



PLANNING COMMISSION AGENDA  
Thursday, December 10, 2020  
**Electronic Meeting Format**  
Morgan County Council Room  
6:30 pm

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet, for an **electronic session**, 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 Discussion:**

6. **Discussion/Decision - Golden Hills Estates Preliminary Plat** - A proposed 16 lot subdivision Preliminary Plat located on 2,601.30 acres north of East Canyon State Park. **APPLICANT HAS REQUESTED THAT THIS ITEM BE POSTPONED UNTIL THE JANUARY 14<sup>TH</sup> MEETING.**
7. **Discussion/Decision – Solsource CUP** - A proposed conditional use permit for a metal fabrication business located at 4095 W 5800 N in Mountain Green, Utah.
8. **Discussion/Decision – 2021 Meeting Schedule**
9. **Work Session:** Discussion of potential code amendment to allow for more flexible subdivision standards

**Other:**

10. Business/Staff Questions.
11. Approval of November 12, 2020, Planning Commission minutes.
12. Adjourn.

## **ELECTRONIC MEETING FORMAT**

Due to the state mandated limitations regarding gathering in groups and as per the directive by Governor Herbert this meeting will be held in an electronic format.

## **WATCH THE MEETING**

You may observe the meeting on the Morgan County YouTube Channel, (Morgan County YouTube Channel).

## **PUBLIC COMMENT**

If you would like to comment on any of the agenda items there are two ways to participate.

1. Email comments to Morgan County Staff ([levans@morgan-county.net](mailto:levans@morgan-county.net)) 801-845-4059. Please submit email by 5 pm on the day of the meeting
2. Provide Comment on the phone during the meeting to the Council or Commission  
In order to provide comments via phone please call or email county staff by 5 pm on the day of the meeting with the following information:
  - Name
  - Topic or item you would like to speak on (public comment or which public hearing item)
  - Phone number

**You will be called by county staff at the appropriate time during the meeting to provide comment via the phone.**



**PLANNING COMMISSION  
STAFF REPORT**

SolSource LLC CUP  
December 10, 2020

**APPLICATION NO.:** 20.057

**PROPERTY ADDRESS:** 4095 W 5800 N Unit 4, Mountain Green

**PARCEL ID:** 03-005-123-Q

**ZONING DISTRICT:** Commercial Buffer (CB)

**SUMMARY**

The applicant, David Tennant, requests a Business License for a welding shop in Unincorporated Morgan County. The proposed location of the Welding shop is 4095 W 5800 N Unit 4 on West Cottonwood Commercial Street in the Mountain Green area. The proposed business is a small start-up metal fabrication business with one to two employees. The business will rent the space in the rear of an existing building.

The proposed use would be located in the CB zone and is allowed by a conditional use permit reviewed and approved by the Planning Commission. Conditional use permits should be approved as long as any harmful impact is mitigated. The County Code already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application appears to meet these standards. The following is staff’s evaluation of the request.

**ANALYSIS**

*Zoning.* The property is zoned CB (see Exhibit A). The proposed use is allowed in the CB zone through a conditional use permit. MCC 8-5C-3 identifies the use the proposal may be considered under: “Machine Shop and Metal Manufacturing”.

**8-5C-3: USE REGULATIONS:**

|                                      | Districts |    |    |    |     |    |    |    |   |
|--------------------------------------|-----------|----|----|----|-----|----|----|----|---|
|                                      | NC        | TC | CS | CH | TCP | CB | LC | LM | I |
| Machine Shop and Metal Manufacturing | -         | -  | -  | -  | -   | C2 | C2 | P  | P |

Conditional Use Requirements.

- *Safety for Persons and Property:* MCC 8-8-4A identifies potential conditions related to the safety for persons and property associated with the conditional use activities. The applicant proposes that all waste products such as metal remnants will be recycled and will not adversely affect neighboring properties.
- *Compliance with Intent of General Plan and Characteristics of Vicinity (Or Neighborhood):* MCC 8-8-4D identifies conditions to keep impacts to nearby neighborhoods to a minimum by implementing “limitations or controls on the location, height and materials of walls, fences, hedges and screen plantings to ensure harmony with adjacent development, or to conceal storage areas, utility installations or other unsightly development.” The applicant proposes to cover and lock up any materials that may be stored outside of the building. The only noise projected is during the fabrication process, which is done in short 10 to 20 second intervals. The loudest machine that will be used inside the shop has a noise level of 96 decibels (See Attachment C). The proposed business hours will be from 7am to 3:30pm. There will be no new signs or lighting added to the existing building.

Property Layout. The property lies west of the Morgan County Airport and is bordered on the South by an open field and single-family homes. The unit is located in the rear of a commercial building. There is a woodworking shop directly to the west of the building and an empty lot directly to the east.

**STAFF RECOMMENDATION**

Staff recommends approval of the SolSource LLC Conditional Use permit for the purpose of welding and cutting materials, file #20.057, subject to the following conditions:

1. That all work is done indoors, keeping noise levels low.
2. That any materials that may be stored outside are kept at a minimum and completely covered.
3. That business hours will be between 7am and 4pm
4. That the applicant applies for and maintains a business license for the welding operations in Morgan County.
5. That the welding operation and associated business adheres to all other County, State, and Federal requirements.

This recommendation is based on the following findings:

1. That the request conforms to the requirements of the Morgan County Code.
2. That with the proposed conditions, potential detrimental impact to the public will be mitigated.
3. That Morgan County Code has specific codes to protect the public health, safety and welfare. Additional standards as may be established by the Planning Commission as they may deem necessary for the protection of the health, safety, convenience and general welfare of the present and future inhabitants of the County and the environment.

## **RECOMMENDED MOTION**

Recommended Motion for *Approval* – “I move we approve the SolSource LLC Conditional Use Permit for the purpose of welding and cutting materials, application #20.057 subject to the findings and conditions listed in the December 10, 2020 staff report.”

Recommended Motion for *Approval* with modifications– “I move to approve the SolSource LLC Conditional Use permit for the purpose of welding and cutting materials, file #20.057, subject to the findings and conditions listed in the December 10, 2020 staff report, and as modified by the conditions and findings below:”

1. List any additional findings and conditions...

Recommended Motion for *Denial* – “I move to deny the SolSource LLC Conditional Use permit for the purpose of welding and cutting materials, file #20.057, subject to the following findings:

1. List any additional findings...

## **SUPPORTING INFORMATION**

Exhibit A: Zoning Map

Exhibit B: Photos of Site

Exhibit C: Site Plan

Exhibit D: Applicant Narrative

Exhibit E: Letter of Support

**Exhibit A: Zoning Map**



**Exhibit B: Photos of Site**

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Exhibit C: Site Plan

Google Maps

Vicinity map

SolSource LLC

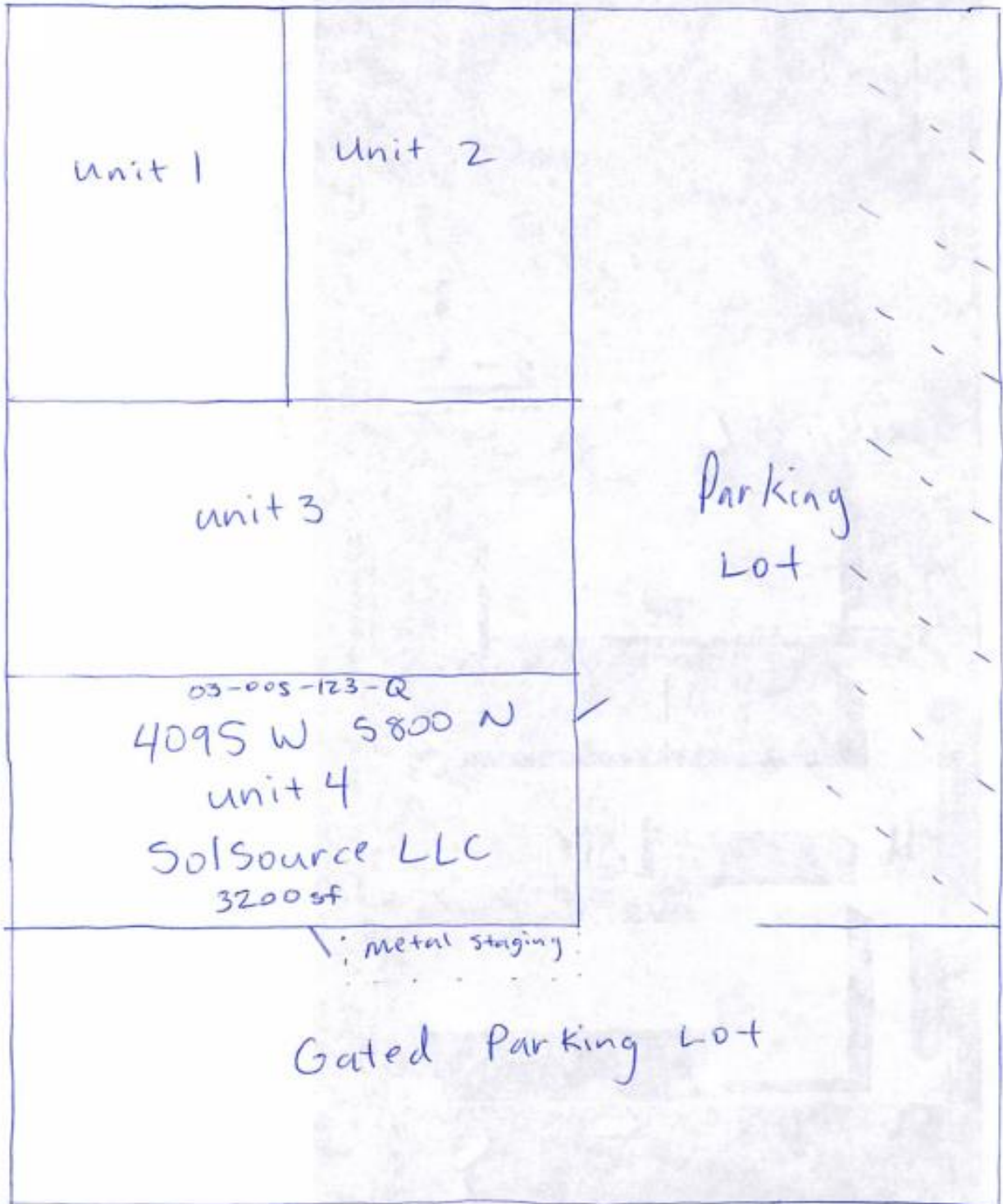


Imagery ©2020 Maxar Technologies, State of Utah, USDA Farm Service Agency, Map data ©2020 100 ft



Truck unloading area in front of shop and beyond gate when unloading trailer.  
8ftx30ft

5800 N



## Exhibit C: Applicant Narrative

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### Written Narrative

SolSource, LLC

David Tennant

Home- 180 e 125 n Apt 2 Morgan Utah 84050

Business- 4095 w 5800 n Unit 4 Mountain Green Utah 84050

SolSource is a welding business performing welding and cutting of materials. We will be staging most materials inside along with a few materials in the parking lot. Materials will be staged to be used up per job specific ordered and remnants will be taken to recycle. Occasional forklift driving will be performed to move product. All work will be done inside the building.

### Written Narrative

SolSource is a small start-up metal fabrication business specializing in welding with one to two employees. Some materials may be stored outside covered by a tarp located in the gated locked area next to the building when needed. Noise will be kept to a minimum due to operation hours of 7am to 330pm with short intervals of 10 to 20 seconds of noise as the process of fabrication indicates. The majority of the fabrication process will be done inside the building which will keep noise to a minimum. Occasionally, a forklift will be used to move material. It will be stored inside the building at all times. SolSource is conscious of waste products and all metal remnants will be recycled.



#### David Tennant

Angle grinder 96db

Plasma cutter 60db

Tig welder 30db

Mig welder 60db

Pressure washer 90db

No signs will be installed.

Posted Thursday at 8:38pm – [Edit](#) or [Delete](#)

## Exhibit E: Letter of Support

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**From:** [office@bearnson.com](mailto:office@bearnson.com) <[office@bearnson.com](mailto:office@bearnson.com)>

**Sent:** Wednesday, December 2, 2020 11:28 AM

**To:** [levans@morgan-county.net](mailto:levans@morgan-county.net)

**Subject:** SolSource CUP

Hello Mr. Evans

My name is John Bearnson

Please let my opinion be known on the proposed Conditional Use Permit applied for by SolSource. I am a resident of Mountain Green and a business owner next door to the proposed site.

My feeling is that he should be granted his permit as soon as possible. Our community needs more business and people willing to work from our county. The financial benefit from business is great.

Hopefully he will have no trouble getting the proper licensure and permits.

John Bearnson

Mountain Green Holdings

**2021 MORGAN COUNTY PLANNING COMMISSION MEETING DATES  
PLANNING COMMISSION RESOLUTION 20-01**

**A RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE OF THE  
MORGAN COUNTY PLANNING COMMISSION**

**WHEREAS**, the Utah Open and Public Meeting Law, 52-4-102, Utah Code Annotated, 1953, provides that political subdivisions of the State of Utah shall hold meetings which are open to the public; and

**WHEREAS**, said Open and Public Meetings Law provides in Section 52-4-202 that any public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule; and

**WHEREAS**, the Morgan County Planning Commission desires to give public notice of the meeting schedule for the year 2021 in compliance with State law and in accordance with its adopted by-laws.

**NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:**

1. That the regular monthly meetings of the Morgan County Planning Commission during the calendar year 2021 shall be held at the Morgan County Courthouse, 48 West Young Street, Morgan, Utah on the second and fourth Thursday of each month, or in accordance with the schedule below, commencing at 6:30 p.m. When necessary, work sessions, field visits or other meetings will be held and noticed in accordance with the law. Regular meetings shall be held upon the following dates (unless no items are ready for discussion or action):

|                   |                    |
|-------------------|--------------------|
| January 14, 2021  | July 1, 2021       |
| January 28, 2021  | July 15, 2021      |
| February 11, 2021 | August 12, 2021    |
| February 25, 2021 | August 26, 2021    |
| March 11, 2021    | September 9, 2021  |
| March 25, 2021    | September 23, 2021 |
| April 8, 2021     | October 14, 2021   |
| April 22, 2021    | October 28, 2021   |
| May 13, 2021      | November 4, 2021   |
| May 27, 2021      | November 18, 2021  |
| June 10, 2021     | December 2, 2021   |
| June 24, 2021     | December 16, 2021  |

2. If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.
3. Notice of the Annual Meeting Schedule shall be given in the following form:

**NOTICE OF ANNUAL MEETING SCHEDULE  
MORGAN COUNTY PLANNING COMMISSION**

**NOTICE** is hereby given that the Annual Meeting schedule of the Morgan County Planning Commission for the 2021 calendar year is as follows:

|                   |                    |
|-------------------|--------------------|
| January 14, 2021  | July 1, 2021       |
| January 28, 2021  | July 15, 2021      |
| February 11, 2021 | August 12, 2021    |
| February 25, 2021 | August 26, 2021    |
| March 11, 2021    | September 9, 2021  |
| March 25, 2021    | September 23, 2021 |
| April 8, 2021     | October 14, 2021   |
| April 22, 2021    | October 28, 2021   |
| May 13, 2021      | November 4, 2021   |
| May 27, 2021      | November 18, 2021  |
| June 10, 2021     | December 2, 2021   |
| June 24, 2021     | December 16, 2021  |

If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.

**DATED** this 10<sup>th</sup> day of December, 2020.

**MORGAN COUNTY PLANNING COMMISSION**

By: Gary Ross, Chairman

1. Morgan County will post written notice of the annual meeting schedule in the offices of the County and provide a copy of such notice to at least one newspaper of general circulation within the geographic jurisdiction of the county, or to a local media correspondent and to all persons who request a copy of such notice.
2. This Resolution shall be effective immediately upon passage and adoption.

**PASSED AND ADOPTED THIS 10<sup>th</sup> DAY OF DECEMBER, 2020.  
MORGAN COUNTY PLANNING COMMISSION**

By \_\_\_\_\_  
Gary Ross  
Morgan County Planning Commission Chairman

**8-5A-4: AREA REGULATIONS:**

|  | Districts |             |      |       |      |      |
|--|-----------|-------------|------|-------|------|------|
|  | MU-160    | F-1         | A-20 | RR-10 | RR-5 | RR-1 |
| The minimum lot area in acres for any main use in the districts regulated by this article, except as allowed for utility uses and governmentally operated essential service facilities in section 8-6-18 of this title, shall be | 160       | 1/4 section | 20   | 10    | 5    | 1    |

(Ord. 11-15, 11-1-2011)

**8-5A-5: WIDTH AND FRONTAGE REGULATIONS:**

|  | Districts |       |      |       |      |      |
|--|-----------|-------|------|-------|------|------|
|  | MU-160    | F-1   | A-20 | RR-10 | RR-5 | RR-1 |
| The minimum width and frontage (see sections 8-5-7, 8-5-8 and 8-5-9 of this chapter for frontage requirements) in feet for any lot or parcel in the districts regulated by this article, except as allowed for utility uses and governmentally operated essential service facilities in section 8-6-18 of this title, shall be   | 1,320     | 1,320 | 330  | 330   | 250  | 200  |
| Where lots have lot lines that are adjacent to and share a boundary line with a public or private road, the minimum lot width shall also be the minimum frontage along that road. Lots that are not adjacent to or share a boundary line with a public or private road shall provide evidence of easements for access to the property. Access easements shall be a minimum of 24 feet wide and shall be recorded against adjacent properties in favor of the lot, and shall allow access for emergency personnel and apparatus. Properties in the RR-1 Zoning District shall have the same frontage along a public or private street as the width of the lot | A         | A     | A    | A     | A    | -    |

**8-5A-6: YARD REGULATIONS:**

A. Front Yard Regulations:

|   | Districts |     |      |       |      |      |
|---|-----------|-----|------|-------|------|------|
|   | MU-160    | F-1 | A-20 | RR-10 | RR-5 | RR-1 |
| The minimum depth in feet for the front yard for main buildings and accessory buildings in districts regulated by this article shall be   | 30        | 30  | 30   | 30    | 30   | 30   |
| Where the existing minimum right-of-way on which the lot fronts is less than 66 feet, the setback shall be measured from the centerline and in feet shall not be less than  | 63        | 63  | 63   | 63    | 63   | 63   |
| Where the proposed minimum right-of-way is more than 66 feet, the setback in feet shall be $\frac{1}{2}$ proposed right-of-way, plus 30 feet  | A         | A   | A    | A     | A    | A    |
| Accessory buildings may have the same minimum front yard depth as main buildings if they have the same side yard required for main buildings; otherwise they shall be set the following distance in feet from the rear of the main building | 8         | 8   | 8    | 8     | 8    | 8    |

B. Rear Yard Regulations:

|  | Districts |     |      |       |      |      |
|--|-----------|-----|------|-------|------|------|
|  | MU-160    | F-1 | A-20 | RR-10 | RR-5 | RR-1 |
| The minimum depth in feet for the rear yard in the districts regulated by this article shall be: |           |     |      |       |      |      |
| Main buildings   | 60        | 200 | 60   | 60    | 50   | 30   |
| Accessory buildings  | 10        | 10  | 10   | 10    | 10   | 10   |
| Utility facilities and governmentally operated essential service facilities                      | 15        | 15  | 15   | 15    | 15   | 15   |

C. Side Yard Regulations:

|   | Districts |     |      |       |      |      |
|---|-----------|-----|------|-------|------|------|
|   | MU-160    | F-1 | A-20 | RR-10 | RR-5 | RR-1 |
| The minimum side yard in feet for districts regulated by this article shall be: |           |     |      |       |      |      |
| Main buildings  | 60        | 60  | 60   | 60    | 20   | 15   |
| Accessory buildings   | 60        | 60  | 10   | 10    | 10   | 10   |
| Utility facilities and governmentally operated essential service facilities     | 15        | 15  | 15   | 15    | 15   | 15   |

**8-5A-9: RECREATION DWELLINGS:**

Notwithstanding any provision in this title to the contrary, the following additional provisions shall apply to recreation dwellings located in MU-160 and F-1 zones:

A. Width and frontage regulations may be waived, provided the dwelling and any accessory buildings are accessible by a legal right of way held by the property owner;

B. The dwelling and all accessory buildings shall be set back no less than two hundred feet (200') from all property boundary lines;

C. For legal conforming lots existing on or before March 1, 2001, the minimum acreage for a recreation dwelling shall be one hundred sixty (160) acres, or a one-quarter ( $\frac{1}{4}$ ) section. For legal conforming lots created after March 1, 2001, the minimum acreage for a recreation dwelling in the F-1 zone shall be three hundred twenty (320) acres or a one-half ( $\frac{1}{2}$ ) section; and

D. Prior to receipt of a building permit, the property owner must execute and record as an addendum to their property deed, and show proof thereof to the building inspector, an owner's acknowledgment of responsibility and indemnification

PLANNING COMMISSION MINUTES  
Thursday, November 12, 2020  
Morgan County Council Room  
6:30 pm

Minutes of the Morgan County Planning Commission meeting at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St., Morgan, Utah.

**Present PC Members:**

Chairman Ross  
Member Sessions  
Member Bass

**Staff:**

Lance Evans, Planning Director  
Haylie Hale, Planner I  
Bailey Smith, Transcriptionist

**Electronically Present:**

Member Mayerle  
Member Wilson  
Member Little  
Member Stephens

**Public Attendance:**

Tina Kelley  
Glen Mecham  
Casey Mortensen  
Nikki Mortensen

- 1        1. Call to order – prayer
- 2        2. Pledge of Allegiance
- 3        3. Approval of agenda

4  
5        **Member Bass moved to approve the agenda. Second by Member Sessions. The vote was unanimous.**  
6        **Motion carried.**

- 7
- 8        4. Declaration of conflicts of interest
- 9        5. Public Comment

10  
11        No public comment.

12  
13        **Administrative Discussion:**

- 14
- 15        6. **Discussion/Decision - Golden Hills Estates Preliminary Plat** - A proposed 16 lot subdivision
- 16        Preliminary Plat located on 2,601.30 acres north of East Canyon State Park.

17  
18        Evans presented the preliminary plat application for Golden Hills Estates. The subdivision consists of  
19        16 lots that are at least 160 acres in size. It is just north of East Canyon on Highway 66 and 65. They are  
20        no longer allowed to use access easements and are now required to do roads. The frontage requirement for  
21        MU-160 is 1,320 feet. The applicant has worked very hard to ensure the lots meet the frontage  
22        requirement. There are three of the lots that fall short of that. Staff recommends denial.

23        Jim Flint, the applicant, stated they have done everything they can to work with staff. He asked if the  
24        PC could consider forwarding for approval with the frontage issue. Member Bass asked if the frontage  
25        issue was including lot 3. Flint stated he was using lot 3 as an example. Member Sessions stated that the  
26        lots need to meet the minimum frontage requirements. As for the access easement, you can only access  
27        one lot off of an easement. Member Bass stated they need to discuss and address the engineer's comments  
28        before they pass preliminary. Member Sessions asked if one of the conditions on concept was to meet  
29        frontage. Chair Ross asked if code was constraining to development this size should code be revised.  
30        Member Mayerle stated he agreed with what everyone was saying but they could also do a development  
31        agreement. Member Wilson agrees with everyone. Member Stephens asked what the frontage on lots 15  
32        and 16 are now. He asked if lots were going to share wells.

33        Flint stated the road map shows a purple road that they can just extend that road to make it a private  
34        lane. They have water rights for every lot to do individual wells. He stated they have been in contact with

35 UDOT and they need to get preliminary approval before UDOT grants access. Member Bass asked staff  
36 why they put an access easement for lots 15 and 16 when they could do the private lane. All members  
37 agree that the frontage and engineer's comments need to be clarified. Member Stephens stated they need  
38 to address access with UDOT. Member Bass asked if the items could be addressed by the end of  
39 November for the next meeting. The applicant stated yes.

40  
41 **Member Bass moved to postpone the Golden Hills Estates Subdivision Preliminary Plat, application**  
42 **#20.037, to the December 10, 2020 meeting to address frontage and access, the grading and**  
43 **drainage plan, and the engineer's comments. Second by Member Sessions. The vote was**  
44 **unanimous. Motion carried.**

45  
46 **Other:**

47  
48 7. Business/Staff Questions.

49  
50 Evans stated staff had a kick-off meeting with the General Plan Consultant. We will have advisory  
51 committees set up and focus groups with different areas of the community. The consultant is working on a  
52 statistically valid survey. Chair Ross asked if they could have a discussion next meeting on where code  
53 could be improved so that it is not constraining. Member Sessions asked about training and if it was still  
54 going on. Evans stated he would send an email out with that information.

55  
56 8. Approval of October 22, 2020, Planning Commission minutes.

57  
58 **Member Sessions moved to approve the October 22, 2020, Planning Commission Minutes. Second**  
59 **by Member Bass. The vote was unanimous. Motion carried.**

60  
61 9. Adjourn.

62 **Member Stephens moved to adjourn. Second by Member Mayerle. The vote was unanimous.**  
63 **Motion carried.**