendment and prepare its recommendation. The planning commission may recommend approval, approval with modifications, or denial of the proposed amendment and shall submit its recommendation to the county council for review and decision. The planning commission shall recommend adoption of a proposed amendment only when the following findings are made:*
 - 1. *The proposed amendment is in accordance with the county's general plan, goals, and policies of the county.*

2. *Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title.*

E. *County Council Review: The county council shall schedule and hold a public hearing on the application as provided in section 8-3-12 of this chapter. Following the public hearing the county council may approve, approve with modifications, or deny the proposed amendment. Prior to making a decision that goes contrary to the planning commission's recommendation, the county council may, but is not obligated to, remand the amendment to the planning commission with a request for another recommendation with additional or specific considerations. The planning commission shall review such request as specified in subsection D of this section.*

F. *Approval Standards: A decision to amend the text of this title or the zoning map is a matter committed to the legislative discretion of the county council and is not controlled by any one standard. However, in making an amendment, the county council should consider the following factors:*

1. *Whether the proposed amendment is consistent with goals, objectives and policies of the county's general plan;*
2. *Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*
3. *The extent to which the proposed amendment may adversely affect adjacent property; and*
4. *The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and wastewater and refuse collection.*

This meeting is in fulfillment of subsection (D) above. In response to Section 8-3-4(F) above, due to the size of the proposed zone change (i.e., 17 acres divided into 5-acre minimum parcel sizes, allowing for 3 parcels), the impact on the facilities and services should be minimal.

Model Motion

Sample Motion for a *Positive* Recommendation – “I move we 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.”

Sample Motion for a *Negative* Recommendation – “I move we forward a negative 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, *due to the following findings:*”

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Future Land Use Map
Exhibit C: Existing Zoning Map
Exhibit D: Section Plat Map
Exhibit E: Rivala Concept Plan Map

Staff Contact

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Exhibit A: Vicinity Map

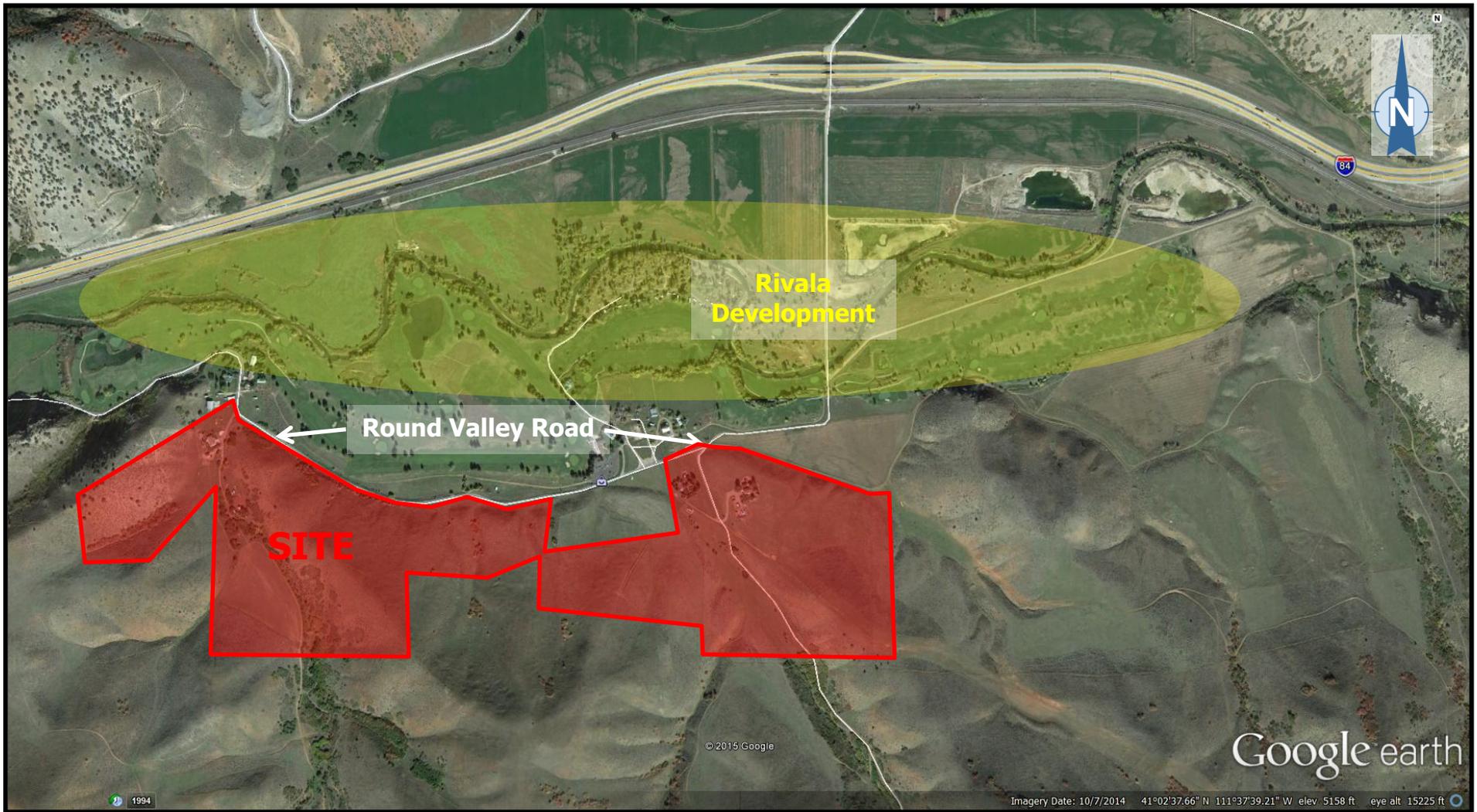


Exhibit B: Future Land Use Map

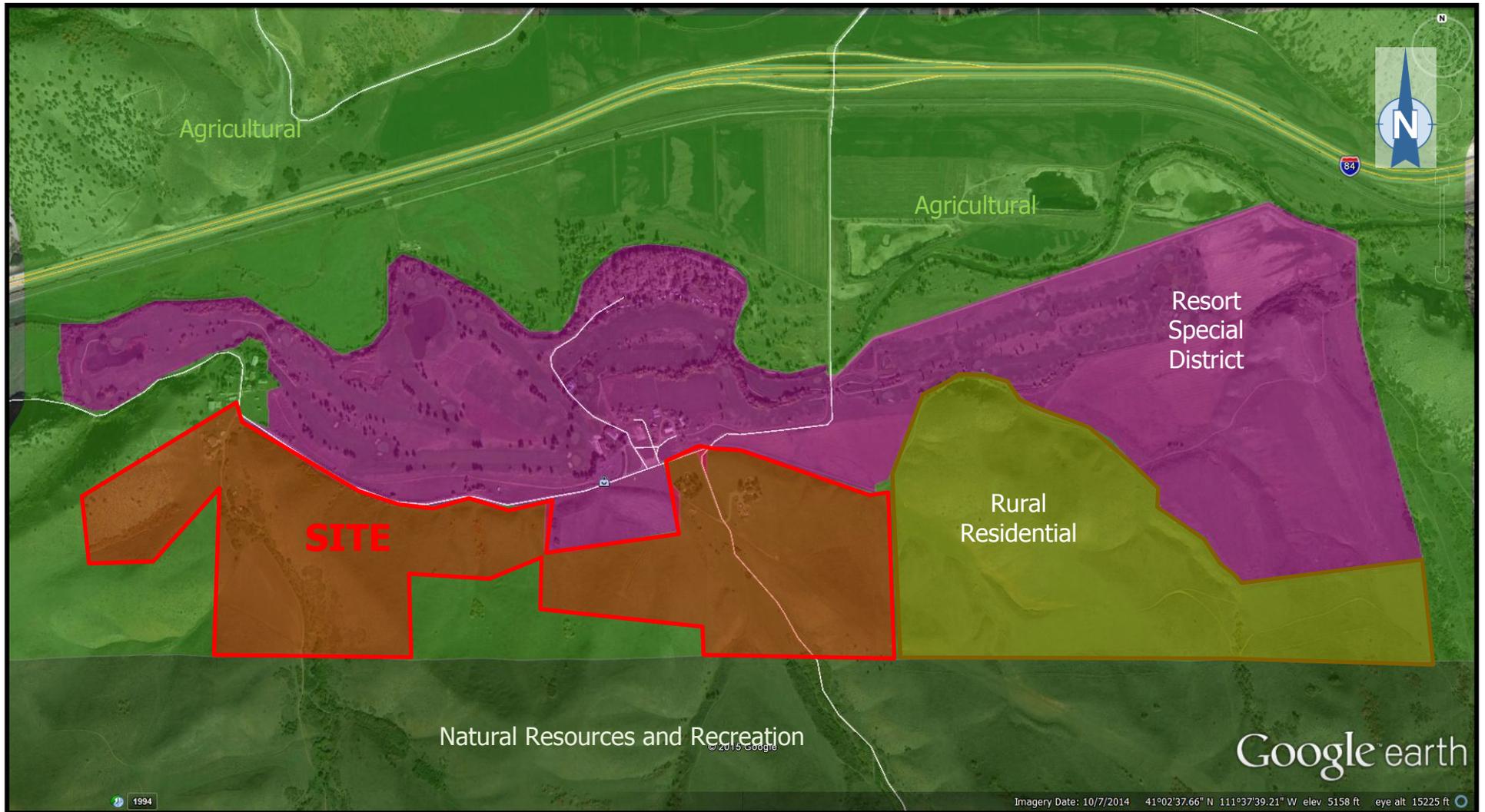


Exhibit C: Existing Zoning Map

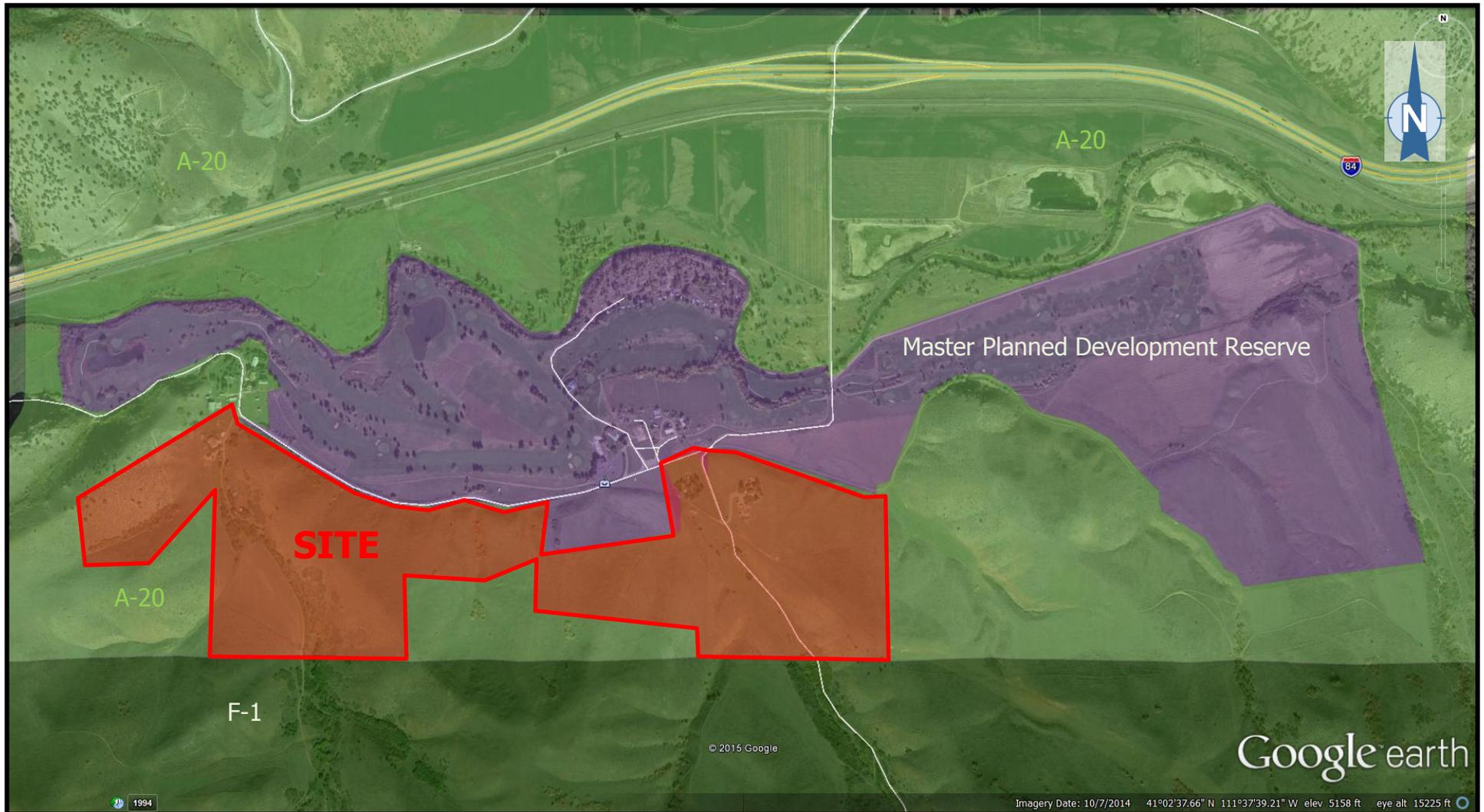


Exhibit D: Section Plat Map (Section 32 – Partial)

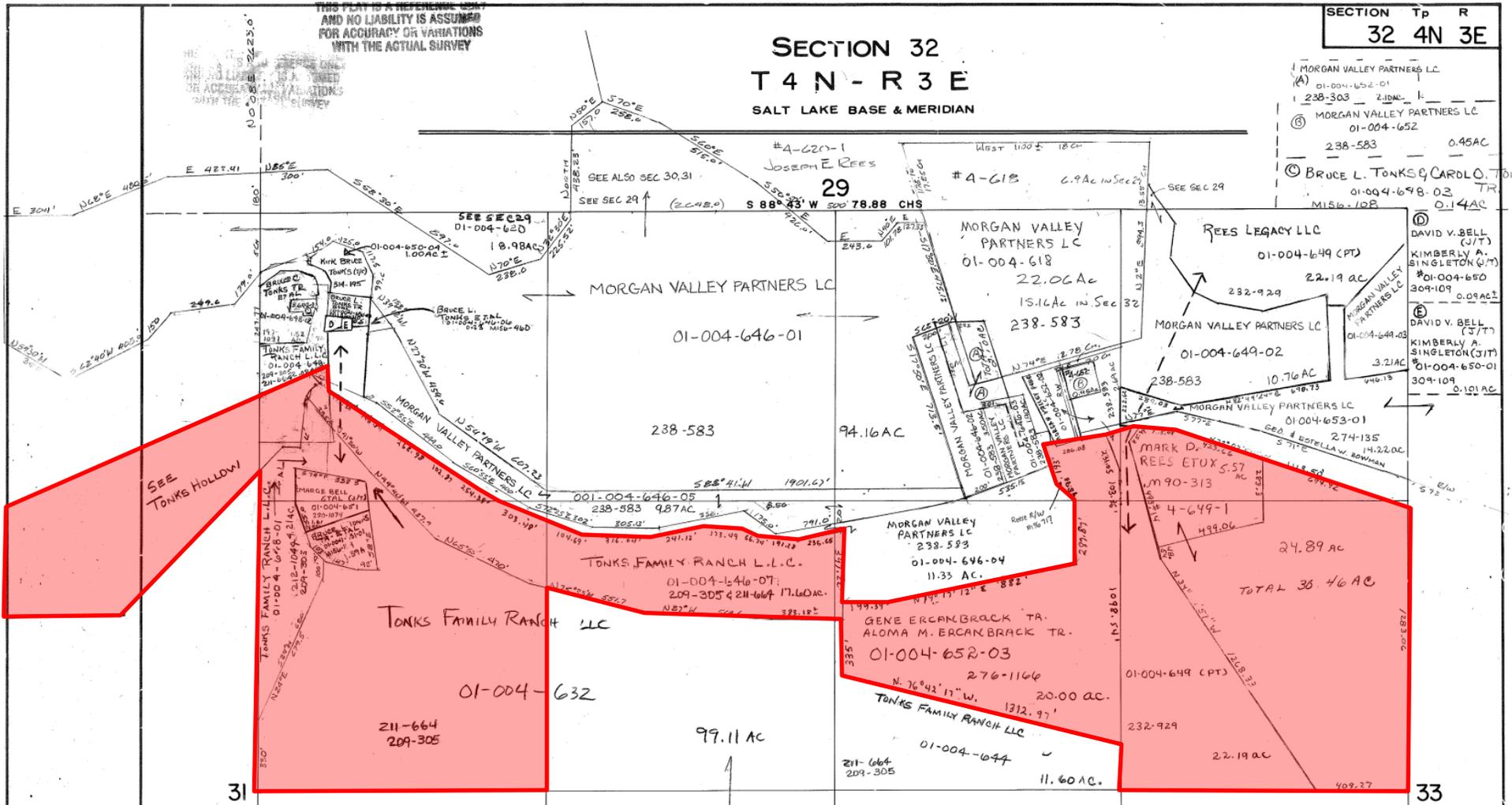
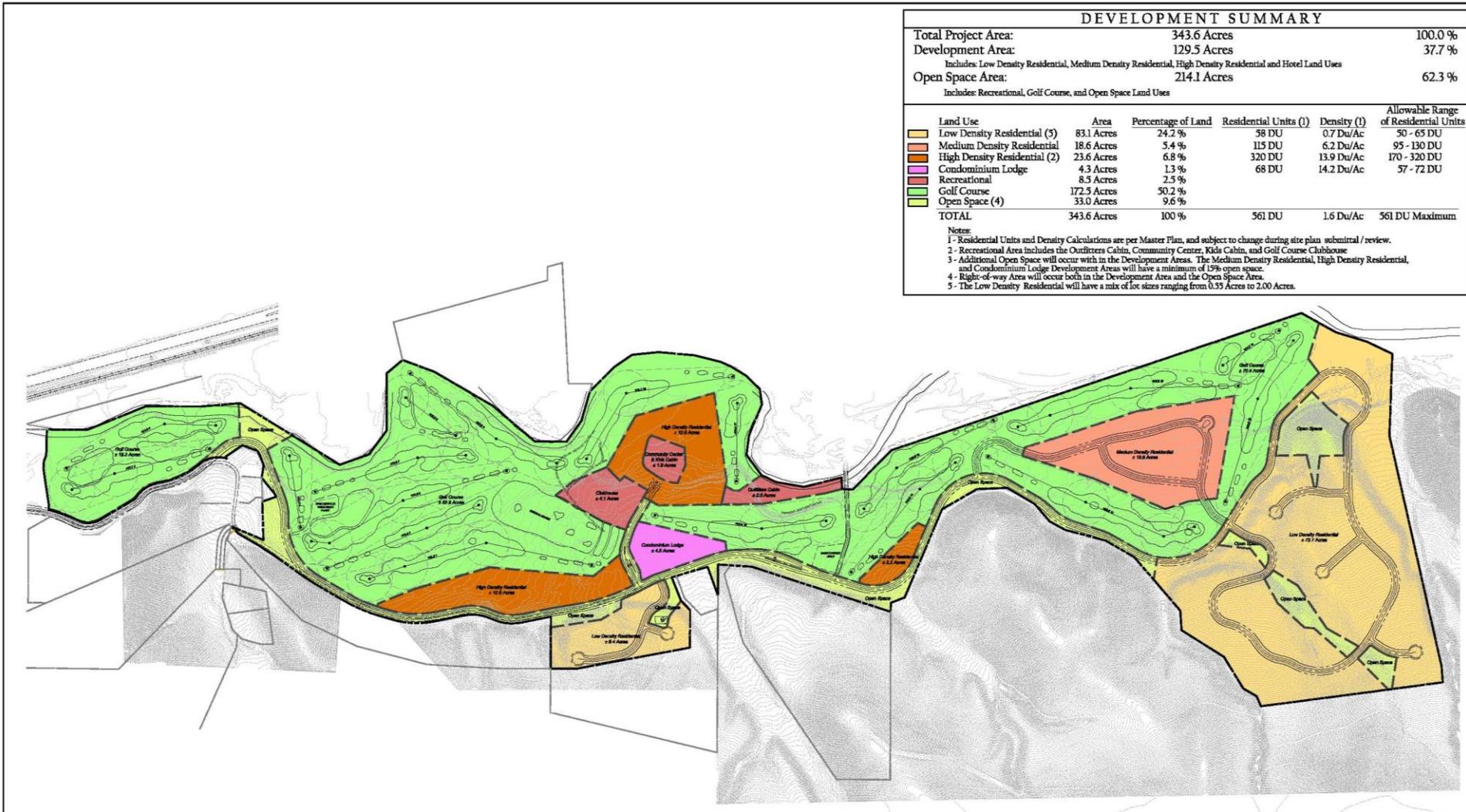


Exhibit E: Proposed Rivala Map



| DEVELOPMENT SUMMARY | | | | | |
|--|--------------------|--------------------|-----------------------|------------------|--------------------------------------|
| Total Project Area: | 343.6 Acres | | | | 100.0 % |
| Development Area: | 129.5 Acres | | | | 37.7 % |
| Includes: Low Density Residential, Medium Density Residential, High Density Residential and Hotel Land Uses | | | | | |
| Open Space Area: | 214.1 Acres | | | | 62.3 % |
| Includes: Recreational, Golf Course, and Open Space Land Uses | | | | | |
| Land Use | Area | Percentage of Land | Residential Units (1) | Density (1) | Allowable Range of Residential Units |
| Low Density Residential (5) | 83.1 Acres | 24.2 % | 58 DU | 0.7 Du/Ac | 50 - 65 DU |
| Medium Density Residential (2) | 18.6 Acres | 5.4 % | 115 DU | 6.2 Du/Ac | 95 - 130 DU |
| High Density Residential (2) | 23.6 Acres | 6.8 % | 320 DU | 13.9 Du/Ac | 170 - 320 DU |
| Condominium Lodge | 4.3 Acres | 1.3 % | 68 DU | 14.2 Du/Ac | 57 - 72 DU |
| Recreational | 8.5 Acres | 2.5 % | | | |
| Golf Course | 172.5 Acres | 50.2 % | | | |
| Open Space (4) | 33.0 Acres | 9.6 % | | | |
| TOTAL | 343.6 Acres | 100 % | 561 DU | 1.6 Du/Ac | 561 DU Maximum |
| Notes: | | | | | |
| 1 - Residential Units and Density Calculations are per Master Plan, and subject to change during site plan submittal / review. | | | | | |
| 2 - Recreational Area includes the Outfitters Cabin, Community Center, Kids Cabin, and Golf Course Clubhouse. | | | | | |
| 3 - Additional Open Space will occur within the Development Area. The Medium Density Residential, High Density Residential, and Condominium Lodge Development Areas will have a minimum of 19% open space. | | | | | |
| 4 - Right-of-way Area will occur both in the Development Area and the Open Space Area. | | | | | |
| 5 - The Low Density Residential will have a mix of lot sizes ranging from 0.35 Acres to 2.00 Acres. | | | | | |