



## PLANNING COMMISSION AGENDA

Thursday, April 13, 2017

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 Items:**

6. **Postponed Public Hearing from March 9, 2017** - Discussion/Decision: A proposed ordinance change for MCC Section 8-12-44 regarding the inclusion of access easements in the Subdivision ordinance.

### **Administrative Items:**

7. Discussion/Decision of the Island Circle Small Subdivision Concept Plan, located at approximately 1151 W Island Circle in Morgan, Utah.
8. Discussion/Decision of the Ridgeline Repair Shop CUP – A proposed Small Engine Repair and Sales Conditional Use Permit located at 3930 W Old Hwy Road in Morgan, Utah.
9. Discussion/Decision of the Scotsman Storage CUP – A proposed secure self-storage facility Conditional Use Permit located at approximately 5859 N Cottonwood Canyon Road in Morgan, Utah.
10. Discussion on Amendments to the Morgan County Commercial Zone Districts and the proposal of new zones (MCC Section 8-5).
11. Discussion on Amendment to the use regulation table in MCC Section 8-5C-3: Conditional Use Regulations – Commercial Use Table.
12. Discussion on Amendments to MCC 8-5, 8-5A-1D, 8-5A-1 through 8-5A-8, 10: Rural Residential Zoning Districts – Adding RR-2 and RR-3 Zoning Districts.
13. Business/Staff Questions.
14. Approval of March 23, 2017 Planning Commission minutes.
15. Adjourn.

Public Hearing  
April 13, 2017

Applicant: Morgan County  
Staff: Lance Evans, AICP

Discussion: February 23, 2017, February 9, 2017, PC – Public Hearing, March 9, 2017  
– Postponed to April 13, 2017

Proposed amendments to the Land Use Management Code for Morgan County:

#### Background and Analysis

As the Planning Commission continues to review sections of code, in order to create a more cohesive and clear interpretation of the land use management code, it has been identified that Section 8-5A-5 regarding access easements needs to be added to the Subdivision Code Section 8-12-44. Upon review of both codes, it has been determined that a recommendation to create a new section under 8-12-44 between (P) Private Lanes and (Q) Driveways.

The purpose of including access easements into the subdivision section of the code is so that road standards and improvement concerns surrounding access easements can be addressed during the review process by the Zoning Administrator and County Engineer. And to clarify the limited purpose of an access easement in land development.

Staff believes that the following changes will address the application and requirements for access easements. In particular, the revisions address the use of access easements in limited situations for very large lot residential units and unoccupied non-residential utilities or facilities.

The proposed changes are illustrated in **bold** and ~~strikethrough~~ format.

#### **8-12-44(Q): Access Easements:**

##### **Q. Access Easements:**

- 1. Access easements shall be allowed in MU-160 and F-1 zoning districts for single-family residents or for non-dwelling unit subdivisions such as wells, substations, etc.**

**Where more than the maximum length of access of 1,000 feet is required for access to the parcel or facility, the following requirements shall be met:**

- a. Lots that 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.**
  - b. Access easements shall be a minimum of 26 feet wide and shall be recorded against adjacent properties in favor of the lot, and shall allow access for emergency personnel and apparatus.**
  - c. Access easements for residential uses shall have an improved, all weather surface of at least twenty feet (20'), designed and constructed with rolled and compacted road base capable of supporting a seventy five thousand (75,000) pound fire apparatus vehicle, road base and subbase that meet the recommended geotechnical analysis of the load bearing capacity of the soils under the proposed roadway, and which is also designed pursuant to adopted construction standards, fire codes, and wildland urban interface requirements.**
  - d. A turnaround of not less than one hundred ten feet (110') of right of way in diameter, or an alternative turnaround design which meets the adopted fire and wildland urban interface code and is approved by the fire code official and county engineer every one thousand feet (1000'). Additional right of way may be required if an approved drainage design cannot be accomplished within the twenty six foot (26') right of way.**
- 2. Access Easements Considered Subdivision Improvements: All access easements and right of way improvements are considered required subdivision improvements and shall be inspected for compliance with the approved plans and construction drawings prior to any applicant applying for a building permit.**
  - 3. Underground Utilities to Be Privately Owned And Maintained: All utilities underneath a private right of way shall be deemed private utilities for ownership and maintenance purposes. Utilities under a**

**private right of way which are provided by special service districts or private companies are subject to their rules and regulations.**

- 4. Parking shall be prohibited on an access easement. Enforcement of on street parking restrictions shall be the responsibility of the owners of the private right of way.**
- 5. Easement and Maintenance: Each access easement right of way shall be established in the form of an easement acceptable to the Morgan County attorney and recorded with the county recorder. Such easement shall include all parties with interest in the parcel or parcels containing the access easement right of way as grantors and all parties retaining access from the access easement right of way as grantees. The easement shall extend and connect to Morgan County's public street infrastructure so as to provide clear access from all building lots to a public right of way. An applicant proposing a subdivision with access from an access easement right of way shall submit a document detailing the method for maintaining the access easement right of way, private utilities and any common areas. The document shall be in a form acceptable to the Morgan County attorney and shall be recorded in the county recorder's office.**

**Q R. Driveways:**

1. Driveways shall be provided for all residential building lots. The drive approach for the driveway shall be a minimum width of twelve feet (12') and shall not exceed the maximum width of forty feet (40'). A secondary drive approach may be permitted upon review and approval by the county engineer.
2. Downsloping driveways toward the building envelope shall not be permitted, unless topographic constraints warrant their construction. Driveways must comply with the provisions of the adopted building code regarding drainage adjacent to any structures.
3. For driveways less than fifty feet (50') in length, the maximum slope shall be fifteen percent (15%). For driveways fifty feet (50') or greater, the maximum grade at which a driveway shall be allowed to be built is twelve percent (12%). All driveways shall meet the provisions of the adopted fire code and wildland urban interface code for grade and turnaround requirements. Driveways longer than one hundred feet (100'), in areas of geologic instability or steep or loose slope areas, or as determined by the fire chief, building official, zoning administrator, or county engineer, shall be reviewed and accepted by the county engineer prior to issuance of a building permit.
4. A driveway serving no more than one dwelling or lot may be designed and constructed as an all weather gravel road, with rolled and compacted road base

capable of supporting a seventy five thousand (75,000) pound fire apparatus vehicle, and road base and subbase that meet geotechnical recommendations. If at any time during building construction, the gravel driveway becomes impassable, as determined by the building official, fire code official, zoning administrator, or county engineer, a stop work order shall be placed on the building permit until the road is rehabilitated and inspected to meet this standard. The developer is responsible to pay all inspection fees prior to the stop work order being lifted.

5. Driveways serving two (2) or more lots or building envelopes shall be paved to county construction standards for private lanes.
6. A paved apron is required to be installed for all driveways accessing from paved streets and rights of way, prior to the issuance of a certificate of occupancy.
7. Driveways may not be utilized to establish or calculate required lot frontage. (Ord. 16-02, 3-15-2016)

**R-S.** Traffic And Street Name Signs: Traffic and street name signs are to be constructed and installed by the developer according to county and state standards, and shall be considered required subdivision improvements. No building permits shall be issued in a subdivision until all street signs are installed. All private street signs are the maintenance and replacement responsibility of the homeowners' association, developer, or individual property owner. (Ord. 10-16, 12-14-2010; amd. Ord. 12-02, 5-1-2012)

**S T.** Change Of Private Right Of Way To Public Ownership: A note shall be placed on all subdivision plats that contain a private lane that states the following:

*The road(s) annotated on this plat as "private lane" were allowed alternative construction standards from adopted public or private streets standards. Morgan County shall not take control of said lanes unless it is first deemed by the County Council that there is a compelling public interest, the streets are brought to public standards, and all landowners accessing the street have consented to the dedication.*

A private street may only be considered for a change to public ownership if all of the following findings are met:

1. There is a compelling public interest;
2. All of the right of way owners sign a petition so requesting; and
3. The right of way satisfies the county's public street width, cross section, and construction standards. (Ord. 12-02, 5-1-2012)

## Model Motion

Sample Motion for *approval* – “I move to recommend approval to the County Council of the revision of Morgan County Code Section 8-12-44Q, regarding the addition of access easements within the subdivision code based on the text listed in the staff report dated April 13, 2017.”

Sample Motion for *approval with additional changes* – “I move to recommend approval to the County Council of the revision of Morgan County Code Section 8-12-44Q, regarding the addition of access easements within the subdivision code based on the text listed in the staff report dated April 13, 2017, with the following corrections:”

1. List any corrections

Sample Motion for *denial* – “I move to recommend denial to the County Council of the revision of Morgan County Code Section 8-12-44Q, regarding the addition of access easements within the subdivision code based on the text listed in the staff report dated April 13, 2017, *due to the following findings.*”

1. List any additional findings...

## Staff Information:

Lance Evans

801-845-4015

levans@morgan-county.net



## **PLANNING & DEVELOPMENT**

---

### **PLANNING COMMISSION STAFF REPORT**

Island Circle Small Subdivision Concept Plan  
April 13, 2017

Island Circle Small Subdivision – Concept Plan  
Public Meeting  
April 13, 2017

Application No.:	17.002
Applicant:	Paul Freed, Mark Walker
Owner:	Paul Freed, Mark Walker
Project Location:	Approximately 1152 W Island Circle, Morgan, Utah
Current Zoning:	RR-5 and RR-1
General Plan Designation:	Ranch Residential and Rural Residential
Acreage:	18.12 acres
Request:	Concept Plan Approval
Date of Application:	February 2, 2017
Date of Previous Meeting:	N/A

#### Staff Recommendation

County Staff has reviewed the application for Concept Plan for the Church Hill Small Subdivision. Staff is hereby recommending approval of the requested concept plan based on the following findings and with conditions listed below:

#### **Findings:**

1. The proposal complies with applicable zoning regulations.
2. That the developer will install any requisite infrastructure, including roadways, water lines, etc.
3. That the proposal is not detrimental to the health, safety, and welfare of the public.

#### **Conditions:**

1. That the issues with the currently recorded Island Circle PRUD be resolved.
2. That all outsourced consultant fees are paid current prior to final plat recordation.
3. That the required front, side and rear public utility easements are identified on all lots within the subdivision.
4. That proof of a culinary water source is provided for each lot at preliminary plat application.
5. That all requirements and concerns of the County Engineer are met during the preliminary/final plat approval stages.
6. That the requirements of the County Surveyor are addressed.
7. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.

8. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
9. That approval from the Fire Marshall be provided at preliminary plat.
10. That all other local, state, and federal laws are adhered to.

### Background

The applicant is seeking approval of a subdivision concept plan for a 6 lot subdivision. The proposal is being reviewed for conceptual design standards as required by Morgan County Code (MCC). The purpose of a concept plan is to provide the subdivider an opportunity to consult with and receive assistance from the County regarding the regulations and design requirements applicable to the subdivision of property as required by MCC Section 8-12-16.

With the recommendations contained in this Staff Report, the application appears to meet the minimum of requirements for the conceptual subdivision plan of the zoning and subdivision ordinances. It is important to note that because this is a concept plan, there may be some compliance issues with certain specific elements of the subdivision code. These issues will be resolved/addressed as the subdivision progresses through its Preliminary and Final Plat processes. Recommendations regarding the concept plan shall not constitute an approval or disapproval of the proposed subdivision, but rather shall operate in such a manner as to give the subdivider general guidance as to the requirements and constraints for the subdivider's proposed subdivision.

### Analysis

*General Plan and Zoning.* Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as lying in the Ranch Residential 5 area, allowing for 1 dwelling units per 5 acres. The proposed concept plan does not appear to follow this designation in the General Plan and according to the Future Land Use Map, reflecting low density neighborhoods. However, a portion of the property was rezoned in 2012 with the current density of Rural Residential (RR-1)

The zoning of the parcel is RR-5 and RR-1 (Ranch Residential – 5 acre minimum lot size and Rural Residential – 1 acre minimum lot size).

The proposed conceptual lot layout appears to conform to the requirements of the zoning district.

*Ordinance Evaluation.* The purpose statements in the General Plan and Zoning Ordinance do not provide actual development standards, but present the zoning context for the zone in which the proposed subdivision is located. The specific standards found in the adopted County Code govern development of the subject property.

*Property Layout.* As noted, there would be 6 lots. Lot 1 will have approximately 5.62 acres, Lot 2 will have approximately 6.01 acres, Lot 3 will have approximately 1.73 acres, Lot 4 will have approximately 1.66 acres, Lot 5 will have approximately 1.60 acres, and Lot 6 will have approximately 1.50 acres. It is currently configured as two lots in a currently established PRUD, Lot one is 11.28 acres and Lot 2 is 6.30 acres as recorded with the County. Lots 3 through 6 have been rezoned to RR-1. Lots 1 and 2 are zoned RR-5. The proposed lot lines and configurations conform to existing RR-5 and RR-1 standards for lots, including setbacks,



coverage, acreage, and access. The proposed layout represents the best possible configuration of the lots that will allow for subdivision and home construction.

Roads and Access. Lot 2 and Lot 4 will gain access from Island Circle, a private road. Lots 1, 4, 6, 5 and 6 will gain their access from a private street that will continue on from Island Circle. Lot width measured at the front and rear setback lines appears to comply with Morgan County Code standards.

Grading and Land Disturbance. The land where the homes are to be built is relatively flat. There may be minor site preparation prior to building, but none so much that it will trigger the excavation review thresholds. Each lot must be graded appropriately so as to ensure positive drainage away from structures and adjacent properties. Because of the nature of these large acreage lots, impacts due to improvements and impervious surfaces should be minimal. These lots will not require extensive grading for residences that will be built on the property.

Geologic and Geotechnical Evaluations. This parcel appears to be in the Qbg geologic unit where the homes will sit, and Tn in the back of the property. Building envelopes will be addressed during the preliminary plat process.

Utilities. All required utilities are found adequate for the proposed use.

- Culinary water is proposed to be provided by individual wells on the respective lots. Proof of water will be required at the preliminary/final plat stage.
- Sewage is proposed to be provided by individual septic systems. The septic systems will need to be reviewed and approved by the Weber Morgan Health Department as part of the building permit process.
- Gas, Electric, and telecommunication facilities run along Island Road and Island Circle and will need to be ran down the private street to the remaining lots.

Flood Plain: It appears that the property falls within the existing 100 year flood plain.

#### Model Motion

Sample Motion for *approval* – “I move we approve the Island Circle Subdivision Concept Plan, application number 17.002, allowing for a 6 lot subdivision of land located at approximately 1151 W Island Circle, based on the findings and with the conditions listed in the staff report dated April 13, 2017.”

Sample Motion for *approval with additional conditions* – “I move we approve the Island Circle Subdivision Concept Plan, application number 17.002, allowing for a 6 lot subdivision of land located at approximately 1151 W Island Circle, based on the findings and with the conditions listed in the staff report dated April 13, 2017, and with the following additional conditions:”

1. List any additional conditions

Sample Motion for *denial* – “I move we deny the Island Circle Subdivision Concept Plan, application number 17.002, allowing for a 6 lot subdivision of land located at approximately

1151 W Island Circle, based on the findings and with the conditions listed in the staff report dated April 13, 2017, *due to the following findings:*"

1. List any additional findings...

#### Supporting Information

Exhibit A: Vicinity Map

Exhibit B: Future Land Use Map

Exhibit C: Current Zoning Map

Exhibit D: Flood Plain Map

Exhibit E: Proposed Concept Plan/Site Layout

#### Staff Contact

Gina Grandpre

801-845-4015

[ggrandpre@morgan-county.net](mailto:ggrandpre@morgan-county.net)

Exhibit A: Vicinity Map





Exhibit B: Future Land Use Map

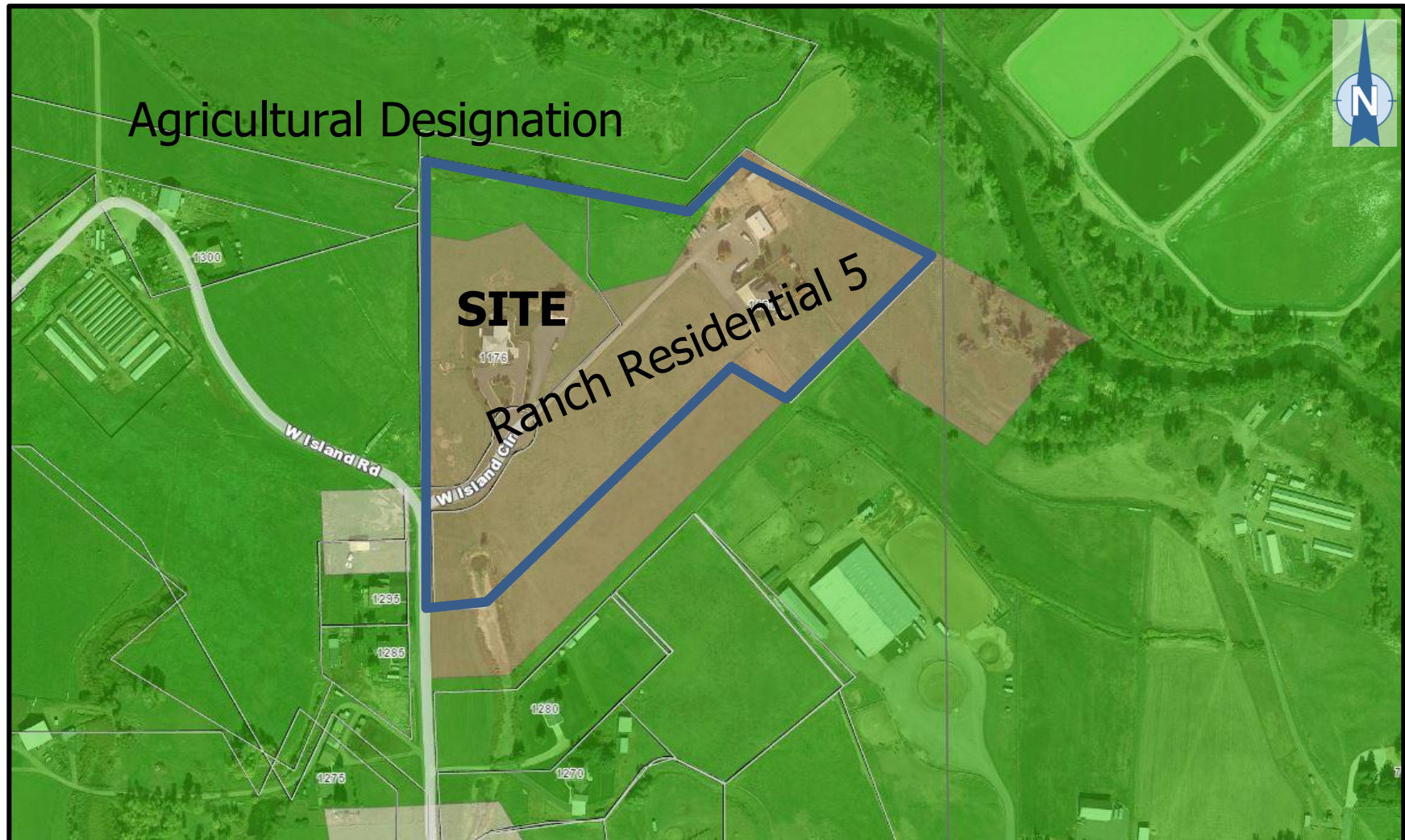




Exhibit C: Existing Zoning Map

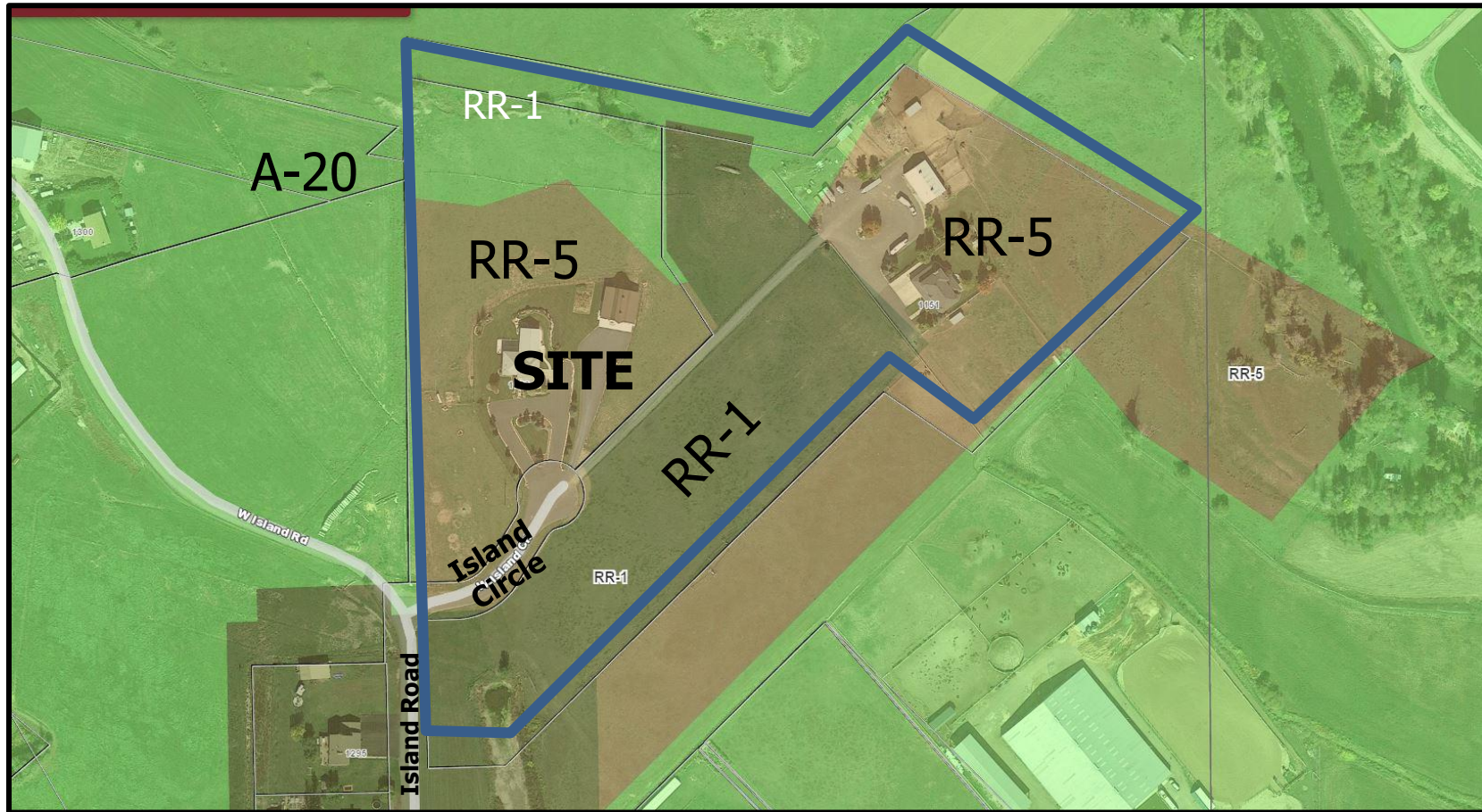
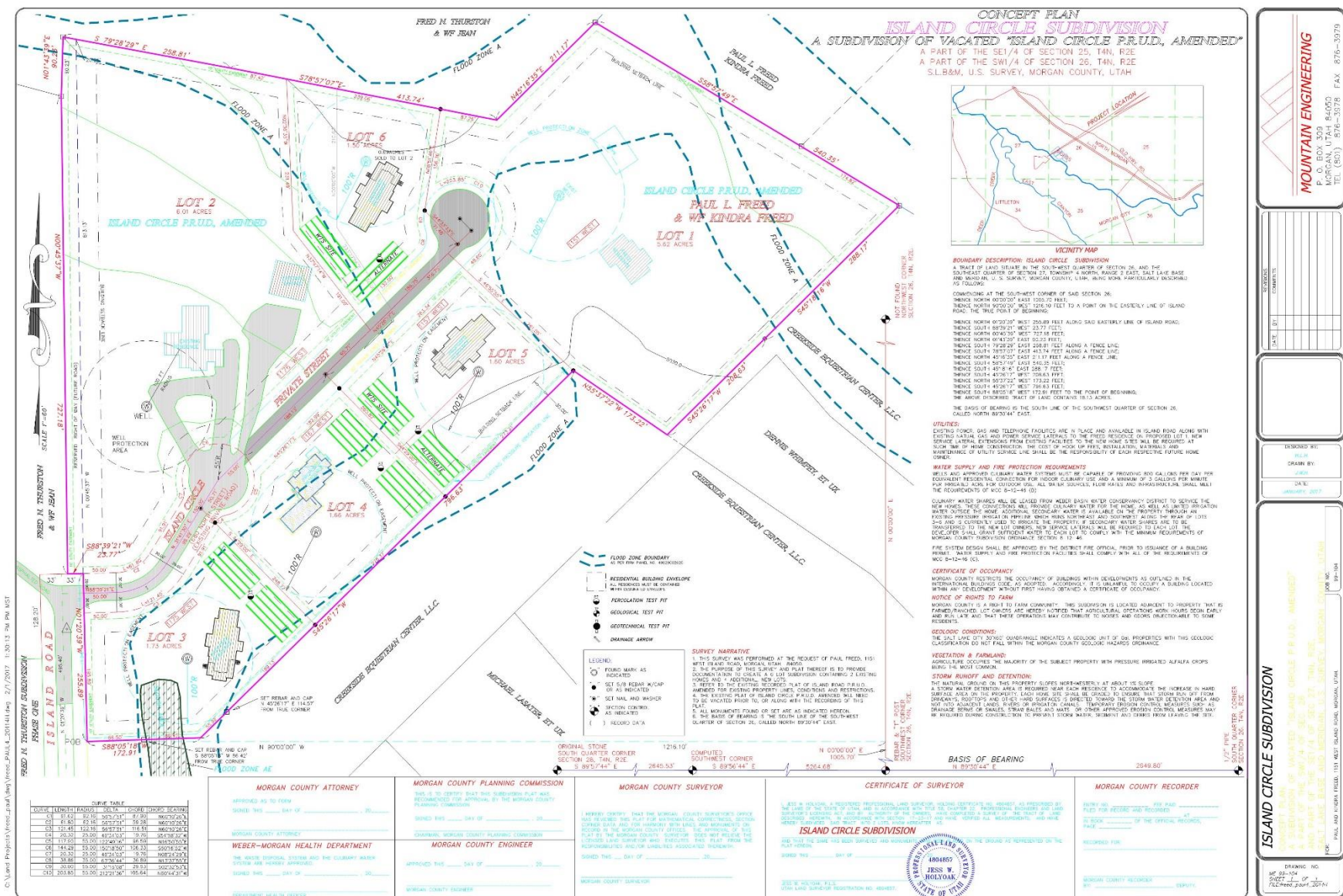


Exhibit C: Existing Zoning Map





## Exhibit E: Proposed Concept Plan/Site Layout





Planning Commission  
Staff Report  
CUP – Repair Shop

---

Planning and Development Services

Ridgeline Repair Shop Conditional Use Permit  
Public Meeting  
April 13, 2017

Application No.: 17.007  
Applicant: Tyson Preece  
Owner: Tyson Preece  
Project Location: 3930 W Old Hwy Rd  
Mountain Green  
Current Zoning: RR-1  
General Plan Designation: Rural Residential  
Acreage: 1.18 acres  
Request: Conditional Use for a repair shop  
Date of Application: March 23, 2017  
Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested conditional use permit based on the following findings and with conditions listed below:

Findings:

1. That any potential impact on the existing neighborhood will be minimal.
2. The requirements for public hearings, home occupancy license, primary residence, conditional use permit approval before beginning business have or will be met.
3. That the proposed facilities will not adversely impact the adjacent properties with the conditions.

Conditions:

1. No outside storage of vehicles or equipment related to the repair shop.
2. A dealership license may not be used in connection with a residentially zoned area.

Background

Tyson Preece is the owner of a 1.18-acre parcel located at 3930 W. Old Highway Road. The site currently has a single-family home with a detached garage at the rear of the lot. Mr. Preece proposes to operate a small engine repair shop for recreational and lawn equipment along with rental of recreational vehicles. He would also like to get a dealer's license to have access to sale and buy vehicles. Most of the vehicles will be stored inside with some outside display in summer



months.

## Analysis

*General Plan and Zoning.* Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as Village Low Density Residential. According to the General Plan, the Village Low Density Residential designation provides for a lifestyle with planned single family residential communities, which include open space, recreation and cultural opportunities, including schools, churches and neighborhood facilities located in established village areas or master planned communities.

The zoning of the parcel is RR-1 (Rural Residential -1) (see Exhibit C). The purpose the rural residential district is to promote and preserve in appropriate areas conditions favorable to large lot family life; Maintain a rural atmosphere; The keeping of limited numbers of animals and fowl; and reduced requirements for public utilities, services and infrastructure. This district is intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

The application is under the Category III Home Occupation classification and requires planning commission review of the following criteria:

- G.1 The following uses are appropriate in a dwelling only if they are determined to be compatible with the neighborhood and with the public health, safety and general welfare, and if conditions specific to that activity are developed after full conditional use review by the planning commission and compliance with subsection C of this section, applicable development code provisions, and the additional regulations set forth hereafter.
- G.2 In addition to the conditions established by the planning commission at the time of its review, all category III classification home occupations must comply with the following:
  - a. The provisions of this title concerning public hearing requirements.
  - b. Subsection C of this section, standards of approval for all home occupation licenses.
  - c. All category III home occupation uses must be conducted from property with a single-family detached dwelling.
  - d. All home occupations licensed under this subsection require an approved conditional use permit and home occupation license prior to commencing business.
  - e. The planning commission may establish additional conditions for the category III home occupation use to mitigate its effects on the area or for the general health, safety and welfare

As proposed conditional use permit appears to meet the Home Occupation Classification III. The ordinance allows for this use with the granting of a conditional use permit by the Planning Commission.

*Ordinance Evaluation.* Morgan County Code, Chapter 3, Section 8-2-1 defines conditional use as

the following:

*CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this title.)*

**Staff Response:** This is a residential lot and neighborhood adjacent to the Old Highway. If tightly controlled, it is possible for the use to not have an impact on the neighborhood and maintain the residential standards.

Staff is concerned at the owner's desire to obtain a Utah Dealer's License and begin selling cars and recreational vehicles at the site, this may have an impact on the residential nature of the area. Dealerships of any kind should be located in commercial zones and not in residential zones.

### **Recommended Motion**

Sample Motion for an *Approval* – "I move we approve the Ridgeline Repair Shop Conditional Use Permit, application #17.007, located at approximately at 3930 W. Old Highway Road, allowing for a home occupation of small engine repair, based on the findings and with the conditions listed in the staff report dated April 13, 2017."

Sample Motion for an *Approval with conditions* – "I move we approve the Ridgeline Repair Shop Conditional Use Permit, application #17.007, located at approximately at 3930 W. Old Highway Road, allowing for a home occupation of small engine repair, based on the findings and with the conditions listed in the staff report dated April 13, 2017, *and the following conditions:*"

1. List any additional findings and conditions...

Sample Motion for a *Denial* – "I move we approve the Ridgeline Repair Shop Conditional Use Permit, application #17.007, located at approximately at 3930 W. Old Highway Road, allowing for a home occupation of small engine repair, based on the findings and with the condition listed in the staff report dated April 13, 2017, *based on 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: Applicant Project Summary

Staff Contact

Gina Grandpre

801-845-4015

ggrandpre@morgan-county.net

Exhibit A: Vicinity Map

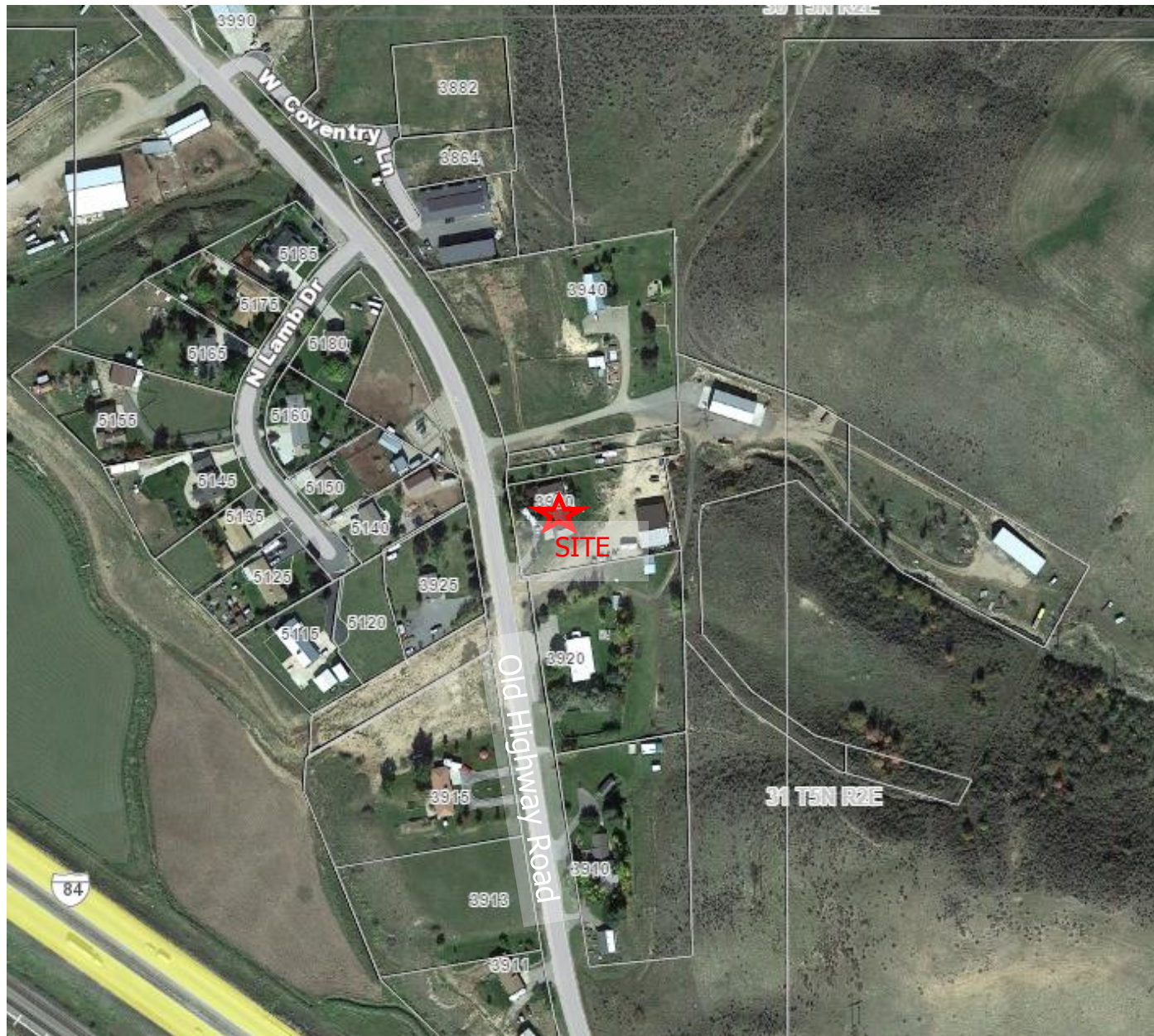




Exhibit B: Future Land Use Map



Exhibit C: Existing Zoning Map





Exhibit D Applicant Proposal:

Hi there My Name is Tyson Preece I own the property we are interested in getting a conditional permit for

I have already been issued a buisness licence for what I am doing I would just like to add a little more to it. I do small repairs on machines recreatinal and lawn equipment vehicles and such nothing major I also do some rentals as well I would like to get my dealers licence at my location just so I have acces to sale and buy not looking for a big operation infact you wouldnt even know anything has changed from what I do now I store almost all my stuff inside on ocasions in summer I have a few toys outside but I am back off hwy far enough its not around or to be seen by the passing hwy I have talked with the neighbors all are in agreement that there is no issue with what we are asking for thank you p.s I have talked with the dealer licence division and they have seen my location and stated it would work very well for the small time stuff Im looking at if you know rons fix it shop thats kinda what im looking at a small deal like that

Scotsman Storage Conditional Use Permit  
Public Meeting  
April 13, 2017

Application No.: 17.006  
Applicant: Scotsman Holdings LLC  
Owner: Ken Hatch  
Project Location: 5859 N Cottonwood Canyon Road  
Mountain Green  
Current Zoning: Manufacturing-Distribution (M-D)  
General Plan Designation: Business Park  
Acreage: 2.78 acres of the 10 acre parcel  
Request: Conditional Use for a secure self-storage facility  
Date of Application: February 15, 2017  
Date of Previous Meeting: N/A

Staff Recommendation

County Staff recommends approval of the requested conditional use permit based on the following findings and with conditions listed below:

**Findings:**

1. That the proposed use has been identified as a warehousing and storage services use, which is allowed as a conditional use in the M-D zoning district.
2. That the proposed use will include five buildings with 137 storage units of various sizes.
3. That the proposed facilities will not adversely impact the adjacent properties.
4. That any potential impact on the existing neighborhood will be minimal.

**Conditions:**

1. That there are no retail sales at the site.
2. That the exterior of the facility be maintained in an attractive manner, painted and generally kept looking aesthetically pleasing.
3. That water and sewer utilities connections are provided at the time of building permit.
4. That a drainage and storm water plan be provided at the time of building permit.
5. That all concerns of the County Engineer be addressed prior to issuance of a building permit.

Background

Scotsman Holdings currently leases the 10 acre parcel located at 5859 N Cottonwood Canyon Road and is under contract to purchase the property in May 2017. The existing building has



been converted into an equestrian center and leasable office space. They have submitted this application to further develop 2.78 acres of the southeast quadrant of the property into a secure storage unit complex. The impact on the local water/sewer facilities will also be small, as the requirements will not increase what is currently being used there. A Storm water and drainage plan will be required during the building permit process. The exterior of the complex will complement the existing facility with enhanced aesthetics and landscaping. Security measures will be in place with fenced perimeter, lighting, security cameras, gated access during daytime hours, and a site manager will be utilized. No retail sales of product would be allowed.

## Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as Business Park. According to the General Plan, the Business Park designation "provides for areas for the development of uses that provide employment involving light manufacturing, assembling, warehousing, and wholesale activities. The Business Park designation is intended to encourage campus-style commercial development near the airport which incorporates amenities including attractive streetscapes and enhanced landscaping. This use category provides for employment in commercial and light industrial uses that are compatible with adjacent or surrounding land uses. The areas designated for Business Park uses have adequate transportation and infrastructure access, and emphasize minimal conflict with existing adjacent land uses. This designation provides for the development and accommodation of administrative and research industries, offices, and limited manufacturing and support services. Typical uses may also include construction contractors, small, screened storage yards, and small warehousing spaces." The proposed conditional use would meet the anticipated general planning designation.

The zoning of the parcel is M-D (Manufacturing-Distributing)(see Exhibit C). The purpose of the zone is 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. The proposed conditional use permit would collocate a relatively low-impact use at an existing commercial site. The ordinance allows for this kind of use with the granting of a conditional use permit.

Approximately, one third of the property is within the Runway Protection Zone (RPZ) for the airport, it is an FAA requirement to ensure safe landing of all airplanes. It has horizontal and vertical requirements and also restrictions on uses within the zone. Scotsman Storage, as depicted in Exhibit D, shows that they meet all the elevation requirements and use as required by the FAA.

Ordinance Evaluation. Morgan County Code, Chapter 3, Section 8-2-1 defines conditional use as the following:

*CONDITIONAL USE: A land use that, because of its unique characteristics or potential impact on the county, surrounding neighbors or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. (A use of land for which a conditional use permit is required, pursuant to this title.)*

**Staff Response:** Due to the preexisting uses already on the parcel, any impact due to the collocation of the proposed use will be minimal. The site lies within a predominately light commercial use area. The proposed conditional use permit will not adversely impact adjacent properties or businesses.

**Property Layout.** The proposed use would be located adjacent to the existing structure and will require a building permit and drainage plan.

**Roads and Access.** The property is located on 5859 N. Cottonwood Canyon Road. It is not anticipated that the proposed conditional use will have a significant impact on the roadway and existing traffic patterns.

**Grading and Land Disturbance.** A grading plan will be required at the building permit stage. The parcel appears to lie outside of the flood plain.

**Water Source.** The proposed use will require minimal water usage and will not require additional water services.

**Fire Protection.** A fire protection plan, or other considerations as approved by the local fire official, will be required during the building permit process.

**Sanitary Sewer Systems.** Sewer service is already provided to the existing structure, the proposed use will not be connected to sewer, no impact will occur.

**Storm Water.** A Storm water drainage plan is required during the building permit stage and will be reviewed/approved by the County Engineer.

**Geologic and Geotechnical Evaluations.** The property falls within the Qal geologic area, this area does not require any geologic and geotechnical evaluations.

**Utilities.** Connections to existing utilities in the area should be sufficient to supply the proposed use.

#### Recommended Motion

Sample Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Council for the Scotsman Storage Conditional Use Permit, application #17.006, located at approximately at 5859 N Cottonwood Canyon Road, allowing for the installation of a secure self-storage facility, based on the findings and with the condition listed in the staff report dated April 13, 2017.”

Sample Motion for a *Positive* Recommendation *with conditions* – “I move we forward a positive recommendation to the County Council for the Scotsman Storage Conditional Use Permit, application #17.006, located at approximately at 5859 N Cottonwood Canyon Road, allowing for the installation of a secure self-storage facility, based on the findings and with the condition listed in the staff report dated April 13, 2017, *with the following conditions:*”

1. List any additional findings and conditions...

Sample Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Council for the Scotsman Storage Conditional Use Permit, application #17.006, located at approximately at 5859 N Cottonwood Canyon Road, allowing for the installation of a secure self-storage facility, based on the findings and with the condition listed in the staff report dated April 13, 2017, *based on 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: Runway Protection Zone Plans  
Exhibit E: Applicant’s Narrative

#### Staff Contact

Gina Grandpre  
801-845-4015  
ggrandpre@morgan-county.net

Exhibit A: Vicinity Map





Exhibit B: Future Land Use Map

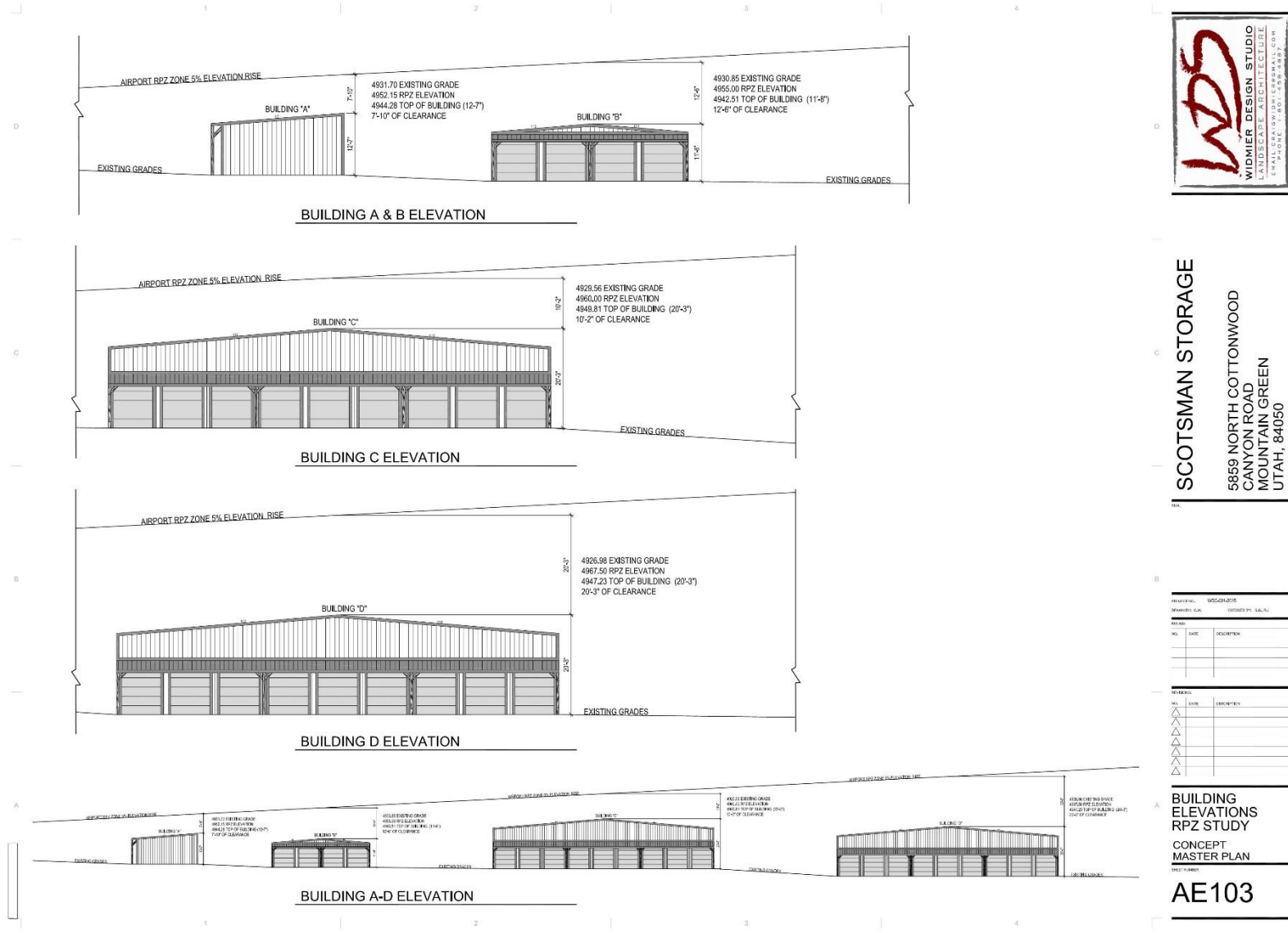




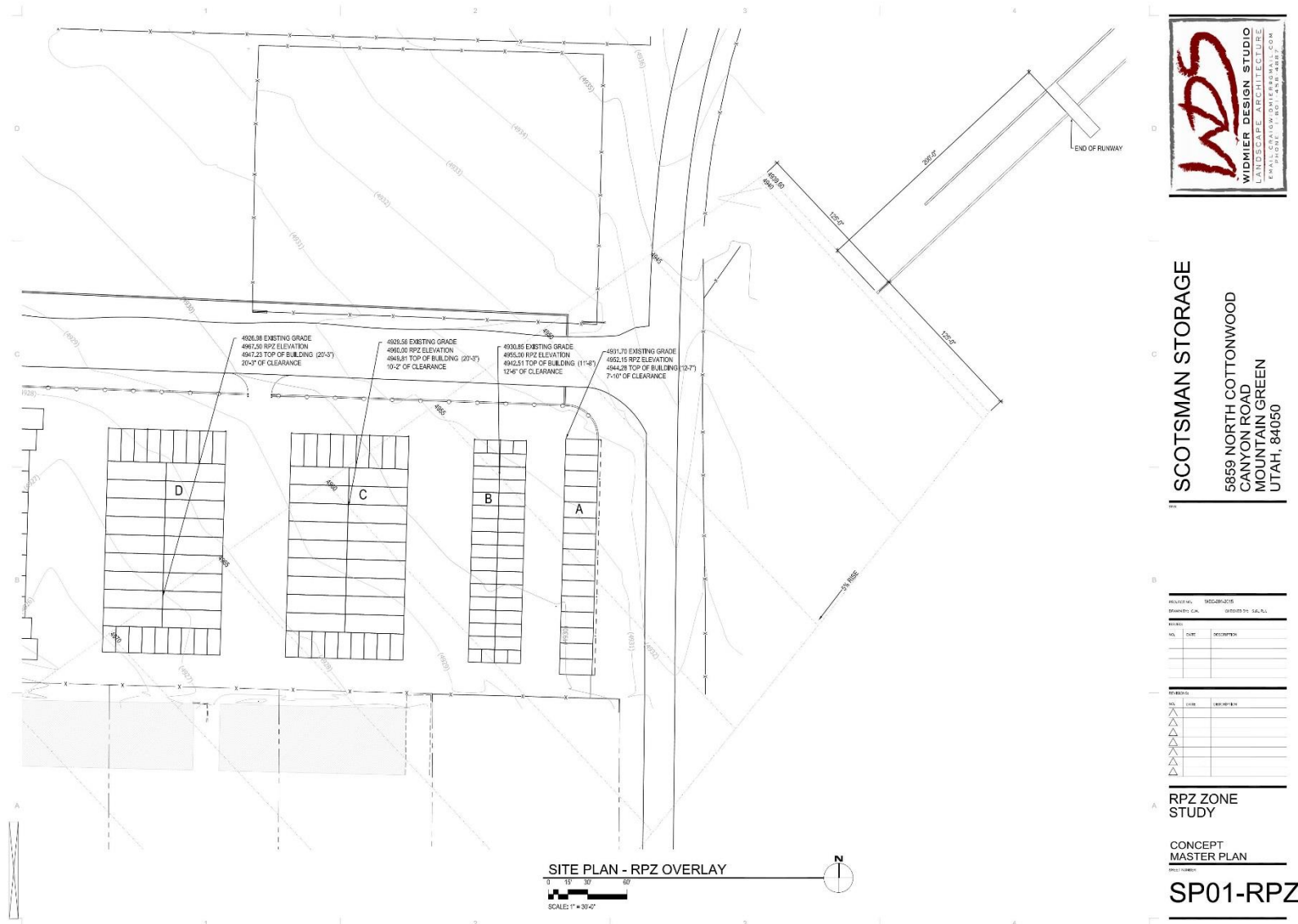
Exhibit C: Existing Zoning Map



## Exhibit D: Runway Protection Zone Plans



# Exhibit D: Runway Protection Zone Plans





## Exhibit E: Applicant's Narrative

**Scotsman Holdings LLC**  
5859 N Cottonwood Canyon Rd  
Morgan, UT 84050  
801-458-4887

---

February 10, 2017

### **Conditional Use Permit Written Narrative**

**Project Name:** Scotsman Storage

**Applicant:** Scotsman Holdings LLC  
Craig Widmier, Manager  
5859 N Cottonwood Canyon Rd  
Morgan, UT 84050  
801-458-4887

**Project designer:** Craig Widmier, Landscape Architect  
Widmier Design Studio  
6004 N Roundup Ct  
Morgan, UT 84050  
801-458-4887

Scotsman Holdings currently leases the 10 acre parcel located at the above-captioned address (formerly known as the GSL Brine Shrimp Cooperative) and is under contract to purchase it in May. They have successfully converted the former brine shrimp processing plant into a state-of-the art equestrian center and now wish to develop the southeast quadrant of the property into a secure storage unit complex. Upon the 2.78 acre site would be five buildings with 137 storage units of various sizes. The surrounding properties include light industrial, commercial, residential, agricultural, and aviation uses. Minimizing impacts to these users is of high priority.

Visual impacts will be enhanced with aesthetics and landscape. The exterior of the complex would complement the existing facility, utilizing the western motif, picket fencing, and rich landscape elements to partially obscure the project.

Traffic impacts will be limited to tenants' occasional need to access their belongings, estimated at 5-15 trips/day based on nationwide averages for a project of this size.

Environmental impacts will be nominal, as there will be no noise, dust, fire hazards, smoke, glare or other nuisances to irritate. Hard surface drainage would flow to an adjoining existing detention pond subject to civil engineering.

Misconduct deterrents of a fenced perimeter, lighting, security cameras, gated access during daytime hours, and a site manager will be utilized.

Impacts to the airport will be within the geometry of their overlay zone plus the structures will be unoccupied by humans.

As a growing community of affluent homeowners, the complex provides a secure storage option to serve their needs, helping to maintain neighborhood aesthetics and preserve personal property.



**PLANNING & DEVELOPMENT**

**PLANNING COMMISSION  
STAFF REPORT**  
Commercial Zones Amendment  
April 13, 2017

Discussion  
April 13, 2017

Applicant: Morgan County  
Staff: Lance Evans, AICP

Discussion: Planning Commission (PC), November 13, 2014; PC - March 10, 2016; PC, March 24, 2016; PC, May 17 2016; PC, June 9, 2016; PC, July 28, 2016; PC, August 11, 2016; PC, August 25, 2016; PC, February 23, 2017.

Proposed amendments to the Land Use Management Code for Morgan County:

To address the changing land use needs and to provide additional clarity and flexibility for the development of Morgan County the Planning Commission and County Council have worked with the community to update the Morgan County General Plan. In order to implement this vision staff recommends the following proposed changes to the Morgan County Code to clarify existing zones and create the Town Center Zoning District to address development in the area designated as Town Center in the Future Land Use Map.

**Background and Analysis:**

The following recommendations based on Planning Commission discussions are to update the zoning ordinance with minor changes in the existing zones and include the creation and standards for a new Town Center Zoning District in the ordinance.

The Town Center District shares the same purpose and uses as the General Commercial District. A mix of commercial, retail, and residential uses, either in the same building (vertical mixed uses) or on the same site plan (horizontal mixed uses) is allowed in this zoning district.

Staff has added the Town Center zone to the use table and assigned allowed, conditional, and prohibited uses based on the purpose of the Town Center zone.

**8-5-1: ESTABLISHMENT OF ZONING DISTRICTS:**

For the purposes of this title, the territory of the county, which has adopted this title, is divided into one or more of the following listed zoning districts as shown on the zoning maps on file in the county office: (Ord. 13-10, 7-16-2013)

Multiple use, agriculture and rural residential districts:		
	MU-160	Multiple use district
	F-1	Forestry district

	A-20	Agriculture district
	RR-10	Rural residential district
	RR-5	Rural residential district
	RR-1	Rural residential district
Residential and multiple-family residential districts:		
	R1-20	Residential district
	R1-12	Residential district
	R1-8	Residential district
	RM-7	Multiple residential district
	RM-15	Multiple residential district
Commercial and industrial districts:		
	CB	Commercial buffer district
	NC	Neighborhood commercial district
	C-S	Commercial shopping district
	C-H	Highway commercial district
	GC	General commercial district
	LM	Light Manufacturing district
	I	General industrial district
	TC	Town center district
Special districts and overlay zones:		
	SA	Sensitive area district
	ROZ	Redevelopment overlay zone
	AOZ	Airport overlay zone
	GHO	Geologic hazards ordinance
	RSD	Resort special district

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

The purpose of the following districts is:

- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. **Town Center District (TC): To provide areas where a mix of uses such as businesses, commercial, entertainment, and related activities may be established, maintained and protected. Strict standards for architecture, landscaping and other performance requirements are established to ensure consistent high quality design.**
- F. Commercial Buffer District CB: To provide areas for appropriate transitions of commercial uses.
- G. **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.
- H. 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.

### 8-5C-2: CODES AND SYMBOLS:

In following sections of this article, uses of land or buildings which are allowed in various districts are shown as "permitted uses", indicated by a "P" in the appropriate column, or as "conditional uses", indicated by a "C", **"C1," "C2," or "C3,"** in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, "-". If a regulation applies in a given district, it is indicated in the appropriate column by a numeral to show the linear or square feet required, or by the letter "A". If the regulation does not apply, it is indicated in the appropriate column by a dash, "-".

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

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts, except as provided in this article. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. "Temporary uses", as defined in section [8-2-1](#) of this title, are authorized in any district upon issuance of a conditional use permit for the same. *(table begins on next page)*

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
Agricultural:										
	Agricultural industries		-	-	-	-	-	C	C	-
	Agriculture tourism		C	C	C	C	C	C	C	-
	Dairy or food processing		C	-	-	-	-	C	C	-
	The tilling of the soil, the raising of crops, horticulture and gardening		P	P	P	P	P	P	P	-
Commercial:										
	Residential:									
		Bed and breakfast inn	C	C	C	C	C	-	-	C1
		Hotels, tourist courts and motels	C	-	C	C	C	-	-	C3
		Recreation vehicle parks	C	-	C	C	C	C	-	-
		Residential care facilities	C	-	C	C	C	-	-	-
		Retirement home/assisted living	-	C	-	C	-	-	-	-
	Industrial:									
		Commercial contract printing	P	-	-	-	P	P	P	-
	Transportation:									
		Bus terminals, stations, etc.	C	C	P	P	P	P	P	C2
		Hard surface parking, commercial	P	-	C	C	C	C	C	C2
		Private garage	-	C	C	C	C	C	C	C2
		Structure parking	P	-	C	C	C	C	C	C2
	Communication:									
		Radio and television communication facilities	P	C	C	C	P	C	C	C1
	Retail trade:									
		Antiques and used merchandise	C	-	P	C	P	-	-	P
		Bakeries	C	C	P	C	P	C	-	P
		Books and stationery retail	P	C	P	C	P	-	-	P
		Candy, nuts and confectionery	C	C	P	C	P	C	-	P
		Children and infants' wear	C	-	P	C	P	-	-	P
		Custom tailoring	P	-	P	C	P	-	-	P
		Dairy products	C	P	P	P	P	-	-	

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Department stores	-	-	P	C	P	-	-	P
		Direct selling organizations	P	-	P	C	P	-	-	P
		Drinking places (alcoholic beverages)	-	-	C	C	C	-	-	P
		Drive-in restaurants	-	C	C	C	C	P	P	P
		Drug and proprietary	-	C	C	C	P	-	-	P
		Eating places (food consumed on premises)	-	C	P	P	P	P	P	P
		Electrical goods retail	P	-	P	C	P	-	-	P
		Family clothing	-	C	P	C	P	-	-	P
		Farm and garden supplies and equipment	P	C	P	C	P	-	-	P
		Fruits and vegetables	P	C	P	P	P	C	C	P
		Furniture, home furnishings and equipment	-	-	P	C	P	-	-	P
		Furriers and fur apparel	C	-	P	C	P	-	-	P
		Gasoline service stations	-	C	C	P	C	P	P	P
		Groceries (with or without meat)	-	P	C	C	P	P	-	P
		Hardware and farm equipment	C	-	P	C	P	P	-	P
		Heating and plumbing equipment	C	-	-	C	P	P	-	P
		Household appliances	C	-	P	C	P	-	-	P
		Ice cream establishments	-	C	P	P	C	-	-	P
		Jewelry	-	-	P	C	P	-	-	P
		Limited price variety stores	-	-	P	C	P	-	-	P
		Liquor - package	-	-	C	C	C	-	-	P
		Lumber and other building materials	C	-	P	C	P	C	-	P
		Mail order house/ telemarketing	P	P	P	C	P	-	-	P
		Meats and fish	-	-	P	C	P	-	-	P
		Men's and boys' clothing and furnishings	-	-	P	C	P	-	-	P
		Merchandise vending machines operators	-	P	P	P	P	P	P	P
		Motor vehicles	C	-	C	C	C	C	P	-

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Paint, glass and wallpaper	C	-	P	C	P	P	-	P
		Pets and pet supplies	-	-	P	C	P	-	-	P
		Radios, televisions and music supplies	-	-	P	C	P	-	-	P
		Shoes	-	-	P	C	P	-	-	P
		Shopping complexes for retail trade	-	C	C	C	C	-	-	P
		Sporting goods and bicycles	-	-	P	C	P	-	-	P
		Tires, batteries and accessories	C	-	C	C	P	C	P	P
		Women's clothing, accessories and specialties	-	-	C	C	C	-	-	P
		Other comparable retail activities	-	C	C	C	C	-	-	P
		Other retail trade, apparel and accessories	-	-	C	C	C	-	-	P
		Other retail trade, i.e., automotive, marine craft, aircraft and accessories	C	-	C	C	C	C	-	P
	Services:									
		Administration general office space (new construction or exterior modification)	C	C	C	C	C	C	-	P
		Advertising services	-	C	-	-	-	-	-	P
		Animal clinics and hospitals	-	-	C	C	C	-	-	C1
		Apparel repair, alteration and cleaning, pick up services, shoe repair services	-	P	P	C	P	P	P	P
		Automatic car wash, truck wash	C	C	C	P	P	P	P	C1
		Automobile repair and services	C	C	C	C	C	C	P	-
		Banking and bank related functions	P	-	P	P	P	P	-	P
		Beauty and barber shops, general	-	P	P	C	P	-	-	P
		Carpeting and other floor coverings	-	-	C	C	C	P	-	P
		Child daycare centers, subject to regulations as set forth in section <a href="#">8-6-39</a> of this title	P	P	C	C	-	-	-	P
		Comprehensive healthcare facilities (centers)	-	-	C	C	P	-	-	P
		Dental laboratory services	P	-	C	C	P	P	P	P
			Districts							



			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Duplicating mailing and stenographic services	P	-	C	C	P	-	-	P
		Dwelling and other building maintenance services	C	C	C	C	P	P	-	P
		Electrical services	C	-	C	C	P	P	P	P
		Employment services	-	-	P	C	P	-	-	P
		Funeral services	-	-	C	-	P	P	-	P
		General contract construction services	C	-	-	-	P	P	P	-
		General office space	P	P	P	P	P	P	P	P
		Healthcare facilities	C	-	C	C	C	-	-	P
		Laundering, dry cleaning, and dyeing services	C	C	P	C	P	P	P	P
		Medical clinics - outpatient services	P	-	P	C	P	C	-	P
		Medical laboratory services	P	-	C	C	P	P	P	P
		News syndicate services	P	-	-	-	P	-	-	P
		Painting, wall coverings and decorating services	-	-	C	C	P	P	P	P
		Photographic equipment and services	P	C	P	C	P	C	C	P
		Plumbing, heating, and air conditioning services	C	-	C	-	P	P	P	P
		Private clubs	-	-	C	-	P	-	-	P
		Professional healthcare offices and clinics	P	-	C	C	P	-	-	P
		Dentist offices	P	C	P	C	P	-	-	P
		Medical offices	P	C	P	C	P	-	-	P
		Real estate agents, brokers, and management services	-	C	P	C	P	-	-	P
				-						
		Real estate subdividing and land developing	-	-	P	C	P	P	P	P
		Roofing and sheet metal services	C	-	C	-	P	P	P	C1

		Districts							
		CB	C-N NC	C-S	C-H	C-G GC	M-D LM	M-G I	TC
	Security services and commodity brokers, dealers, exchanges and services	-	-	C	C	P	-	-	P
	Schools (commercial)	C	C	C	C	P	C	-	P
	Entertainment:								
	Drive-in theaters	C	-	C	-	C	C	-	-
	Live theaters	-	-	C	C	P	-	-	P
	Motion picture theaters	-	-	P	-	P	-	-	P
	Racetracks (commercial)	-	-	-	-	C	C	C	-
	"Sexually oriented businesses", as defined in section <a href="#">8-18-2</a> of this title	-	-	-	-	-	-	C	-
	Sports activities facilities	-	C	C	C	P	P	-	C1
	Industrial:								
	Chemical and plastics manufacturing:								
	Agricultural chemicals	-	-	-	-	-	C	C	-
	Drug	C	-	-	-	-	C	C	-
	Industrial inorganic chemicals	-	-	-	-	-	-	C	-
	Miscellaneous plastic products	C	-	-	-	-	C	C	-
	Paints, varnishes, lacquers, enamels and allied products	-	-	-	-	-	-	C	-
	Plastics materials and synthetic resins, synthetic and other manmade fibers (except glass)	-	-	-	-	-	C	C	-
	Soap, detergents and cleaning preparations, perfumes, cosmetic and other toilet preparations	-	-	-	-	-	C	C	-
	Fabricated textile products manufacturing:								
	Broad and narrow woven fabrics and other small wares (cotton, manmade fibers, silk and wool)	-	-	-	-	-	C	C	-
	Dyeing and finishing of textiles (except wool fabrics and knit goods)	-	-	-	-	-	C	C	-
	Knit goods	C	-	-	-	-	C	C	-
	Wearing apparel and accessories	C	-	-	-	C	C	C	-
	Yarns and threads	-	-	-	-	-	C	C	-

		Districts							
		CB	C-N NC	C-S	C-H	C-G GC	M-D LM	M-G I	TC
	Food products manufacturing:								
	Baker products	-	-	C	-	C	C	C	C1
	Beverage	C	-	-	-	-	C	C	-
	Canning and preserving of fruits, vegetables, meat and seafood	-	-	-	-	-	C	C	-
	Confectionery and related products	-	-	C	-	C	C	C	C1
	Dairy products	-	-	C	-	C	C	C	-
	Food processing and manufacturing	C	-	-	-	-	C	C	-
	Grain mill products	-	-	-	-	-	C	C	C1
	Meat products	-	-	-	-	-	C	C	-
	Sugar	-	-	-	-	-	-	C	-
	Furniture products - manufacturing:								
	Furniture - manufacturing	C	-	-	-	-	C	C	-
	Partitions, shelving, lockers, office and store fixtures	C	-	-	-	-	C	C	-
	Wooden containers	C	-	-	-	-	C	C	-
	Industrial services:								
	Concrete services and batching plants	-	-	-	C	C	C	C	-
	General contract and subcontractor construction services	C	-	-	-	-	-	-	-
	Masonry, stonework, tile setting and plastering services	C	-	-	-	-	C	C	-
	Roofing and sheet metal services	C	-	-	-	-	C	C	-
	Water and well drilling services	C	-	-	-	-	C	C	-
	Machine products manufacturing:								
	Electrical machinery, equipment and supplies	-	-	-	-	-	C	C	-
	Engineering, laboratory and scientific and research instruments and associated equipment	P	-	-	-	-	C	C	-
	Instruments for measuring, controlling and indicating physical characteristics	P	-	-	-	-	C	C	-
	Machinery (except electrical)	-	-	-	-	-	C	C	-
	Ordance and accessories	-	-	-	-	-	-	C	-

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Transportation equipment	-	-	-	-	-	C	C	-
	Metallic products manufacturing:									
		Blast furnaces, steelworks and the rolling finishing of ferrous metals, etc.	-	-	-	-	-	C	C	-
		Iron and steel foundries and manufacturing	-	-	-	-	-	-	C	-
		Nonferrous foundries	-	-	-	-	-	C	C	-
		Primary smelting and refining of nonferrous metals	-	-	-	-	-	-	C	-
		Rolling, drawing and extruding of nonferrous metals	-	-	-	-	-	C	C	-
		Secondary smelting and refining of nonferrous metals and alloys	-	-	-	-	-	-	C	-
	Mining:									
		Chemical and fertilizers (mineral) mining	-	-	-	-	-	-	C	-
		Coal mining	-	-	-	-	-	-	C	-
		Crude petroleum and natural gas	-	-	-	-	-	-	C	-
		Dimension stone	-	-	-	-	-	-	C	-
		Land excavations	-	C	C	C	C	C	C	-
		Other mining and quarrying of nonmetallic minerals (except fuels)	-	-	-	-	-	-	C	-
		Metal ore mining	-	-	-	-	-	-	C	-
		Sand and gravel - quarrying	-	-	-	-	-	C	C	C3
	Nonmetallic products manufacturing:									
		Abrasive, asbestos and miscellaneous nonmetallic mineral products	-	-	-	-	-	-	C	-
		Cement (hydraulic)	-	-	-	-	-	-	C	-
		Concrete, gypsum and plaster products	-	-	-	-	-	-	C	-
		Glass and glassware (pressed or blown)	-	-	-	-	-	C	C	-
		Plate glass	-	-	-	-	-	C	C	-
		Structural clay products	-	-	-	-	-	C	C	-
	Other products manufacturing:									

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Light manufacturing	C	-	-	-	-	C	C	C2
		Motion picture production	-	-	-	-	C	C	C	C
		Pottery and related products	C	-	C	-	C	C	C	-
	Outdoor storage:									
		Auto wrecking yards	-	-	-	-	-	-	C	-
		Other outdoor storage (clean)	C	-	-	-	-	C	C	-
		Petroleum products bulk plants	-	-	-	-	-	C	C	-
	Paper products manufacturing:									
		Bookbinding and related industrial	P	-	-	-	-	C	C	-
		Books - publishing and printing	P	-	-	-	C	C	C	-
		Building paper and building board	-	-	-	-	-	-	P	-
		Converted paper and paperboard products (except containers and boxes)	-	-	-	-	-	-	C	-
		Newspapers	-	-	-	-	-	-	-	-
		Paperboard containers and boxes	-	-	-	-	-	C	C	-
		Periodicals - publishing and printing	P	-	-	-	C	C	C	-
		Printing trade services	P	-	C	-	C	C	C	-
		Publishing and printing	P	-	-	-	C	C	C	-
	Petroleum products manufacturing:									
		Paving and roofing materials	-	-	-	-	-	-	C	-
		Petroleum refining	-	-	-	-	-	-	C	-
		Rubber footwear	-	-	-	-	-	C	C	-
		Tires and inner tubes	-	-	-	-	-	-	C	-
	Precision instrument and jewelry manufacturing:									
		Amusements, toys, sporting goods and athletic goods	C	-	-	-	-	C	C	-
		Costume jewelry, costume novelties, buttons and miscellaneous notions (except precious metals)	P	-	-	-	-	C	C	-
		Jewelry, silverware and plated ware	-	-	-	-	-	C	C	-
		Musical instruments and parts	P	-	-	-	-	C	C	-



			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Notions - manufacturing	P	-	-	-	-	C	C	-
		Ophthalmic goods	P	-	-	-	-	C	C	-
		Optical instruments and lenses	P	-	-	-	-	C	C	-
		Pens, pencils and other office and artist material	P	-	-	-	-	C	C	-
		Photographic processing	P	-	-	-	-	C	C	C
		Print trade services	P	-	-	-	-	C	C	C
		Surgical, medical and dental instruments and supplies	P	-	-	-	-	C	C	C
		Watches, clocks, clockwork operated devices and parts	P	-	-	-	-	C	C	-
	Transportation:									
		Staging for trucking, local and long distance	-	-	-	-	-	C	C	-
	Wholesale trade and warehousing:									
		Drugs, chemicals and allied products	-	-	-	-	-	C	C	-
		Dry goods and apparel	C	-	-	C	-	C	C	-
		Electrical goods	C	-	-	-	-	C	C	-
		Farm products and equipment	C	-	-	-	-	C	C	-
		Groceries and related products	C	-	-	-	-	C	C	-
		Hardware, plumbing, heating equipment and supplies	C	-	-	-	-	C	C	-
		Machinery, equipment and supplies	C	-	-	-	-	C	C	-
		Motor vehicles and automotive equipment	C	-	-	-	-	C	C	-
		Petroleum products distribution warehouses and bulk plants	-	-	-	-	-	C	C	-
		Warehousing and storage services	C	-	-	-	-	C	C	-
	Wood and paper manufacturing:									
		Millwork, veneer, plywood and prefabricated structural wood products	-	-	-	-	-	-	C	-
		Paper (except building paper)	-	-	-	-	-	-	C	-
		Paperboard	-	-	-	-	-	-	C	-

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Pulp	-	-	-	-	-	-	C	-
		Sawmills and planning mills	-	-	-	-	-	C	C	-
Institutional (nonprofit):										
	Educational services:									
		Special training and schooling	-	C	C	C	C	C	C	C
	Entertainment, recreation and open space group or organized camps:									
		Gymnasiums and athletic clubs	-	C	C	C	C	C	-	P
		Parks - general recreation	-	P	P	P	C	C	-	P
		Parks - leisure and ornamental	-	P	P	P	P	P	C	P
		Play lots or tot lots	-	C	C	C	C	-	-	P
		Playgrounds	-	C	C	C	C	C	-	P
		Racetracks	-	-	-	-	-	C	C	-
		Recreation centers (general)	-	C	C	C	C	C	-	P
		Swimming pools	-	C	C	C	C	C	C	P
	Government services:									
		Correctional and rehabilitation institutions	-	-	-	-	P	P	C	-
		Executive, legislative and judicial functions	-	C	C	C	C	C	C	P
		Postal services	-	C	C	C	C	C	C	P
		Protective functions and their related activities	P	C	C	C	C	C	C	C1
	Health services:									
		Hospital services	-	-	C	-	C	-	-	P
		Sanatoriums, convalescent and rest home services	-	-	-	-	C	-	-	C
	Public and quasi-public:									
		Art galleries	-	-	P	C	C	-	-	P
		Fairgrounds	-	-	-	-	-	C	-	-
		Hospitals and acute care facilities	-	-	C	C	C	-	-	P
		Libraries	-	P	P	C	C	C	C	P

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Museums	-	-	C	C	C	C	C	P
		Nature exhibitions	-	-	C	C	C	C	-	P
		Public assembly, miscellaneous purposes	-	-	-	-	-	C	-	P
	Religious and welfare services:									
		Churches, synagogues and temples	-	C	C	C	C	C	C	C
		Welfare and charitable services	-	C	C	C	C	C	C	C
	Residential:									
		Religious quarters	-	C	-	-	C	-	-	C
		Retirement homes and orphanages	-	-	-	-	C	-	-	C
	Streets and other circulation elements:									
		Airports	-	-	-	-	-	C	C	P
		Alleys	C	C	C	C	C	C	C	P
		Freeways	C	C	C	C	C	C	C	P
		Railroads and appurtenances	-	-	-	-	-	C	C	C
		Streets, private	C	C	C	C	C	C	C	C
		Streets, public	C	C	C	C	C	C	C	C
	Land developments:									
		Industrial parks	C	-	-	-	-	C	C	-
		Land development for various commercial, industrial and manufacturing	-	-	-	-	-	C	C	C
		Shopping centers	C	C	C	-	C	-	-	C
		Temporary uses	Subject to regulations in section <a href="#">8-6-16</a> of this title							
	Utilities:									
	Communication:									
		Cable television	C	C	C	C	C	C	C	C
		Radio and television facilities	C	C	C	C	C	C	C	C
		Telephone and telegraph	C	C	C	C	C	C	C	C
	Other facilities:									
		Sewage disposal	-	-	-	-	-	-	C	-

			Districts							
			CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
		Sewage transmission and pump facilities	P	P	P	P	P	P	P	P
		Solid waste disposal	-	-	-	-	-	-	C	-
	Utilities - lines and rights of way:									
		Culinary water	P	C	C	C	C	P	P	P
		Electricity (substations or facilities for)	P	C	C	C	C	C	C	C
		Irrigation water	P	C	C	C	C	C	C	C
		Natural gas	C	C	C	C	C	C	C	C
		Pipelines (oil and gas transmission)	C	C	-	-	-	-	C	C

#### 8-5C-4: HEIGHT REGULATIONS:

	Districts							
	CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
The maximum height for all buildings and structures in districts regulated by this article, except as specifically provided for in other sections of this title, shall be:								
In feet	35	35	35	35	35	75	75	45
In number of stories	3	3	3	3	3	7	7	4

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

#### 8-5C-5: AREA, WIDTH, FRONTAGE, YARD AND COVERAGE REGULATIONS:

	Districts							
	CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
The minimum depth and/or length for yards in the districts regulated by this article shall be (in feet):								
Front yard	25	25	25	25	25	25	25	10
Rear yard	20	20	20	20	20	20	20	5

Side yards	10	10	10	10	10	10	10	5
Except as determined by conditional use permit or as allowed for utility uses and governmentally operated essential service facilities in section <a href="#">8-6-18</a> of this title	A	A	A	A	A	A	A	A

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

## 8-5C-6: IMPROVEMENTS COMPLETED OR IN PROGRESS BEFORE BUILDING PERMIT

**ISSUED:**  

Improvements are to be in compliance with standards adopted by the county.

	Districts							
	CB	<del>C-N</del> NC	C-S	C-H	<del>C-G</del> GC	<del>M-D</del> LM	<del>M-G</del> I	TC
Street grading <sup>1</sup>	A	A	A	A	A	A	A	A
Street base <sup>1</sup>	A	A	A	A	A	A	A	A
Street paving	A	A	A	A	A	A	A	A
Curb and gutter <sup>1</sup>	A	A	A	A	A	A	A	A
Sidewalk	A	A	A	A	A	A	A	A
Surface drainage facilities <sup>1</sup>	A	A	A	A	A	A	A	A
Wastewater disposal facilities	A	A	A	A	A	A	A	A
Culinary water facilities	A	A	A	A	A	A	A	A
Firefighting facilities <sup>1,2</sup>	A	A	A	A	A	A	A	A
Street name and traffic signs	A	A	A	A	A	A	A	A
Street monuments	A	A	A	A	A	A	A	A



Survey monuments boxes	A	A	A	A	A	A	A	A
Streetlights	A	A	A	A	A	A	A	A
Address numbers	A	A	A	A	A	A	A	A
Public utilities - power, gas, telephone, cable TV, etc.	A	A	A	A	A	A	A	A

Notes:

1. Construction completed prior to issuing building permits.
2. Indicates refer to fire officials for latest regulations.

(Ord. 16-03, 7-5-2016)



## PLANNING & DEVELOPMENT

# PLANNING COMMISSION STAFF REPORT RR-2 and RR-3 Zoning Districts April 13, 2017

Discussion  
April 13, 2017

Applicant: Morgan County

This application is for the addition of two new residential zone districts in Morgan County. The Rural Residential 2 (RR-2) and the Rural Residential 3 (RR-3) zones are proposed to address the required land area for well and septic systems in Morgan County. Currently, the Weber Morgan Health Department requires approximately 1.5 to 1.75 acres for the development of a single-family home, depending on various soils and water table conditions.

The current zone districts standards allow for the creation of lots that are too small as in RR-1, with a one-acre minimum lot size standard or too large at RR-5. The proposed RR-2 and RR-3 zones would establish standards that would more appropriately meet health department regulations while allowing for flexibility to develop smaller parcels.

Proposed amendments to the Land Use Management Code for Morgan County:

### 8-5-1: ESTABLISHMENT OF ZONING DISTRICTS:

For the purposes of this title, the territory of the county, which has adopted this title, is divided into one or more of the following listed zoning districts as shown on the zoning maps on file in the county office: (Ord. 13-10, 7-16-2013)

Multiple use, agriculture and rural residential districts:		
	MU-160	Multiple use district
	F-1	Forestry district
	A-20	Agriculture district
	RR-10	Rural residential district
	RR-5	Rural residential district
	RR-1	Rural residential district
	RR-2	Rural residential 2 district
	RR-3	Rural residential 3 district

Residential and multiple-family residential districts:

	R1-20	Residential district
	R1-12	Residential district
	R1-8	Residential district
	RM-7	Multiple residential district
	RM-15	Multiple residential district

Commercial and industrial districts:

	CB	Commercial buffer district
	C-N	Neighborhood commercial district
	C-S	Commercial shopping district
	C-H	Highway commercial district
	C-G	General commercial district
	M-D	Manufacturing - distribution district
	M-G	General industrial district

Special districts and overlay zones:

	SA	Sensitive area district
	ROZ	Redevelopment overlay zone
	AOZ	Airport overlay zone
	GHO	Geologic hazards ordinance
	RSD	Resort special district

## 8-5A-1: PURPOSE:

### 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. (2010 Code)

## 8-5A-3: USE REGULATIONS:

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the multiple use, agricultural or rural residential districts, except as provided in this article.

		Districts							
		MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3
Accessory buildings and uses customarily incidental to conditional uses		C1	C1	C1	C1	C1	C1	C1	C1
Accessory buildings and uses customarily incidental to permitted uses		P	P	P	P	P	P	P	P
Accessory buildings and uses customarily incidental to permitted agricultural uses		P	P	P	P	P	P	P	P
Agricultural and forestry:									
	Agribusiness	C2	-	C2	C2	C2	-	-	-
	Agriculture, including grazing and pasturing of animals; the tilling of the soil, the raising of crops, horticulture and gardening	P	P	P	P	P	P	P	P
	Apiary and aviary	P	P	P	P	P	P	P	P
	Family food production	P	P	P	P	P	P	P	P
	Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, mink, rabbits, including wholesale and retail sale	P	P	P	P	P	P	P	P
	Forest industry, such as a sawmill, wood products plant, etc.	C2	C2	C2	-	-	-	-	-

	Forestry, except forest industry	P	P	P	P	P	P	P	
	Fruit/vegetable stand	C1	C1	C1	C1	C1	C1	C1	C1
	Bed and breakfast inn	C1	-	C1	C1	C1	C1	C1	C1
	Commercial recreation use (subject to regulations in section <a href="#">8-6-40</a> of this title):								
	Heli-skiing	P1	P1	-	-	-	-	-	-
	County fairgrounds uses	-	-	C3	-	-	-	-	-
	Dams and reservoirs	C3	C3	C3	C3	C3	C3	C3	C3
	Dude ranch - (no separate cooking facilities in accessory lodging structures)	C2	C2	C2	-	-	-	-	-
	Dwellings:								
	Accessory apartment	C1	-	C1	C1	C1	C1	C1	C1
	Homes or mobile homes on bona fide farms or for worker housing	C1	-	C1	-	-	-	-	-
	Recreation dwelling (shall not utilize the same minimum lot area as a main dwelling)	C1	C1	C1	-	-	-	-	-
	Residential facilities for handicapped or elderly	C3	-	C3	C3	C3	C3	C3	C3
	Single-family dwelling	C1	-	P	P	P	P	P	P
	Home occupation	P	-	P	P	P	P	P	P
	Household pets	P	P	P	P	P	P	P	P
	Kennel	C2	-	C2	C2	C2	-	-	-
	Land excavations	C2	C2	C2	C2	C2	C2	C2	C2
	Mine, quarry, gravel pit, rock crusher, concrete batching plant or asphalt plant, oil and gas wells, steam wells, test borings for exploration, etc.	C3	C3	C3	-	-	-	-	-
	Mobile home developments, including mobile homes in mobile home parks or subdivisions, are permitted in a planned district only	A	A	A	A	A	A	A	A
	Power generation (commercial)	C2	C2	C2	-	-	-	-	-
	Power generation (personal use)	C1	C1	C1	C1	C1	C1	C1	C1
	Private park or recreational grounds, or private recreational camps or resorts, including accessory or supporting dwellings or dwelling complexes, and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C2	C2	C2	-	-	-	-	-
	Public and quasi-public uses. Exception: Public school	C3	C3	C3	C3	C3	C3	C3	C3
	Airports	C3	C3	C3	-	-	-	-	-



	Specialized correction facilities	C3	-	C3	C3	C3	-	-	-
	Public facilities or public service facilities. Exception: Governmentally operated essential service facilities such as police, fire, ambulance substations, and animal control facilities	C3	C3	C3	C3	C3	C3	C3	C3
	Public schools and governmentally operated essential service facilities	P	P	P	P	P	P	P	P
	Public stable, riding academy or riding ring, horse show barns or other equestrian facilities under single management	C2	-	C2	C2	C2	-	-	-
	Railroad facilities and rights of way	C3	C3	C3	C3	C3	C3	C3	C3
	Recreational vehicle storage (personal storage only)	P	P	P	P	P	P	P	P
	Religious uses (including churches, rectories, and other faith based uses)	P	P	P	P	P	P	P	P
	Special uses:								
	Child daycare centers, subject to regulations as set forth in section <a href="#">8-6-39</a> of this title	-	-	C1	C1	C1	C1	C1	C1
	Swimming pool (private)	C1	C1	C1	C1	C1	C1	C1	C1
	Temporary buildings for uses incidental to an approved construction project, including temporary living quarters, which buildings must be removed within 90 days of completion or abandonment of the construction work	C1	C1	C1	C1	C1	C1	C1	C1
	Temporary gravel pit, crusher, subject to the provisions of section <a href="#">8-5A-11</a> of this article	C3	C3	C3	C3	C3	-	-	-
	Temporary meteorological monitor tower, subject to regulations in section <a href="#">8-5A-12</a> of this article	P	P	P	-	-	-	-	-
	Temporary uses	Subject to regulations in section <a href="#">8-6-16</a> of this title							

(2010 Code; amd. Ord. 10-11, 6-15-2010; Ord. 10-16, 12-14-2010; Ord. 10-17, 12-14-2010; Ord. 11-10, 6-21-2011; Ord. 11-11, 9-20-2011; Ord. 11-15, 11-1-2011; Ord. 12-01, 3-6-2012; Ord. 14-08, 12-4-2014; Ord. 15-02, 3-17-2015; Ord. 15-06, 6-21-2015)

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

	Districts								
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3	
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 <a href="#">8-6-18</a> of this title, shall be	160	1/4section	20	10	5	1	2	3	

(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	RR-2	RR-3
The minimum width in feet for any lot in the districts regulated by this article, except as allowed for utility uses and governmentally operated essential service facilities in section <a href="#">8-6-18</a> of this title, shall be	1,320	1,320	330	330	250	200	200	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	-	-	-

(Ord. 15-06, 6-21-2015)

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

### A. Front Yard Regulations:

	Districts							
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3
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	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	63	63
Where the proposed minimum right of way is more than 66 feet, the setback in feet shall be 1/2 proposed right of way, plus 30 feet	A	A	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	8	8

### B. Rear Yard Regulations:

	Districts							
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3
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	30	30
Accessory buildings	10	10	10	10	10	10	10	10
Utility facilities and governmentally operated essential service facilities	15	15	15	15	15	15	15	15

### C. Side Yard Regulations:

	Districts								
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3	
The minimum side yard in feet for districts regulated by this article shall be:									
Main buildings	60	60	60	60	20	15	15	15	
Accessory buildings	60	60	10	10	10	10	10	10	

Utility facilities and governmentally operated essential service facilities	15	15	15	15	15	15	15	15
---	----	----	----	----	----	----	----	----

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

### 8-5A-7: HEIGHT REGULATIONS:

The maximum height for all buildings and structures in districts regulated by this article shall be thirty five feet (35'), except as specifically provided for in other sections of this title. (Ord. 11-15, 11-1-2011)

### 8-5A-8: COVERAGE REGULATIONS:

	Districts							
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3
The maximum coverage in percent for any lot in the districts regulated by this article, except as allowed for utility uses and governmentally operated essential service facilities in section <a href="#">8-6-18</a> of this title, shall be	-	-	-	5	10	20	15	15

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

### 8-5A-10: IMPROVEMENTS COMPLETED OR BONDED AND IN PROGRESS BEFORE BUILDING PERMIT ISSUED:

Improvements are to be in compliance with standards adopted by the county.

	Districts							
	MU-160	F-1	A-20	RR-10	RR-5	RR-1	RR-2	RR-3
Street grading <sup>2</sup>	A	A	A	A	A	A	A	A
Street base <sup>2</sup>	A	A	A	A	A	A	A	A
Street dust treatment (oil or similar treatment)	A	-	-	A	A	A	A	A
Street paving <sup>1</sup>	-	-	-	A	A	A	A	A
Curb and gutter <sup>3</sup>	-	-	-	-	-	-	-	-
Sidewalk <sup>1</sup>	-	-	-	-	-	-	-	-
Surface drainage facilities <sup>2</sup>	A	A	A	A	A	A	A	A
Wastewater disposal facilities	A	A	A	A	A	A	A	A
Culinary water facilities <sup>2</sup>	A	A	A	A	A	A	A	A

Firefighting facilities <sup>2,3</sup>	A	A	A	A	A	A	A	A
Street name signs <sup>1</sup>	A	A	A	A	A	A	A	A
Street monuments <sup>1</sup>	-	-	-	A	A	A	A	A
Survey monuments boxes <sup>1</sup>	A	A	A	A	A	A	A	A
Streetlights <sup>1</sup>	-	-	-	-	-	A	A	A
Address numbers	A	A	A	A	A	A	A	A

Notes:

- 1.Improvements are applicable only to subdivisions, unless required by conditional use permit.
- 2.Construction completed prior to issuing building permits.
- 3.Indicates refer to fire officials for latest regulations.

(2010 Code; amd. Ord. 10-11, 6-15-2010; Ord. 10-13, 7-20-2010)





## PLANNING COMMISSION AGENDA

Thursday, March 23, 2017

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

### **The following items to be withdrawn due to insufficient Public Notice:**

6. Discussion/Public Hearing/Decision on Commercial Use Districts MCC 8-5C-1.
7. Discussion/Public Hearing/Decision on Commercial Use Table MCC 8-5C-3.
8. Discussion/Public Hearing/Decision MCC 8-5A-1D: Rural Residential Districts – Adding RR-2 and RR-3 zoning districts.
9. Discussion/Public Hearing/Decision MCC 8-5A-1 through 8-5A-8, 10: Rural Residential Districts – Adding RR-2 and RR-3 zoning districts.

### **Legislative Items:**

10. Discussion/Decision on Planning Commission Districts MCC 8-3-9, postponed from March 9, 2017 Planning Commission Meeting.
11. Discussion/Public Hearing/Decision on MCC 8-3-9C Planning Commission Districts, Planning Commission Compensation – Amending text regarding training requirements for Planning Commissioners.
12. Discussion/Decision: Proposed Amendments to the Future Land Use Map, postponed from March 9, 2017.
13. Discussion/Public Hearing/Decision on MCC 8-6-42: Short Term Vacation Rentals.

14. Discussion/Public Hearing/Decision on MCC 8-5A-3: Use Regulations – Removal of Farms devoted to raising and marketing chickens, turkeys, or other fowl or poultry, fish or frogs, mink, rabbits including wholesale and retail sale from the RR-1 Zoning District.
15. Discussion/Public Hearing/Decision on MCC 8-6-15G (1): Supplementary Regulations – Removing “Public Comment” verbiage.
16. Discussion/Public Hearing/Decision on MCC 8-12-19C: Review by County Staff of Concept Plan – Removing “Public Comment” verbiage.
17. Discussion/Public Hearing/Decision on MCC 8-6-43: Transportation Corridor – New Ordinance.
18. Discussion/Public Hearing/Decision on MCC 8-8-4: Performance Standards for all Conditional Uses.
19. Discussion/Public Hearing/Decision on MCC 8-8-5: General Standards for Conditional Use Developments.

**Administrative item moved to April 13, 2017 to allow for additional research by staff:**

20. Discussion/Decision of the Island Circle Small Subdivision Concept Plan, located at approximately 1151 W Island Circle in Morgan, Utah.

**Administrative Items:**

21. Discussion/Decision on Coventry Cove Plat Amendment – Postponed item from December 8, 2016, Planning Commission meeting.
22. Business/Staff Questions.
23. Approval of March 9, 2017 Planning Commission minutes.
24. Adjourn.



## PLANNING COMMISSION MINUTES

Thursday, March 23, 2017

Morgan County Council Room

6:30 pm

In attendance: Chair Ross, Vice-Chair Sessions, Member Bass, Member Stephens, Member Newton, Member Wilson, Member Mayerle, Lance Evans, Gina Grandpre, Laurel Orr

1. Call to order – prayer

Chair Ross called the meeting to order and Chair Ross offered prayer.

2. Pledge of Allegiance

3. Approval of agenda

**Member Bass moved to approve the minutes, with the change of moving item #14 to the top of the agenda, before item #10. Second by Member Sessions. Vote was unanimous. Motion carried.**

4. Declaration of conflicts of interest – None.

5. Public Comment

John Triplett – He noticed that items #6-9 are not on the agenda due to insufficient public notice. Hopes that the commission is extremely proactive in making those items known to the public through any means possible.

Carolyn Morrison – Regarding monitoring air quality. We have access to the Weber Health Dept. Wants council to contact them and ask for monitoring of air quality.

### **The following items to be withdrawn due to insufficient Public Notice:**

6. Discussion/Public Hearing/Decision on Commercial Use Districts MCC 8-5C-1.
7. Discussion/Public Hearing/Decision on Commercial Use Table MCC 8-5C-3.
8. Discussion/Public Hearing/Decision MCC 8-5A-1D: Rural Residential Districts – Adding RR-2 and RR-3 zoning districts.
9. Discussion/Public Hearing/Decision MCC 8-5A-1 through 8-5A-8, 10: Rural Residential

Districts – Adding RR-2 and RR-3 zoning districts.

### **Legislative Items:**

10. Discussion/Decision on Planning Commission Districts MCC 8-3-9, postponed from March 9, 2017 Planning Commission Meeting.

Chair Ross mentioned that we need to postpone.

**Member Newton moved to postpone item #8 to June 8, 2017 mtg., and requests that the County Council to decide what they want to do regarding Planning Commission districts and inform the Planning Commission. Second by Member Stephens. Vote was unanimous. Motion carried.**

11. Discussion/Public Hearing/Decision on MCC 8-3-9C Planning Commission Districts, Planning Commission Compensation – Amending text regarding training requirements for Planning Commissioners.

Grandpre presented that the county council had a discussion on the compensation/per diem. We need to remove verbiage that relates to training. There were no questions from PC.

**Member Sessions moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**

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

Grandpre reviewed the requirements as outlined in code and shared opportunities for commissioners to get the training.

**Member Sessions moved that the Planning Commission recommend approval to the County Council and adopt the amendments to Morgan County Code Section 8-3-9(C2), based on the text listed in the staff report dated March 23, 2017. Second by Member Bass. Vote was unanimous. Motion carried.**

12. Discussion/Decision: Proposed Amendments to the Future Land Use Map, postponed from March 9, 2017.

Evans presented the FLUM proposals. Explained that this is the end of a 2 year process of attempting to adopt changes to FLUM. The FLUM is a “high level view” type of document. In the past, land use designations, zones, districts were used interchangeably. Staff has attempted to clarify and not confuse those terms. He showed eastern map of Mountain Green. There are 11 changes proposed. He reminded, that we are not making any zoning changes, but designating what we want to encourage.

Chair Ross stated that the way we were planning now was because of zoning that was already set. The maps that we are looking at simply reflect the general plan. Evans advised that the PC break down the steps and slow down the process. Member Sessions asked about the heavy industrial vs light manufacturing designation. Grandpre suggested that the PC continue to discuss it. Member Sessions asked for that portion to be commercial on the FLUM, not heavy industrial. She suggested that there are areas by Trappers Loop and near Browning that need more discussion – possibly changing to Ranch Residential.

Evans showed the Mtn Green western area map with a similar # of changes. Member Sessions showed various areas on the map that she suggests change of designation. Evans showed the Enterprise map and noted changes. He directed PC to other are maps in packets.

Member Newton noted an area that needs more discussion is in Mtn Green. We are where we need to be in other areas. He would like to see us forward some maps to county council as to not hold up more progress. Staff clarified that the PC can move forward with changes, if needed. Chair Ross and some members of staff expressed concern about forwarding Mtn Green, but other areas of the county are ok. Chair Ross asked Councilman Haslam if it would be a good idea to forward portions of the county, not the whole. Councilman Haslam suggested that portions can be forwarded and that they come as separate motions to the County Council. Staff presented various maps to the PC and the PC suggested changes to some specific areas.

**Member Newton moved that the Planning Commission recommend approval to the County Council of the Future Land Use Map Amendments, amending the Future Land Use Map, as outlined in the staff report on March 23, 2017, with the following changes:**

- 1. Maps B – F with no changes**
- 2. Map A, 1 and 2, (Mountain Green east and west maps) with changes discussed and noted on the physical maps.**

**Second by Member Bass. Vote was unanimous. Motion carried.**

### **13. Discussion/Public Hearing/Decision on MCC 8-6-42: Short Term Vacation Rentals.**

Evans presented new ordinance on short term vacation rentals. This ordinance is essential in order to take advantage of potential taxing and it can regulate how they should be regulated. In broad brush terms: the owner is responsible, it will require a permit and a license, and there will be requirements for maintenance in order to minimize impact on neighbors.

PC members asked questions of staff regarding regulating. Evans clarified that we can regulate through business license, permitting, and written consent.

**Member Sessions moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**

Carolyn Morrison: She thinks the idea is very difficult to understand because people like to have recreation. Thinks there is a place for that. Property owner's location is going to have an impact on the community. If there owner isn't responsible, then who is responsible? We don't have the law in Mtn Green that we can plan on having the help for the community as they arise. Also, she has questions about sewer and septic tanks in Mtn Green. Nothing has been approved as to what will be the choice. It is left up to the community to try to work it out. Earlier governments regulated homes with septic tanks to 9 household members.

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

**Member Stephens moved that we forward a positive recommendation to the County Council for the adoption of MMC Section 8-6-42: Short Term Vacation Rentals, based on the text listed in the staff report dated March 23, 2017. Second by Member Bass. The vote was unanimous. The motion carried.**

14. Discussion/Public Hearing/Decision on MCC 8-5A-3: Use Regulations – Removal of Farms devoted to raising and marketing chickens, turkeys, or other fowl or poultry, fish or frogs, mink, rabbits including wholesale and retail sale from the RR-1 Zoning District.

Evans introduced himself as new planning director and gave presentation on amendment to zoning ordinance. He explained the intention of the zoning ordinance to clarify the existing allowed uses in RR1 zoning regarding commercial farming operations. The item came forward to amend to remove the intense ag uses from the RR-1 zone that would not be appropriate. He acknowledged that the public notice may have been misleading. Evans clarified that this amendment would not remove any existing farms – only disallow new. Existing farms would become legally non- conforming uses. It may effect expansion of farms on lots that are split zoned. This would also not affect people who have animals for hobbies (such as 4H) those hobbies are accessory to residential dwellings.

Chair Ross shared with Evans that the Planning Commission has been looking at inconsistencies in code for about 2 years. One of those is in the RR-1 uses – some are the same as those in commercial ag zones. The public notice was indeed somewhat misleading, but that is not what the intention was. He clarified that the intent was not to address any existing uses or hobby farms. He assured that Morgan County is an agricultural county and it will remain so. Chair Ross also clarified that difference between legislative and administrative decision. We are here to take public comment and listen to their input. The PC is not making a decision tonight.

Member Sessions mentioned that this is not going to effect the backyard raising of



animals. She noted that the Family Food Production piece of the code is not going to be effected. They are protected in all zones. She noted that the ag industries are not listed in the conditional use table. She suggested that we need to add ag industry into our conditional use table to specific zones in the code so that they are not non-conforming. Evans feels that those uses would fall under the broader agriculture industry definitions. And that Ag is included in most of those zones, though it be more clear if we put it in the use table. Member Sessions suggested that we continue to clear up inconsistencies.

Chair Ross asked “What is the problem that we are trying to remedy?” We have some issues with Ag uses in some zones that need to be discussed. Evans said that the amendment is to clarify that we do not want a commercial farming operation that is not appropriate in a rural residential 1 acre zone. As it sits now, someone is able to do that. Member Sessions shared that residential code calls for a minimum use of animals, so commercial animal operations don’t fit into that. She said that it’s a square peg / round hole situation. One needs to be changed. She asked if there’s a way to restrict some uses just in Mtn Green using a political boundary. Evans shared that that would take further study and possible a zoning ordinance change.

Member Newton asked Evans to share where most of the RR1 zoning exists in Morgan County. He explained that it is along the main transportation corridors such as Morgan Valley Drive, and Hwy 66. There are some subdivisions in Mtn Green that also have RR1 zoning.

Member Sessions noted that coverage requirements in RR1 are 20%. Mink farms cover more than 20% of the lot. With new uses, we will have to consider coverage requirements. Member Newton asked Evans to explain to public where they can find info regarding zoning and ordinances. Evans suggested that they call our office or look at the county website under the planning and development section. He noted that sometimes misinformation gets spread through social media and encouraged public to become informed through use of official resources.

Chair Ross reminded the public that there is a lot to get to tonight, and wants people to be informed as they give their comments. He suggested we be “quick to listen, slow to speak, and slower to become angry with each other”.

**Member Newton moved to go into public comment. Second by Member Sessions. The vote was unanimous. The motion carried.**

*Lewis Dillree, Stoddard lane. Mink farmer.* The PC lit a candle with the announcement. The planner stated that existing operations will remain. Debbie shared that minutes and bylaws are confused. Mink farms aren’t even noted. Doesn’t understand how beef, chickens, etc are permitted in RR1 when the agenda said they are not. He would like an answer to know what future plans for agriculture in the county are. Will new boards next year rule it out? Said that Evans made a point that he wouldn’t build a house next to a feed lot -- people are building million dollar homes right next to feed lots. He thinks there should be covenants to keep new homes from being built within a few feet of an ag

industries.

*Traca Wardell.* She wants clarification on current mink farms being grandfathered in. For how long? Her concern is the fact it won't go away. For example, would her son, if he wanted to start a mink farm on a 1 acre lot, would that be allowed?

*Todd Wardell.* The PC said that they would be grandfathered in, but if they want to expand, they would have to rezone? He doesn't think that is fair. He understands that lots of ordinances contradict, but thinks that we are trying to cover one small area and we are effecting the whole county by doing it. He was assured in the past that he wouldn't have a problem, but that was not correct.

*John Wilkinson.* He thanked PC and asked for a definition of commercial. What does that mean? Large commercial? If grandson sells rabbits, is that commercial? Also regarding non-conforming lots, he understands that there can be no other changes. We need to answer that question.

*Alex Taylor.* Asked, since mink are on the agenda, would buffalo be considered exotic. If one day she decided to continue with it, would she be allowed to? At one acre? She is also upset as to how she found out about the meeting. She read the paper and feels that the correct information needs to be put out.

*Brian Boyce, mink rancher.* He understands the grandfathering part. What about new ranches? Could somebody not related that wants to create a new ranch, do so? His grandfather was a rancher in the Salt Lake Valley and was re-zoned and re-ordinanced right out of business, so he came to Morgan.

*Rachel Halvorson, husband is a mink farmer.* She wants clarification of the definition of agriculture. Mink ranching is different. It doesn't take a lot of acreage to have a mink farm.

*Brian Porter, life long resident of Morgan.* He wants council to understand that this valley was started with Ag, not building homes on 1 acre lots. New people need to accept the smell, fleas, and ag or leave.

*Missy Weazy.* She noted that wording in notice was poorly put together. She wants the council to consider that some of the people she's known all her life. Her family has farmed Morgan Valley for 3 generations. She doesn't think council is taking them into consideration. She is concerned that PC could diminish a way of life through rezoning and changing ordinances.

*Bruce Clark.* One of the issues that he's concerned with is modern agriculture. There is a lot of competition. Some do it for 4H or whatever. He feels that the county should promote ag. It can slowly go away. Also, a lot of people are growing animals and selling them from their house, no matter the zoning. For example, what if he wants to put in an organic dairy and sell raw milk from his house or at a stand, this issue would disallow it.

Small ag should be protected, not shut down. RR1 designation would shut them down. He doesn't think that those uses should require a conditional use permit.

*Jason Lott. On behalf of mink ranching community and local ag. Local veterinarian.*

When you drive around Morgan County, there are lots of ag uses in RR1. He sells sheep out of RR1 zone. These are hobbies and side jobs for many people. When you go about putting regulation on RR1 zones, it stifles their ability. Coalville did the exact restrictions. A mink farmer built a shed 50 ft into an RR1 zone and now he is in a lawsuit. We first need to define the idea of commercial? Is selling 30 lambs, 10 chickens, eggs, cheese, commercial? Maybe incorporation of parts of the county is appropriate rather than stifling other areas of the county in RR1 zoning.

*David Potter. Former Ag teacher in Morgan School District.* He sees a lot of people all of the time who asks where do you live. When he tells them Morgan, they say it's beautiful. Don't fix it if it ain't broken. We have a lot of problems, but we have something great. The notice in the paper mentioned getting rid of these agriculture things in backyards. That's what happened down in the valley. Keep this valley as beautiful as it was when whoever moved in. Most people who are complaining should get a job like he had, a farmer. His teaching job was creating more farmers. He encourages kids to do things like that – to get work experience. They all benefitted. Students thanked him for what he taught them. Don't fix what ain't busted.

*Mindy Savage.* She wants to piggy back on what others have said. She lives in subdivision where lots are just over an acre. How does a person get grandfathered in? Her kids have done 4H animals and introduced others to it. Activities like this keep kids out of house and doing productive things, so they're not playing video games all day. It's been a blessing to her and her family to do those things.

*Lynn Boyce. Mink rancher.* She listed benefits of keeping ag uses. It's not right to put restrictions on ranchers and farmers. One you start you won't quit. Let neighborhoods create HOAs if they don't want it.

*Lucille Francis. Mink rancher and hobby farmer.* Even if their ground is grandfathered in, they won't be able to expand on other parcels that they own. Her special needs sons may only be able to be a mink farmer, but this ordinance change could take the possibility away from him.

*Jeff Francis. Mink rancher and also raises lambs for 4h kids.* Their own children raise animals. They are not raising animals, they are raising kids. It's a good way for kids to learn to work. If you do away with it, they've got nothing to do but to get into trouble.

*Lyle Porter.* He wonders what problems are in the RR1 zoning or what they anticipate the problem is. Something has changed in the county. People shouldn't move here if they don't want to live close to Ag. Possibly limit the number of animals, but not just because somebody doesn't want to live next to Ag. Accommodate everyone in the county.

*Stan Larsen.* The council needs to consider defining what commercial is. They need to define what a farm is. Having small one acre farm, any kind of ag whatsoever, has far reaching impact on youth other than just having an animals. Working on a farm or raising your own animals is teaching our kids, our future, how to work. He cannot tell how many people he has on his job site and they only know how to look at their phones. Several young men from this county who have worked for mink farms – they are the hardest workers that he has worked with on his jobs. They’ve learned that from working on a farm. If we take that away from them, even on a 1 acre scale, they won’t have the opportunity to learn that work ethic. Taking it away is a stupid idea.

*Dean House.* Lived in Morgan County for 50 years doing ag. 40 years ago they started Jr livestock sale at county fair with 13 animals. Now there are near 300 animals. It is the one thing that every kid in the county can do. Kids don’t need to be sports stars -- he can tend an animals and people will see how hard he’s worked. Morgan County has the oldest Jr livestock show in the state. The PC wants to whittle down the opportunities. Even if some don’t like the smells and sounds of ag, people come to county because they love the rural environment. He’s raised a good family here and his kids have raised good families here. We love it.

*Jeremy Belinski.* He can offer an outside perspective. They didn’t know one family in the valley when they moved here. They moved here because it is an Ag valley. He looked at all of the resources of communication and found that the messages were not consistent. He recommends that we looks at that. The public consistently have issues with what changes mean and what are the impacts. Scenario based examples might be helpful. He has LLCs – what is a commercial operation? This needs to be properly defined. He recommends to keep track of questions. If they don’t have opportunity to ask questions and have they answered then we will never have clarity. Don’t move too far forward without a Q&A. He recommends as a planning commission to listen to the residents. He jokingly noted that he was disappointed to see frogs on the list, as he was raised in southern Mississippi and loves a good frog leg

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

Chair Ross re clarified that the problem being addressed is some inconsistencies in the code. He recognizes that this issue has brought some tensions to the surface. He thanked public for sharing tangible, practice suggestions to the commission.

Evans came to microphone to answer questions. PC has received several letters. He addressed concerns for the future plans for Ag. We do not wish to change any Ag uses. How long is something grandfathered? As long as it keeps going and doesn’t stop for over a year – regardless of ownership. Rezoning? He addressed comments about definitions and explained that we will present those in future community meetings. He apologized for public notice. We will try to do better. We will work on issues of public input with staff and with the commission. He clarified that there is a difference between

county and city. The changes in question tonight would only apply to county.

Member Sessions commented that she would like to recommend that whenever a motion is made, Morgan County Farm Bureau could work with breeders to come up with good solutions to suggest.

Member Newton added for discussion wants everyone in public to know that the PC is taking notes on comments and there are really great things brought up and great suggestions. The PC definitely needs to define what commercial means and clearly define it. He does not feel that it's appropriate to move forward with any type of recommendation other than possible further study.

Member Sessions commented to those that came in late, and encouraged public to look up Family food Production in the code on line. It already notes how many of what type of animals can be had on acre lots.

Member Stephens comments that he grew up here and that he feelings are in line with the public. We need to be careful not to ruin the feel of the county.

**Member Bass moved that the Planning Commission postpone indefinitely the amendment to Morgan County Code Section 8-5A-3, to allow the Farm Bureau Federation to facilitate a meeting with all Ag members of society to come with suggestions. Second by Member Sessions. Vote was unanimous. Motion carried.**

Chair Ross shared that postponing indefinitely means that it will not come back to the PC in its current form. Member Newton commented that Mr. Dillree mentioned protection for Ag – that is something that concerns all of us. There are members that run Ag operations that don't want subdivisions in their backyard. Those will all need to be discussed at a future point -- how to deal with living harmoniously.

Randy Sessions, president of Farm Bureau stood and requested 4-5 small breeders to give him their name so that they can facilitate a meeting.

15. Discussion/Public Hearing/Decision on MCC 8-6-15G (1): Supplementary Regulations – Removing “Public Comment” verbiage.

Grandpre reviewed past discussions about removing the verbiage “public comment” in an effort to clean up code to be in line with state code.

**Member Newton moved to go into public comment. Second by Member Sessions. The vote was unanimous. The motion carried.**

Carolyn Morrison: Asked for more clarification on the motion. She does not like anything that limits public understanding. Anything that takes away from that, she does not agree with.

Grandpre shared that the purpose of the code is to eliminate to public comment from administrative decisions where we already have code to guide decisions. Chair Ross shared that we have to match state code which changed in 2007. Also, public is still welcome to comment during public comment at the opening of the PC meetings.

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

**Member Newton moved to recommend approval to the County Council of the revision of Morgan County Code Section 8-6-15G-1n regarding “public comment” based on the text listed in the staff report dated March 23, 2017. Second by Member Mayerle. Vote was unanimous. Motion carried.**

16. Discussion/Public Hearing/Decision on MCC 8-12-19C: Review by County Staff of Concept Plan – Removing “Public Comment” verbiage.

Grandpre reviewed another section of code that need to remove the verbiage “public comment.” Again, cleaning up code and bringing it in line with state code.

**Member Sessions moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**

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

**Member Sessions moved to recommend approval to the County Council of the revision of Morgan County Code Section 8-12-19C regarding “public comment” based on the text listed in the staff report dated March 23, 2017. Second by Member Stephens. Vote was unanimous. Motion carried.**

17. Discussion/Public Hearing/Decision on MCC 8-6-43: Transportation Corridor – New Ordinance.

Grandpre presented the continuing discussion. We have fine-tuned our code to be more in line with state code. There are areas of the county that would benefit from a transportation corridor. This ordinance would add to the code because we don’t have one to address this. It does not specify where a transportation corridor is to be, just allows the county to do it. This will help with the process of working with legislature on developing an interchange in mountain green. It helps to prove that we are proactive.

Member Newton asked for clarification on item D. Grandpre shared that this gives the county opportunity to lay down a transportation corridor on the FLUM in the General Plan. Member Sessions noted that we haven’t put it on the FLUM yet. Evans clarified that you don’t have to have it shown on the map in order for the road to be constructed. It can be done, but doesn’t have to. This code allows the county to take steps toward a transportation corridor. Member Newton recommendation a change in verbiage to “limit



development for transportation corridor preservation...” Evans shared a version that he thinks would work “Preserve transportation corridors by land use regulation and by official maps.”

**Member Sessions moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**

Council Chair Tina Cannon thanked the PC for their work.

*Carolyn Morrison:* When Bill Cobabe was the planner she thought about the transportation problem. She discussed with him about the reservoir. Maybe a road should be built for those types of recreation and the problems that that can cause. She has had problems with off road vehicles that ride through Mtn Green. How do we control that? Chair Ross validated her concerns and asked her to bring those comments to the public comment portion of another meeting.

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

**Member Newton moved that the Planning Commission forward a positive recommendation to the County Council for the adoption of MCC Section 8-6-43: Transportation Corridor Preservation Powers, based on the text listed in the staff report dated March 23, 2017, with the following corrections:**

**1. Preserve transportation corridors by land use regulation and by official maps.**

**Second by Member Bass. Vote was unanimous. Motion carried.**

18. Discussion/Public Hearing/Decision on MCC 8-8-4: Performance Standards for all Conditional Uses.

Grandpre presented regarding performance standards. Additions and changes have been noted in the staff report. The purpose is to make changes to general standards and performance standards to tighten things up and make things more clear. She asked for questions.

**Member Sessions moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.**

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

**Member Newton moved that the Planning Commission recommend approval to the County Council for revision of Morgan County Code Section 8-8-4, regarding**

**Conditional Use Performance Standards based on the text as shown in the staff report dated March 23, 2017. Second by Member Bass. Vote was unanimous. Motion carried.**

19. Discussion/Public Hearing/Decision on MCC 8-8-5: General Standards for Conditional Use Developments.

Grandpre reviewed past discussions on general standards in effort to make consistent throughout the code.

**Member Newton moved to go into public comment. Second by Member Bass. The vote was unanimous. The motion carried.**

*Carolyn Morrison:* asked about the 30 day appeal period after items are moved to county council.

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

**Member Sessions moved that the Planning Commission recommend approval to the County Council for revision of Morgan County Code Section 8-8-5, regarding Conditional Use General Standards based on the text as shown in the staff report dated March 23, 2017. Second by Member Newton. Vote was unanimous. Motion carried.**

**Administrative item removed to allow for additional research by staff, to April 13, 2017:**

20. Discussion/Decision of the Island Circle Small Subdivision Concept Plan, located at approximately 1151 W Island Circle in Morgan, Utah.

**Member Newton moved to postpone item #20 to the April 13<sup>th</sup>, 2017 meeting. Second by Member Mayerle. Vote was unanimous. Motion carried.**

**Administrative Items:**

21. Discussion/Decision on Coventry Cove Plat Amendment – Postponed item from December 8, 2016, Planning Commission meeting.

Chair Ross clarified that applicant asked to be removed from agenda. It will come back at a later date after further research.

22. Business/Staff Questions.

Member Sessions asked about the deadline for training registration is April 1st. Grandpre

asked if anyone is going. Member Wilson said he would attend the training on April 20 & 21st in Brigham City. Tawna asked Grandpre to remind the PC to turn in their employee paperwork. Chair Cannon gave further information regarding per diem and compensation. Having compensation in the code attached to per diem will not work, it must be classified as compensation. Tawna needs the paperwork returned to her.

Member Newton shared a thought to consider. The truth of the matter is that social media is the way that most people are getting their news. He recommended the Planning Commission consider a facebook page that people can be directed to when issues are brought up on other social media sites. Agendas should not be posted – if it's ever missed, then there is a liability issue. Grandpre said that is an avenue that can be explored. Chair Ross suggested that staff do some research and that PC discuss it in a future meeting.

Chair Ross made a reminder to PC for training.

Chair Ross asked staff about wins and losses for the night. Member Bass shared concerns that we are not quite following Robert's Rules. She is concerned about technical points. Member Newton said to staff that at moments it may have seemed that the PC were dumping on them. The notice wasn't worded well, but he wants staff to know that it's not their fault. Chair Cannon shared that Chair Ross did a great job of validating concerns and did a good job of steering away from Mtn Green vs Rest of County. Appreciate Council members who come. Member Wilson wished that we can bring back the concerns and emotions of the comments. Member Mayerle was glad that public comment was encouraged.

23. Approval of March 9, 2017 Planning Commission minutes.

**Member Newton moved to approve the Planning Commission minutes dated March 9, 2017 with changes. Second by Member Sessions. The vote was unanimous. The motion carried.**

24. Adjourn.

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