PLANNING COMMISSION AGENDA
Thursday, February 26, 2015
Morgan County Council Room
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

Administrative:

1. Discussion and Decision of the Whisper Ridge Subdivision Phase 2 – Preliminary Plat – A proposed subdivision of approximately 51.576 acres into 48 lots in an R1-20 zoning district. The proposed preliminary plat is at the north end of the existing Robinson Lane in Mountain Green.

Legislative:

2. Discussion and Decision of the Wasatch Powder Bird Land Use Management Code Amendment – A proposed amendment to the Land Use Management Code for Morgan County, amending Section 8-2-1 Definitions, adding a definition for "Heli-skiing"; 8-5A-3 Use Table for F-1 and MU-160 Zones, allowing for heli-skiing as a permitted use; and adding Section 8-6-40 Supplementary Regulations, providing specific regulations and other provisions regarding recreational commercial uses in the F-1 and MU-160 zoning districts.
3. Discussion and Decision of the Anderson Future Land Use Map Amendment; a request to change the Morgan County Future Land Use Map for 40 acres of property located at approximately 3760 W Ridges Rd from the Natural Resources and Recreation designation to the Agriculture designation.
4. Planning Commission Business/Questions for Staff
5. Approval of minutes from February 12 , 2015
6. Adjourn

Morgan County, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations should call Gina Grandpre at 801-845-4015, giving at least 24 hours' notice prior to the meeting. A packet containing supporting materials is available for public review prior to the meeting at the Planning and Development Services Dept. and will also be provided at the meeting. Note: Effort will be made to follow the agenda as outlined, but agenda items may be discussed out of order as circumstances may require. If you are interested in a particular agenda item, attendance is suggested from the beginning of meeting.

MORGAN COUNTY
Planning and Development Services

Planning Commission
Staff Report

Whisper Ridge at Stone Canyon PRUD Phase II – Preliminary Plat
Public Meeting
February 26, 2015

Application No.:	14.004
Applicant:	Benson Whitney, representing Oakwood Homes (formerly Henry Walker Homes)
Owner:	Oakwood Homes (formerly Henry Walker Homes)
Project Location:	at the north end of Robinson Lane/Whisper Ridge Phase II Mountain Green
Current Zoning:	R1-20 (48 lots)
General Plan Designation:	Rural Residential
Acreage:	approximately 51.576 acres
Request:	Preliminary Plat Approval
Date of Application:	March 5, 2015
Date of Previous Meeting:	Concept Plan/Development Agreement Approval – 2006 Development Agreement Amendment – January, 2014

Staff Recommendation

County Staff recommends approval of the requested Preliminary Plat based on the following findings and with conditions listed below:

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area, as well as with the approved planned residential unit development (PRUD).
2. The proposal complies with the Morgan County 2010 General Plan.
3. The developer purchased land governed by a development agreement, originally approved in 2006.
4. That the developer will install any requisite infrastructure, including roadways, water lines, etc.
5. That the proposal is not detrimental to the health, safety, and welfare of the public.
6. That letters from affected utilities have been secured demonstrating that sufficient water and sanitary sewer capacity exists.
7. That a geologic hazards report has been completed for the property and the preliminary plat has been revised to account for potential areas of concern.

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the developer submit to the County Engineer for review construction documents for any/all public infrastructure.

3. That the developer either provide appropriate bonds for infrastructure improvements, or the developer installs infrastructure in accordance with approved plans, with a 10% maintenance bond.
4. That the developer removes the landscaping islands in Robinson Lane in the first phase while in the process of constructing infrastructure to the second phase.
5. That all other local, state, and federal laws are adhered to.

Background

The applicant is seeking approval of a subdivision preliminary plat for a 48-lot subdivision. The proposed subdivision is a second phase of the already-installed Whisper Ridge Subdivision, located in Mountain Green. The proposed subdivision is at the north end of Robinson Lane, which will be extended to provide access to the subdivision. The subdivision involves approximately 51.576 acres, giving an overall density of about 1.07 lots per acre.

The proposal is being reviewed for design standards as required by the Land Use Management Code (LUMC). The purpose of a preliminary plat is to:

> *…require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the provisions of this title and any other applicable county ordinances.* (LUMC 8-12-22)

Based on the findings and with the conditions contained in this staff report, the application appears to meet the minimum of requirements of the preliminary plat sections of the zoning and subdivision ordinances. It is important to note that because this is a preliminary, there may be some additional work necessary, as issues related to construction of the infrastructure present themselves. These issues will be resolved/addressed as the subdivision progresses through its Final Plat process. Recommendations regarding the preliminary plat 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, and demonstrating to the County that the developer has completed the majority of the engineering, geologic, and other requirements of the LUMC.

Analysis

General Plan and Zoning. Pursuant to the Future Land Use Map (see Exhibit B), the property is designated as a Rural Residential area. According to the General Plan, the Rural Residential designation "accommodates semi-rural large lot development, with generous distances to streets and between residential dwelling units in a viable semi-rural character setting." The proposed preliminary plat appears to follow the different designations in the General Plan and according to the Future Land Use Map, with a variety of lot sizes reflected.

The zoning of the parcel is R1-20 (Residential District – 20,000 square feet lot minimum). The purpose of the R1-20 zone is to provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character. The proposed concept plan has 48 lots in the R1-20 district. This provides an overall density of 1.07 lots per acre, which is less dense

than the ordinance requires. This density is part of an overall PRUD concept, however, and allows for smaller lots in some instances, while there are larger lots which will keep the average density relatively low.

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 are 48 total lots, all located in the R1-20 zone. The proposed conceptual lot layout appears to conform to the requirements of these zoning districts and are in keeping with the average density agreed upon in the Development Agreement.

Roads and Access. Access to the lot will be derived from Robinson Lane. Robinson Lane itself will be extended to the north to accommodate additional lots, and will eventually turn at the north to become Creek Loop Road, located on the westerly portion of the site. A small cul-de-sac for accessing parcels 217-219 is provided to the north as well. This will also provide an emergency vehicle turnaround, if necessary. Access to lots 218 and 219 will be via a 20' access easement located on the southerly portion of those lots.

Grading and Land Disturbance. The parcel has significant areas of steep slope on the western portion of the site sloping down to the west, and along the easterly portion of the property, sloping up to a ridge to the east. Areas of 25% slope have been designated on the as unbuildable, and roadways in the area will need to be graded appropriately to accommodate the steep slopes.

Water Source. Water will be provided through the Highlands Water Company. The Highlands Water Company has provided a letter to the County indicating that there is sufficient capacity in their system to accommodate the additional lots, and are willing to provide service to the proposed subdivision provided the developers enter into an agreement with the water company. Infrastructure improvements will be required as the development progresses, and any improvements installed by the developer must be completed and accepted prior to plat recordation.

Fire Protection. The property currently lies outside the Wildland Urban Interface Area. However, with the construction of fire hydrants and the provision of fire water to the area, it is anticipated that the additional development will be brought within the WUI Area.

Sanitary Sewer Systems. Sanitary sewer services will be provided by the Mountain Green Sewer District. The District has provided a letter to the County indicating that they have capacity sufficient to accommodate the proposed subdivision.

Storm Water. Storm water drainage will be accommodated in the network of streets through underground storm sewerage, which will drain into the existing natural and improved drainages.

Geologic and Geotechnical Evaluations. The proposed subdivision is affected by several significant geologic constraints, and as such was subject to an extensive study. The subdivision lies within the Qafb and Qac geologic units, both of which are designated as areas of study by LUMC Section 8-5I. There were a total of 56 test pits dug throughout the site, and a number of

bores were also drilled to test soils. The recommendations of the geologic hazards report appear to be reflected in the proposed preliminary plat, which designates certain areas as "no build" areas, including the steep slopes to the east and west, and an additional area of concern toward the north area of the proposed plat (see Exhibit E).

Utilities. Other utilities (power, gas, etc) will be installed per approved construction documents after they are submitted to the County Engineer.

Model Motion

Sample Motion for a *Positive* Recommendation – "I move we forward a positive recommendation to the County Council for the Whisper Ridge at Stone Canyon PRUD Phase II Preliminary Plat, application #14.004, located at the north end of Robinson Lane, based on the findings and with the conditions listed in the staff report dated February 26, 2015."

Sample Motion for a *Positive* Recommendation *with conditions* – "I move we forward a positive recommendation to the County Council for the Whisper Ridge at Stone Canyon PRUD Phase II Preliminary Plat, application #14.004, located at the north end of Robinson Lane, based on the findings and with the conditions listed in the staff report dated February 26, 2015, *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 Whisper Ridge at Stone Canyon PRUD Phase II Preliminary Plat, application #14.004, located at the north end of Robinson Lane, based on the staff report dated February 26, 2015, *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: Proposed Preliminary Plat
Exhibit E: Geologic Hazards Map
Exhibit F: Letters from Utilities (Water/Sewer)
Exhibit G: Letter from County Engineer
Exhibit H: Letter from County Surveyor

Staff Contact

Bill Cobabe, AICP
801-845-4059
bcobabe@morgan-county.net

Exhibit A: Vicinity Map

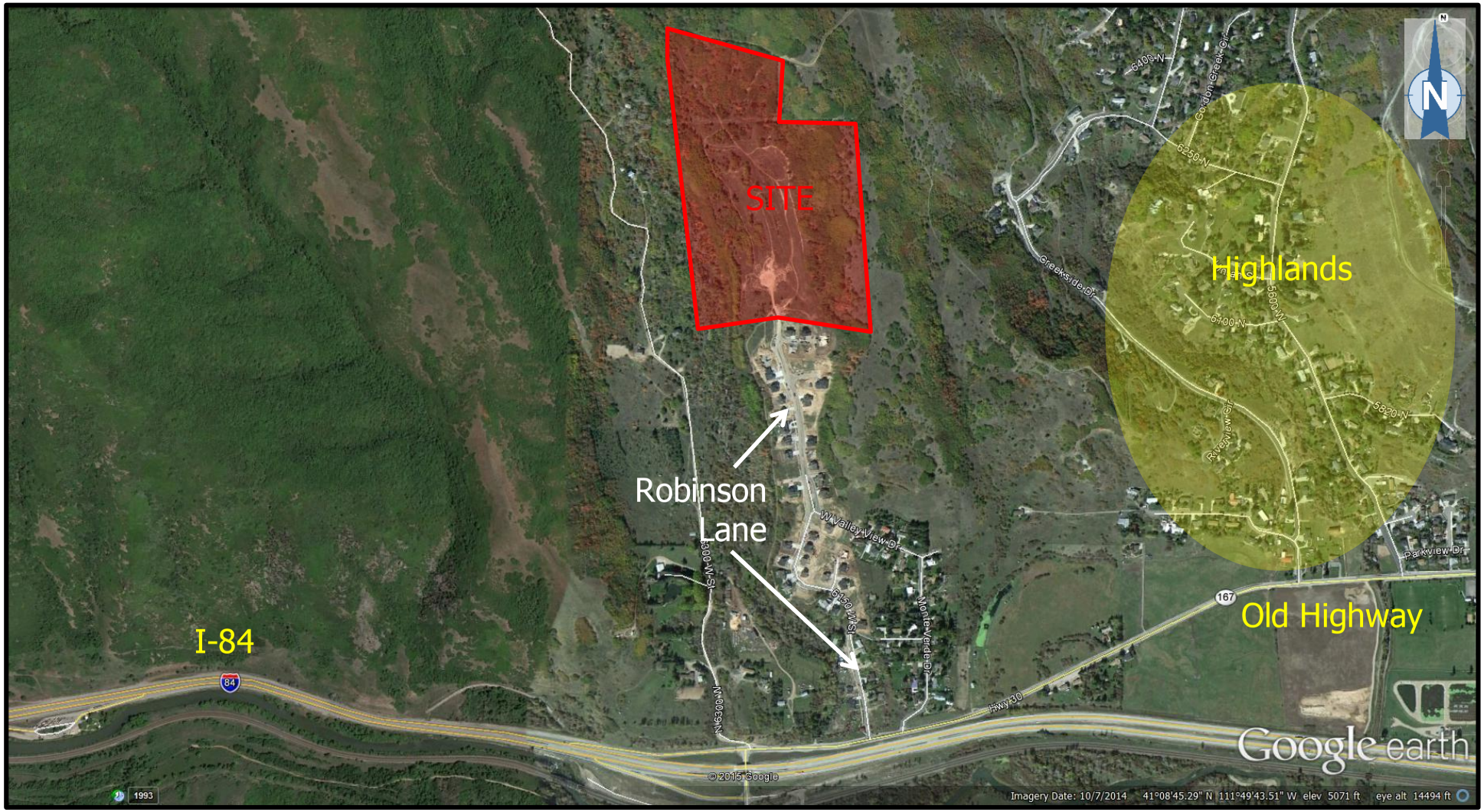


Exhibit A: Vicinity Map (Closer View)

Exhibit B: Future Land Use Map

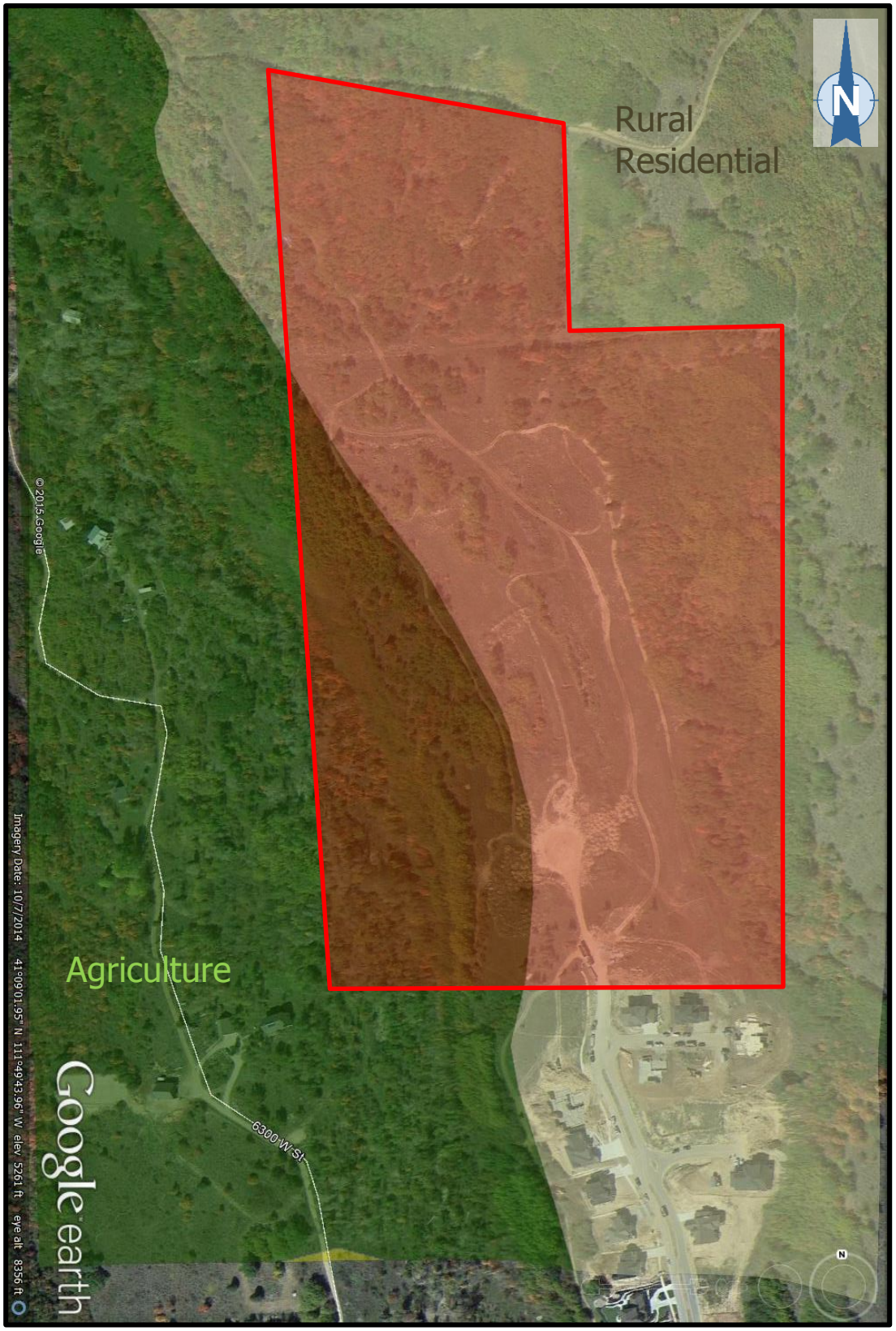


Exhibit C: Existing Zoning Map

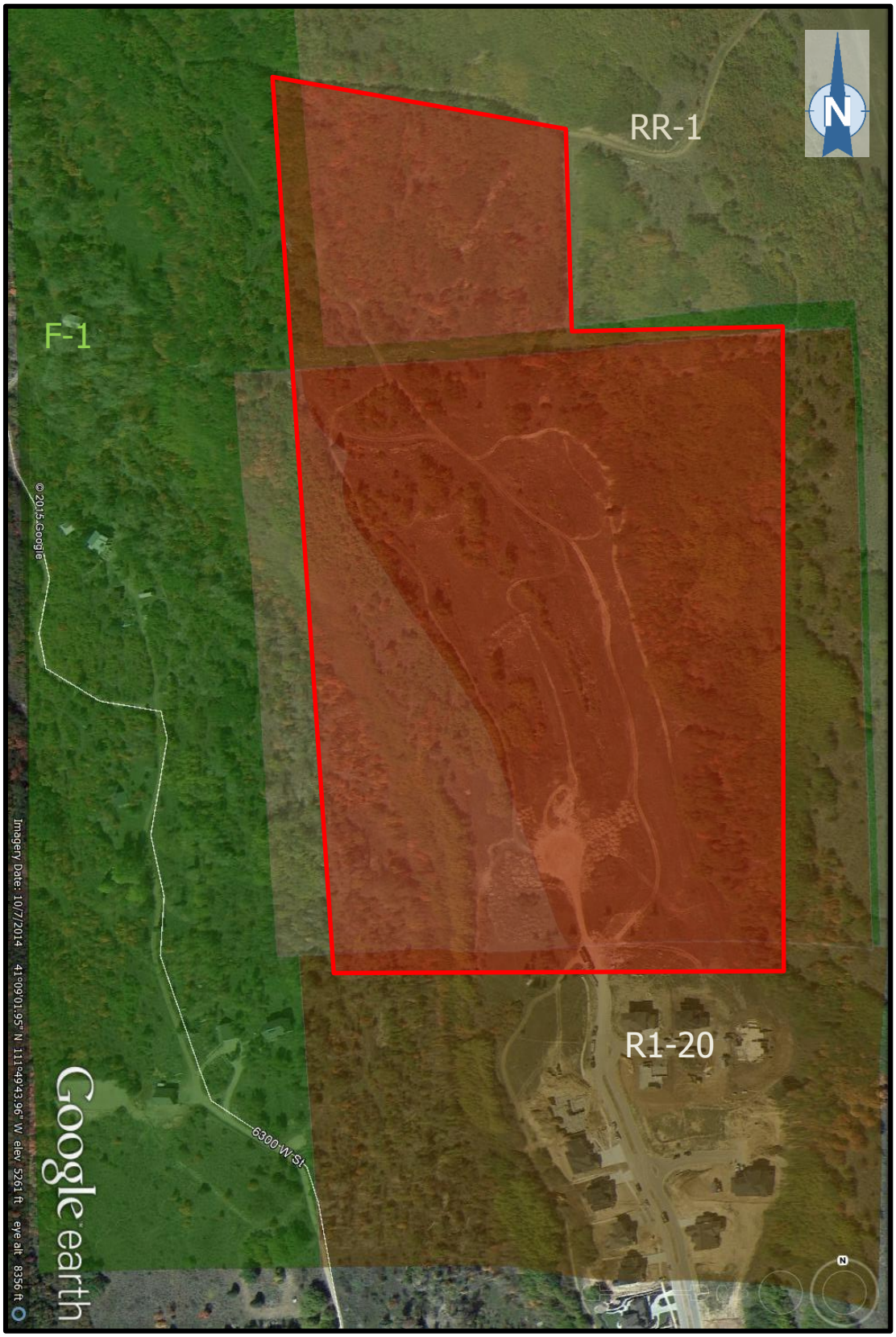


Exhibit D: Proposed Preliminary Plat (Page 1)

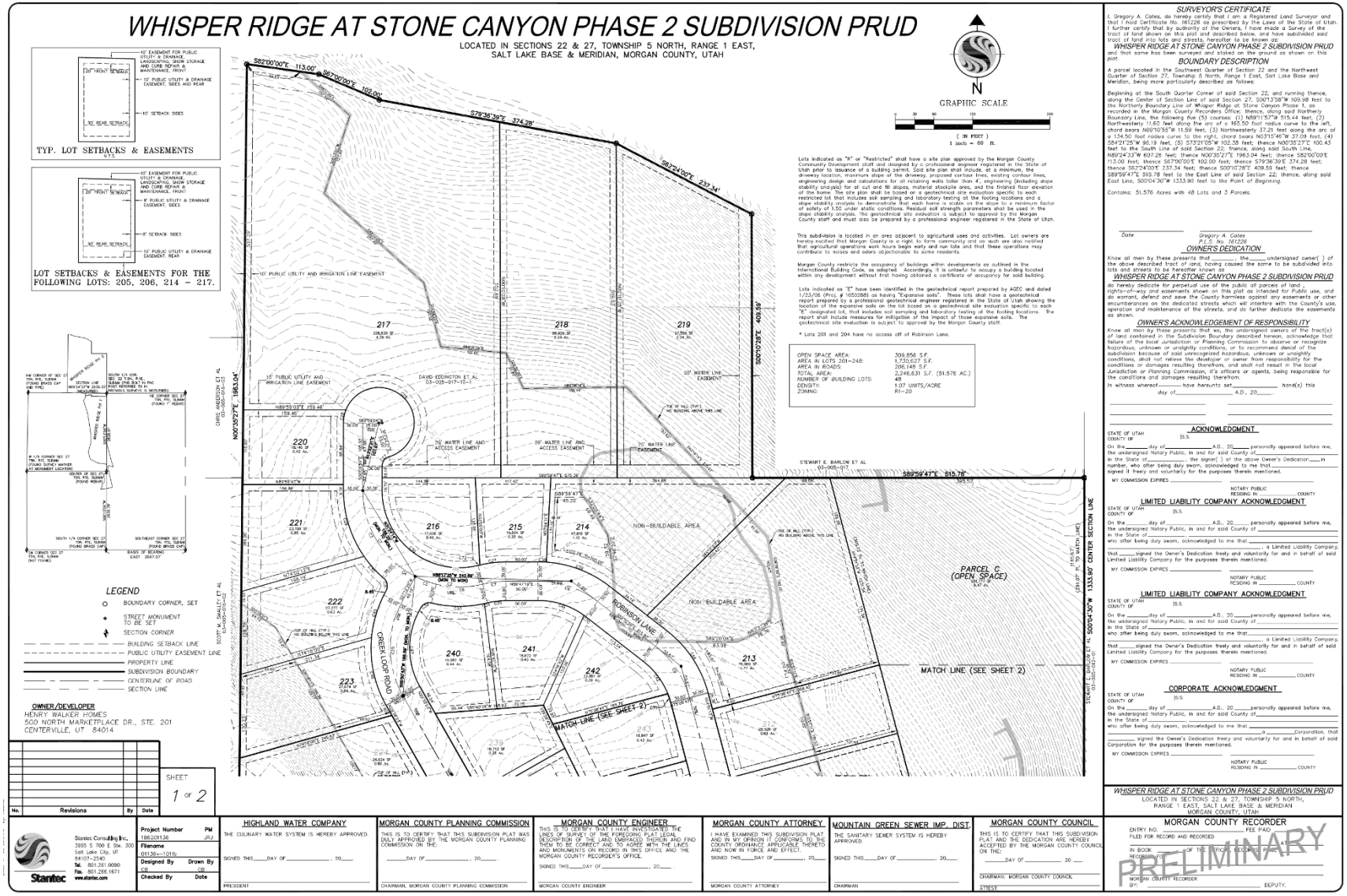
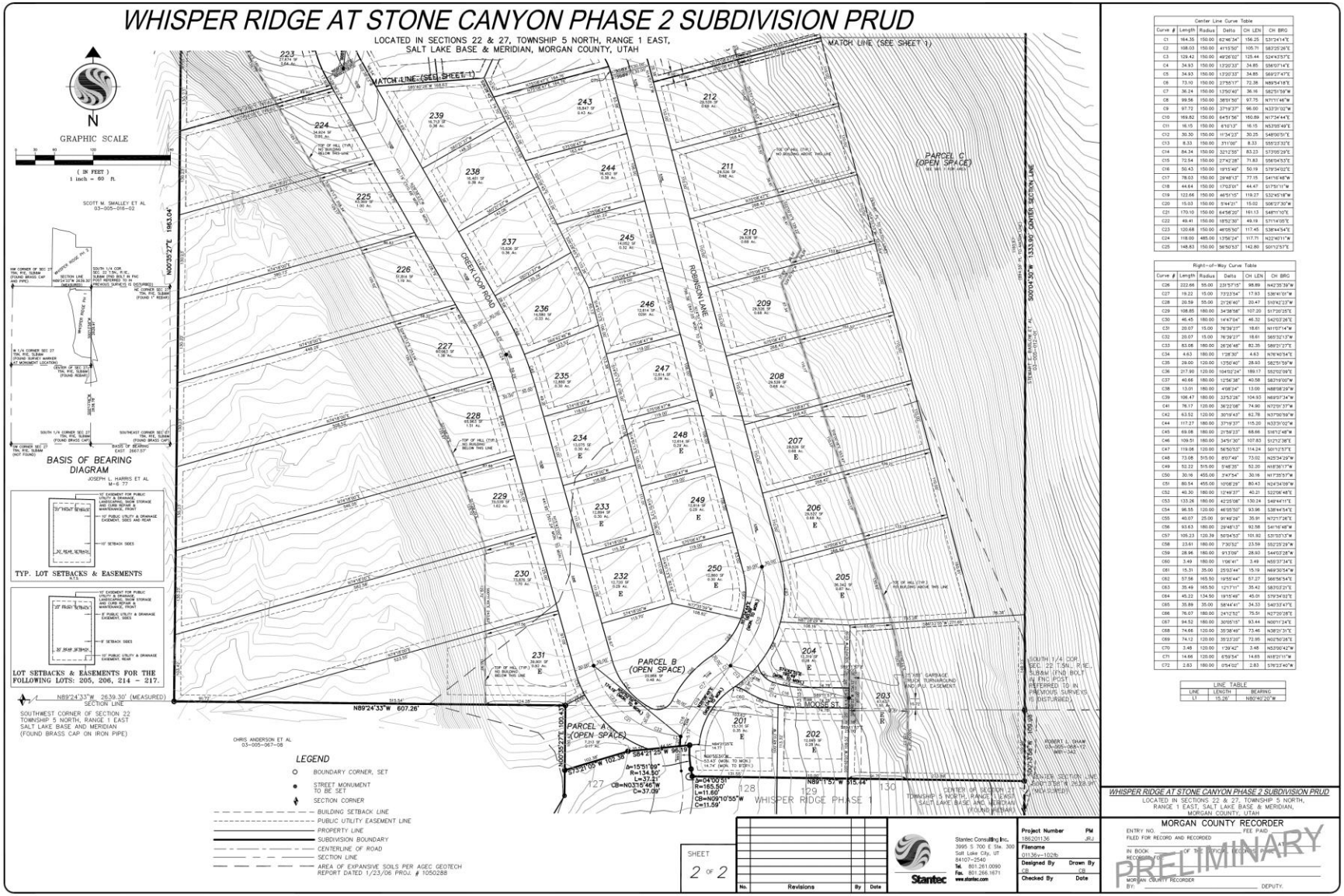


Exhibit D: Proposed Preliminary Plat (Page 2)



Center Line Curve Table					
Curve #	Length	Radius	Delta	CH LEN	CH BRG
C1	164.35	150.00	62°46'34"	156.25	S31°24'14"E
C2	108.03	150.00	41°15'50"	105.71	S83°25'26"E
C3	129.42	150.00	49°26'32"	125.44	S24°43'37"E
C4	34.93	150.00	13°20'33"	34.85	S56°10'14"E
C5	34.93	150.00	13°20'33"	34.85	S69°27'47"E
C6	73.10	150.00	27°55'17"	72.38	N89°54'18"E
C7	36.24	150.00	13°50'40"	36.16	S82°51'59"W
C8	99.56	150.00	38°01'50"	97.75	N71°11'46"W
C9	97.72	150.00	37°19'37"	96.00	N33°31'02"W
C10	169.82	150.00	64°51'56"	160.89	N17°34'44"E
C11	16.15	150.00	6°10'13"	16.15	N53°05'49"E
C12	30.30	150.00	11°34'23"	30.25	S48°00'51"E
C13	8.33	150.00	3°11'06"	8.33	S55°22'33"E
C14	84.34	150.00	32°12'55"	83.23	S73°05'29"E
C15	72.54	150.00	27°42'28"	71.83	S56°04'53"E
C16	50.43	150.00	19°15'49"	50.19	S79°34'02"E
C17	78.03	150.00	29°48'13"	77.15	S41°16'48"W
C18	44.64	150.00	17°03'26"	44.47	S17°51'11"W
C19	122.66	150.00	46°51'15"	119.27	S32°45'18"W
C20	15.03	150.00	5°44'21"	15.02	S06°27'30"W
C21	170.10	150.00	64°58'20"	161.13	S48°11'10"E
C22	49.41	150.00	18°52'30"	49.19	S71°14'05"E
C23	120.68	150.00	46°05'50"	117.45	S36°44'54"E
C24	118.00	485.00	13°56'24"	117.71	N22°40'11"W
C25	148.83	150.00	56°50'53"	142.80	S01°12'57"E

Right-of-Way Curve Table					
Curve #	Length	Radius	Delta	CH LEN	CH BRG
C26	222.66	55.00	231°57'15"	98.89	N42°35'39"W
C27	19.22	15.00	73°23'54"	17.93	S36°41'07"W
C28	20.59	55.00	21°26'40"	20.47	S10°42'23"W
C29	108.85	180.00	34°38'56"	107.20	S17°20'25"E
C30	46.45	180.00	14°47'04"	46.32	S42°03'26"E
C31	20.07	15.00	76°39'27"	18.61	N41°07'14"W
C32	20.07	15.00	76°39'27"	18.61	S63°32'13"W
C33	83.06	180.00	26°26'48"	82.35	S89°21'27"E
C34	4.63	180.00	1°28'30"	4.63	N76°40'34"E
C35	29.00	120.00	13°50'40"	28.93	S82°51'59"W
C36	217.80	120.00	104°02'24"	189.17	S52°02'06"E
C37	40.66	180.00	12°56'38"	40.58	S63°19'00"W
C38	13.01	180.00	4°08'24"	13.00	N88°08'29"W
C39	106.47	180.00	33°53'26"	104.93	N69°07'34"W
C41	76.17	120.00	36°22'08"	74.90	N72°01'37"W
C42	63.52	120.00	30°19'43"	62.78	N37°50'56"W
C44	117.27	180.00	37°19'37"	115.20	N33°31'02"W
C45	69.08	180.00	21°59'23"	68.66	S16°12'48"W
C46	109.51	180.00	34°51'30"	107.83	S12°12'38"E
C47	119.06	120.00	56°50'53"	114.24	S01°12'57"E
C48	73.08	55.00	85°7'46"	73.02	N25°34'25"W
C49	52.22	515.00	5°48'35"	52.20	N18°36'17"W
C50	30.16	455.00	3°47'54"	30.16	N17°35'57"W
C51	80.54	455.00	10°08'29"	80.43	N24°34'09"W
C52	40.30	180.00	12°49'37"	40.21	S22°06'46"E
C53	133.26	180.00	42°25'08"	130.24	S49°44'11"E
C54	96.55	120.00	46°05'50"	93.96	S36°44'54"E
C55	40.07	25.00	91°49'29"	35.91	N72°17'26"E
C56	93.63	180.00	29°48'13"	92.58	S41°16'48"W
C57	105.23	120.39	50°04'57"	101.90	S37°07'17"W
C58	23.61	180.00	7°30'52"	23.59	S52°25'29"W
C59	28.96	180.00	9°13'06"	28.93	S44°07'28"W
C60	3.49	180.00	1°06'41"	3.49	N55°37'34"E
C61	15.31	35.00	25°03'44"	15.19	N69°30'54"W
C62	57.56	165.50	19°55'44"	57.27	S66°56'54"E
C63	35.49	165.50	12°17'11"	35.42	S83°03'21"E
C64	45.22	134.50	19°15'49"	45.01	S79°34'02"E
C65	35.89	35.00	58°44'41"	34.33	S40°33'47"E
C66	76.07	180.00	24°12'52"	75.51	N27°20'28"E
C67	94.52	180.00	30°05'15"	93.44	N50°11'24"E
C68	74.66	120.00	35°38'49"	73.46	N38°21'31"E
C69	74.12	120.00	35°23'20"	72.95	N03°56'26"E
C70	3.48	120.00	1°39'42"	3.48	N53°00'42"W
C71	14.66	120.00	6°59'54"	14.65	N18°21'11"W
C72	2.83	180.00	0°54'02"	2.83	S76°23'40"W

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.28'	N80°40'20"W

Exhibit E: Geologic Hazards Map

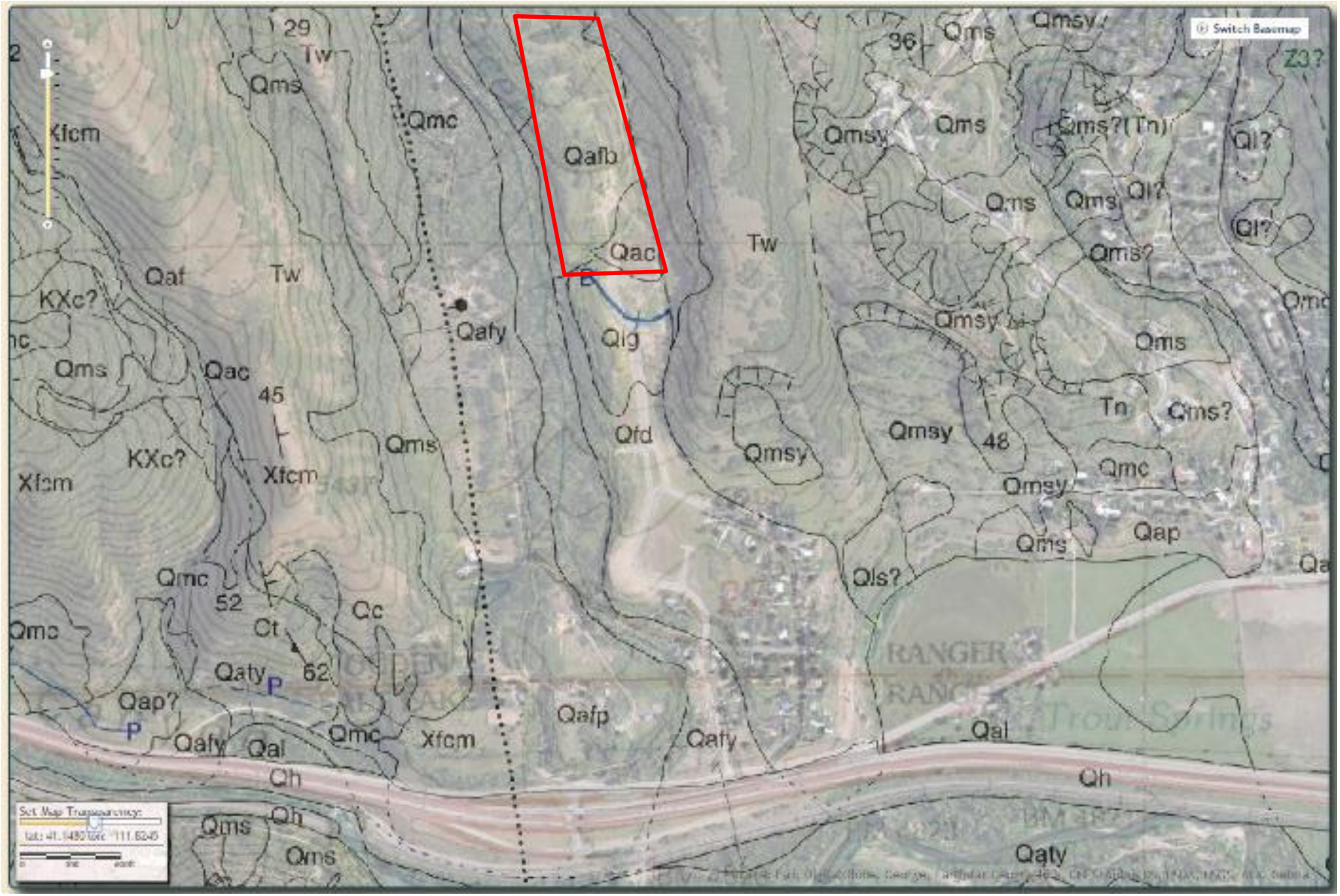


Exhibit F: Letters From Utilities (Water)

AUG-01-05 09:01 AM HOMETOWN PRODUCTIONS 801 876 2510 P.01

Highlands Water Company • 5880 Highland Drive • Mountain Green • Utah • 84050 • (801) 876-2510

Highlands Water Company

RECEIVED

MAR - 5 2014

Morgan County

July 29, 2005

To Whom It May Concern:

This letter is to inform you that Highlands Water Company will provide water for 65 lots in the Whispering Rock subdivision phase #1.

This will be done in accordance with water company rules and regulations and according to approval of the Utah Division of Drinking Water.

Any questions, please call me at 801.876.3494 or 801.391.1105 or 801.876.2510.

Thank you,

Rodger Smith
Manager, Highlands Water Company

Exhibit F: Letters From Utilities (Sewer)

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
5455 West Old Highway Road
Mountain Green, UT 84050
801-876-3416 / Fax 801-876-3558

RECEI
MAR - 5
Morgan C

CONDITIONAL WILL-SERVE
WHISPER RIDGE PHASE II

February 6, 2014

Mr. Benson Whitney
Henry Walker Homes
500 North Marketplace Drive, Suite 201
Centerville, UT 84014

Dear Benson:

The Board of Trustees of the Mountain Green Sewer Improvement District has reviewed your application for 51 connections in the Whisper Ridge Phase II development. The District has sufficient capacity and will serve all of the connections in the Whisper Ridge Phase II development, provided the following conditions are met:

1. That you provide the District with a set of the final, approved construction plans and sanitary sewer specifications for your development, and that the construction plans and sanitary sewer specifications meet or surpass all the requirements of the MGSID Sanitary Sewer Ordinance;
    a. This includes Trench Plugs on the sewer main to retard water flowing through trench bedding and eroding sewer pipe support per the specifications in MGSID Ordinance 3.03 G.
    b. Land Drain connections should also be provided to each lot in order to channel all downspout, runoff and surface water into the storm drain system and keep it from infiltrating and inundating the sewer lines and lift station that services Whisper Ridge and the west side of Mountain Green.
        i. Please note that MGSID will be required to upgrade the pumping capacity at the Monte Verde lift station in order to accommodate these additional connections, so we need your assistance in assuring no unnecessary water flow is introduced into the sewer system that could result in an overflow onto Old Highway and have a negative effect on the entire community.

2. That where geo-technical survey shows probable groundwater flow levels above eight (8) feet depth from final grade, your final project plan shall either prohibit basements in the affected area deeper than the probable flow level or include a land drain system with stubs to all the lots in the affected area, unless you can show a compelling reason to the District Board why this need not be done;

(continued)

3. That the final project plan shall require all basements to be protected from groundwater infiltration in a manner that does not drain groundwater into the sanitary sewer system. The preferred method of protection is a peripheral foundation drain that discharges into the land or storm drain system via gravity flow; however, the required protection may be a sump that is plumbed to carry groundwater away from the home and into a land or storm drain system;

4. That you receive Preliminary Approval for your project from the County Council within one year of the date of this letter. This Will-Serve Letter expires in the event that you do not receive Preliminary Approval within one year of this date;

5. That, prior to District signing of the final plans, you provide to the District the Impact Fees for all 51 lots in the Whisper Ridge Phase II development.

The Mountain Green Sewer Improvement District Board welcomes your development and the families who will become neighbors because of your efforts. The Board and staff are committed to provide the District residents with responsible administration, operation and maintenance in the collection, treatment and reclamation of wastewater.

For the MGSID Board of Trustees

Robert Volk, Manager

Exhibit G: Letter From County Engineer

WASATCH CIVIL
Consulting Engineering

M e m o r a n d u m

To: Bill Cobabe - Planning and Development Services
Morgan County

From: Mark T. Miller, P.E.
Wasatch Civil Consulting Engineer

Date: September 22, 2015

Subject: **Whisper Ridge Phase 2 - Preliminary**

We have reviewed the latest revisions to the Preliminary Plan for Whisper Ridge Phase 2. As mentioned in our September 17th, 2014 memo, we recommend approval subject to compliance with items in said memo and in our June 19th, 2014 memo. I think the Preliminary Plan is adequate to approve (from an engineering perspective) subject to those items being satisfactorily addressed on the final drawings.

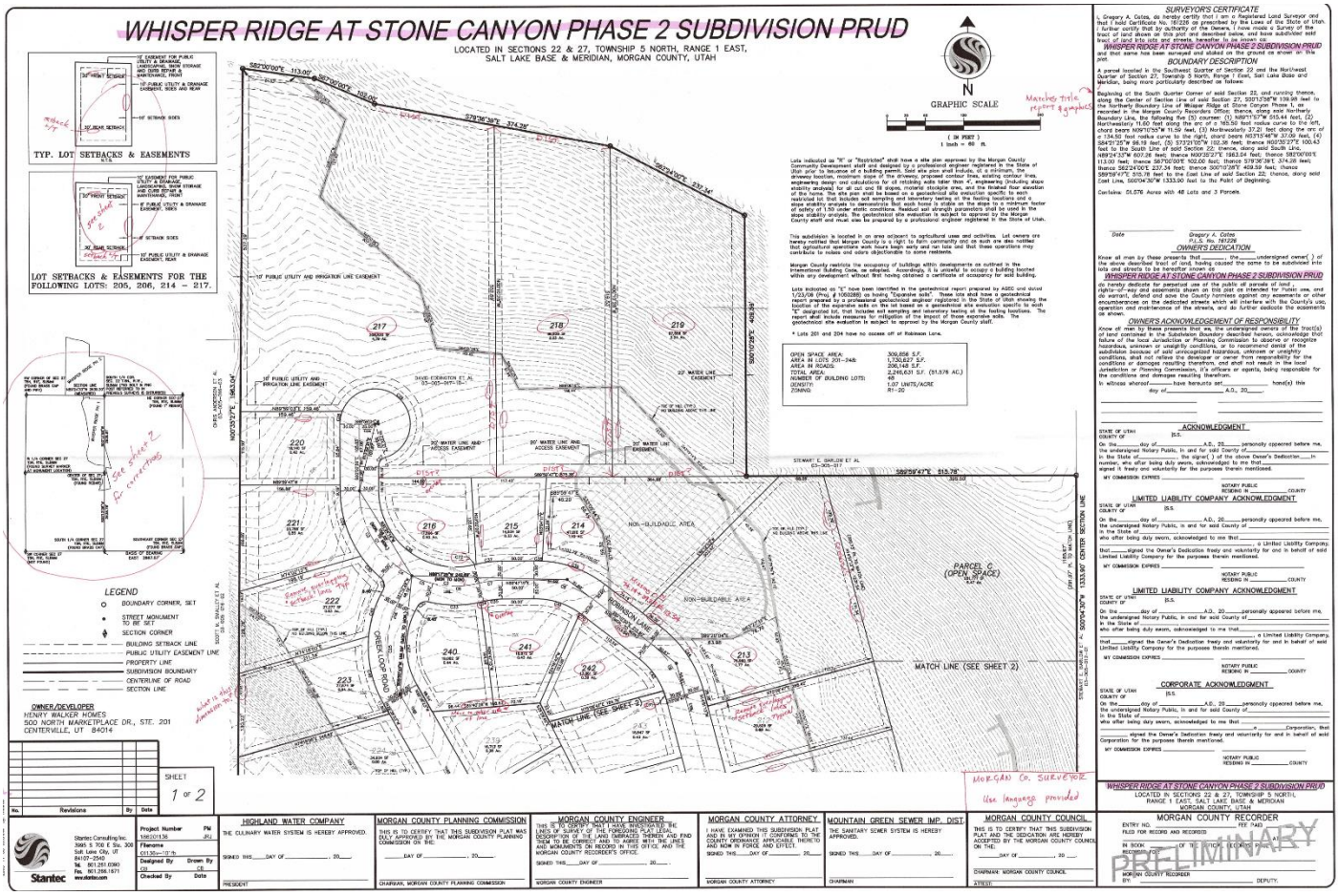
Additionally, there have been safety concerns related to the narrow, steep streets in Phase 1. Mike Waite has a very difficult time safely plowing the roadways when cars are parked (or stalled) on the streets. Inasmuch as they are public roads and do not comply with County Standard widths and Phase 2 will make an unsafe situation worse, we recommend another condition of approval be the removal and re-pavement of all islands in Phase 1.

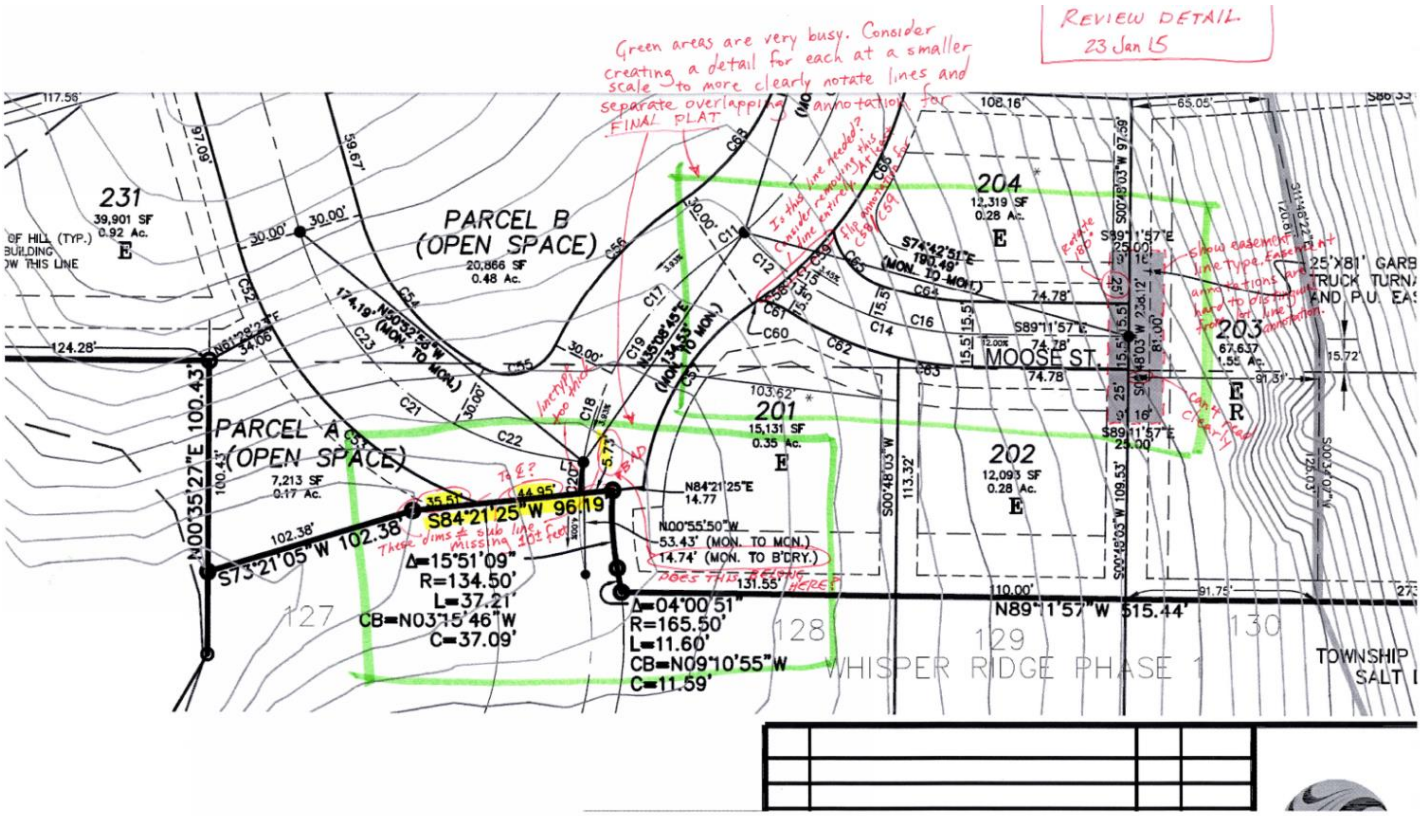
In conversation with Benson Whitney of Oakwood homes, this does not seem to be an issue because they agree that the islands are more of a nuisance than an amenity.

Our recommendation is approval of the Preliminary Plan as soon as possible so we can start the review of final documents.

Exhibit H: Letter From County Surveyor (via Basecamp)

We have reviewed the plat and have attached red line drawings for correction. The title report list various easements that need to be addressed. Items 14 thru 22 particularly need attention. Please show them on the plat or explain why they should not be shown on the plat. There are various comments on the plats that could possibly be taken care of at the final plat level however the title report items shoud be taken care of at the preliminary level. Please call if you have questions.




REVIEW DETAIL
23 Jan 15
Green areas are very busy. Consider creating a detail for each at a smaller scale to more clearly notate lines and separate overlapping annotations for FINAL PLAT
231
39,901 SF
0.92 Ac.
E
PARCEL B
(OPEN SPACE)
20,866 SF
0.48 Ac.
PARCEL A
(OPEN SPACE)
7,213 SF
0.17 Ac.
204
12,319 SF
0.28 Ac.
E
201
15,131 SF
0.35 Ac.
E
202
12,093 SF
0.28 Ac.
E
203
67,637
1.55 Ac.
E
R
MOOSE ST.
N00°35'27"E 100.43'
S73°21'05"W 102.38'
S84°21'25"W 96.19
Δ=15°51'09"
R=134.50'
L=37.21'
CB=N03°15'46"W
C=37.09'
Δ=04°00'51"
R=165.50'
L=11.60'
CB=N09°10'55"W
C=11.59'
N89°11'57"W 515.44'
127
128
129
130
WHISPER RIDGE PHASE 1
TOWNSHIP

MORGAN COUNTY
Planning and Development Services

Planning Commission
Staff Report

Wasatch Powderbird Guides Ordinance Revision
Public Hearing
February 26, 2015

Applicant:	Wasatch Powderbird Guides
Request:	A proposed amendment to the Land Use Management Code for Morgan County, amending Section 8-2-1 Definitions, adding a definition for "Heli-skiing"; 8-5A-3 Use Table for F-1 and MU-160 Zones, allowing for heli-skiing as a permitted use; and adding Section 8-6-40 Supplementary Regulations, providing specific regulations and other provisions regarding recreational commercial uses in the F-1 and MU-160 zoning districts.
Date of Previous Hearing:	N/A

Staff Recommendation

Based on review of the vision and goals of the 2010 Morgan County General Plan, and the purposes of the associated zoning districts, County Staff is recommending approval of the proposed amendment to the Land Use Management Code of Morgan County, based on the following findings:

1. The proposed amendment is in accordance with the County's General Plan, goals, and policies of the County; and,
2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title.

Background and Analysis

Wasatch Powderbird Guides operates a heli-skiing operation in and around Morgan County. Their operation involves flying a helicopter to remote ski areas, dropping off skiers, and then picking them back up when the skiing is finished. The activity extends to public and private lands, and before the activity is contemplated permission from the appropriate land owners is secured.

Currently, this kind of thing is viewed as an "activity", similar to OHV or snowmobile activities, where no permanent alterations of the land are required and no associated structures are involved. However, the desire of the applicant is to create an official policy allowing for this kind of "use", providing for an exact definition, inclusion in the use table, and giving specific conditions and requirements that must be met prior to approval.

The proposed use will affect much of the land in Morgan County, as it is being proposed in F-1 and MU-160 zoning districts (see Exhibit B). The proposed use appears to be in keeping with

the goals and desires outlined in the General Plan of Morgan County. Specifically, the Natural Resources and Recreation designation notes:

> *Lands in this category are managed primarily to maintain the resource, recreation, ranching, grazing, and open space uses and value of the lands.* (2010 Morgan County General Plan, page 6)

Further, the Vision Statement in the General Plan reads:

> 3. *Morgan County values its distinctive natural landscapes for their beauty, solitude, recreational opportunities, and natural resources and will work to ensure their long-range conservation and preservation.* (2010 Morgan County General Plan, page 5)

The purposes of the F-1 zoning district, as specified in the Code, indicate:

> 1. *The purposes of providing a forestry district are to* ***encourage the appropriate use of certain mountainous, hillside and canyon area of the county*** *for watershed, forestry, grazing, agriculture, wildlife habitat, and* ***limited recreational uses****, as well as the reduction of requirements for unreasonable public utility and service expenditures which would be caused by concentrated urban uses in the district; to protect watersheds and water supplies from pollution; and to promote the health, morals, convenience, order, prosperity and general welfare of the inhabitants of the county.*
> 2. *The intent of providing a forestry district is to separate those areas of the county which should best remain relatively undeveloped from those areas which can support greater development, as provided for and encouraged in other districts.*

The purpose of the MU-160 zoning district states:

> *The purpose of providing a multiple use district is to establish areas in mountain, hillside, canyon, mountain valley, desert and other open and generally undeveloped lands where human habitation should be limited in order to protect land and other open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scattering of population;* ***to encourage use of the land****, where appropriate, for forestry, grazing, agriculture, mining, wildlife habitat and* ***recreation****; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brushland fires, damage to grazing and livestock raising, and to wildlife values; to avoid the premature development of lands by discouraging intensive development until the ultimate best use of the land can be recommended by the planning commission to the governing body; and to promote the health, safety, convenience, order, prosperity and general welfare of the inhabitants of the community.* (LUMC Section 8-5A-1; **emphasis in bold added**)

As can be seen, the proposed amendment appears to be in keeping with the stated vision for the County in the General Plan as well as the purposes of the zoning districts where the proposed use would be located.

The LUMC provides for amending the ordinance in Section 8-3-3 (C), which states:

Any property owner may initiate an amendment to this title or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the planning and development services department in accordance with subsection 8-3-4 (A) of this chapter.

The procedures for amending the ordinance are outlined in LUMC Section 8-3-4 and require an application to be submitted by a property owner in the County. This is then followed by Planning Commission review and recommendation, based on finding that (1) the proposed amendment is in accordance with the County's General Plan, goals, and policies of the County; and (2) changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title [Title 8 – LUMC].

The application is then forwarded on to the County Council, which may approve, approve with modification, or deny the proposed amendment. The approval standards are as follows:

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

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

<u>Model Motion</u>

Sample Motion for *approval* – "I move we recommend approval of the proposed amendment to the Land Use Management Code for Morgan County, amending Section 8-2-1 Definitions, adding a definition for "Heli-skiing"; 8-5A-3 Use Table for F-1 and MU-160 Zones, allowing for heli-skiing as a permitted use; and adding Section 8-6-40 Supplementary Regulations, providing specific regulations and other provisions regarding recreational commercial uses in the F-1 and MU-160 zoning districts, based on the findings listed in the staff report dated February 26, 2015."

Sample Motion for *approval with conditions* – "I move we recommend approval of the revised Small Subdivision Ordinance (Section 8-12-44 (D)(2)) with the revisions noted in the staff report dated June 26, 2014, *with the following conditions:*"

1. List any additional findings and conditions…

Sample Motion for *denial* – "I move we recommend denial of the revised Small Subdivision

Ordinance (Section 8-12-44 (D)(2)) with the revisions noted in the staff report dated June 12, 2014, *subject to the following findings*:"

1. List any additional findings…

Supporting Information

Exhibit A: Applicant's Narrative, including proposed draft ordinance
Exhibit B: Current Zoning Map of Morgan County

Staff Contact

Bill Cobabe, AICP
801-845-4059
bcobabe@morgan-county.net

Exhibit A: Applicant's Narrative, including proposed draft ordinance

Application Narrative
Land Use Code Amendment Request
Applicant name: Wasatch Powderbird Guides

Wasatch Powderbird Guides has been providing guided backcounty helicopter-skiing tours for skiers from Utah and around the world for over 42 years. We operate primarily on Forest Service land in the Wasatch Mountains under a Special Use Permit. We work with federal and local governments to ensure compliance with the requirements of the applicable entities.

Some of our permitted Forest Service terrain along the ridge line in Morgan County is adjacent to private land. To provide a quality experience for our clients we would like to work with some of these land owners to utilize the high elevation portions of their property for our heli-skiing activities. We are desirous to make sure that we are operating in complete compliance with Morgan County's ordinances and have sought direction from the Planning Director to establish the most reasonable route for our request.

Currently, the Land Use Code of Morgan County does not identify any type of recreational uses in the F-1 and MU-160 Zones outside of a "Recreation dwelling" or "Private park or recreational grounds ...". It has been assumed that private recreation activities are allowed in the F-1 and MU-160 Zones and are not regulated by county ordinances. Our endeavor is a recreation activity but does not fit under a "private park or recreational grounds" due to the vast area our activity may include. The Forest Service classifies heli-skiing as a "Commercial recreational use" which means recreation use of lands and/or related waters for business or financial gain. Neighboring counties allow for such uses after receiving approval for a "Low Impact Permit" or "Special Recreation Permit". Morgan County does not offer such permits and commercial uses are not identified in the forest and multiple use districts; therefore, it appears that our desired use is currently not specifically authorized. We feel our proposed changes to the use table will provide us a process for requesting a permit in order to provide authorization for our specific type of low impact recreation within Morgan County.

The purpose statements for the "Forest District" and "Multiple Use District" identify the County's desire to protect the land in these districts while encouraging the use of the land for forestry, grazing, agriculture, mining, wildlife habitat and recreation. It is also stated that the intent of providing a forest district is to separate those areas of the county which should best remain relatively undeveloped from those areas which can support greater development. We feel that heli-skiing is in compliance with these purpose statements and the vision of Morgan County. Heli-skiing is a 'winter only activity' restricted to undeveloped areas and will not negatively affect or impact the general character of the F-1 and MU-160 zones. Nor will the recreational activity change the landscape or view shed of these districts. Heli-skiing does not alter the natural landscape of the area, therefore, preserving open space within Morgan County. By allowing commercial recreational uses in these zones, private property owners will be able to utilize their property in ways that will increase the economic element of Morgan County.

A request to amend the Morgan County Land Use Code §8-2-1 (Definitions of Words and Terms), §8-5A-3 (Use Table for F-1 and MU-160 Zones) and add a new chapter to §8-6-40 (Supplementary Regulations) to allow commercial recreation uses, specifically "Heli-skiing", as a permitted use and/or activity in the F-1 and MU-160 Zones throughout Morgan County, Utah.

8-2-1: Definitions:

Commercial Recreational Use: A recreational use of lands or activity on lands for business or financial gain.

Heli-skiing: A commercial recreational use providing for off-trail, downhill skiing or snowboarding that is accessed by a helicopter, as opposed to a ski lift. Heli-skiing is considered to have little or no impact on public health, safety and general welfare; therefore is permitted as a use and/or activity for seasonal recreation activities in a specific zone as opposed to a specific parcel of property.

8-5A-3: USE REGULATIONS:

		Districts					
		MU-160	**F-1**	**A-20**	**RR-10**	**RR-5**	**RR-1**
Commercial Recreation Use (Subject to regulations in section 8-6-40 of this title)							
	Heli-skiing	P	P	-	-	-	-

8-6-40: COMMERCIAL RECREATION USE REGULATIONS:

A. Purpose: The purpose of this section is to accommodate certain commercial activities which are recreational in nature and are permitted or conditional permitted in any zone. This section sets forth procedures for considering and approving a commercial recreation use permit. The character of such recreational activities may require proper conditions to protect the health, safety and welfare of the public in general. The provisions of this section shall only apply to the commercial recreational uses permitted or conditionally permitted in the zone where the recreational activity shall occur. Commercial recreational uses not specifically identified in the applicable zoning use tables are not allowed. The requirements of this section shall not be construed to prohibit or limit other applicable provisions of this title, this code, and other laws. This chapter shall not apply to recreational activities lawfully conducted by a government agency.

B. Authority: The Zoning Administrator is authorized to issue commercial recreation use permits as provided in this section.

C. Initiation: Any person may apply for a commercial recreation use permit as provided in this section, subject to compliance with the provisions of this section and this title.

D. Commercial Recreation Use Permit Required: Unless exempt under the provisions of this section, no person shall conduct any commercial recreation use without obtaining a commercial recreation use permit by submitting a complete application, including payment of all fees and issued pursuant to the requirements of this section and this title.

1. Exemptions:

a. All private recreation and/or activities conducted on private property and established for the private enjoyment of the owner shall be exempt from the provisions of this section.

b. Recreation uses, activities and/or events which are temporary in nature and are conducted as part of approved county fairgrounds uses, or require rental or reservation of a county park or other permissible county facilities or are within a structure or on a site for which the structure or site were specifically designed, including, but not limited to:

(1) School sports, little league or community organized sports, activities or events, on school or other public property, regardless of public or private schools, sponsored or sanctioned by

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the Utah High School Activities Association (UHSAA) or the school district in which the school is located;

(2) On site school programs or activities for the attendance of students, relatives, and guests which are not of a money raising nature.

c. Recreational uses, activities and/or events which are administered through title 5, chapter 10, "Special Events/Organized Road Event Permit Program", of this code by the Morgan County Sheriff's Office.

d. For recreational uses, activities and/or events covered by a conditional use or temporary use permit, a commercial recreation use permit shall be incorporated within such conditional use or temporary permit and need not be a separate application, provided the requirements of this chapter are met.

2. Uses Allowed: Any person may sponsor or conduct for profit purposes the recreational uses set forth in the applicable use table for the zone for which the recreational use will take place subject to the issuance of a commercial recreation use permit, unless under express provisions of this section no such permit is required.

E. Commercial recreation uses or activities shall fully comply with all of the following general criteria:

1. The recreational use or activity is completely contained on private property or in conjunction with public property for which the property owner or governing agency has given permission for the recreational use or activity;

2. No excavation, improvements or modifications such as cutting, clearing, grading and other earthmoving operations that may threaten the surrounding soil, slope, vegetation and the existing natural drainage of the site or a part of, shall take place without first obtaining the appropriate permits from the applicable federal, state and local government agencies;

3. No public services such as police, fire, or ambulance, are anticipated to be needed on site for the recreational use or activity, whether for traffic control, on standby, or for security at the site;

4. The recreational uses or activity are considered to have little or no impact on public health, safety and general welfare; and

5. Traffic, crowd, or parking control is not needed to accommodate the recreational use or activity;

F. Review Procedure: An application for a commercial recreation use permit shall be considered and processed as provided in this subsection.

1. A complete application shall be submitted to the office of the Zoning Administrator in a form established by the administrator along with any fee established by the County's adopted fee schedule. The application shall include at least the following information:

a. The name, address and telephone number of the applicant and the applicant's agent, if any.

b. The requested commercial recreational use and/or activity.

c. A sketch plan and/or a narrative identifying the measures to be taken to reasonably protect the health, safety, and welfare of the public in general, including sufficient evidence to demonstrate that the recreational use will meet the general and specific requirements of this section and this title.

2. After the application is determined to be complete, the Zoning Administrator may solicit recommendations, if deemed necessary, from the applicable County review agencies. Thereafter the Zoning Administrator shall approve, approve with conditions or deny the application pursuant to the standards set forth in this section and this title. Any conditions of approval shall be limited to conditions needed to conform the commercial recreation use permit to approval standards.

3. After making a decision, the Zoning Administrator shall give the applicant written notice of the decision.

4. A record of all commercial recreation use permits shall be maintained in the office of the Zoning Administrator.

G. Approval Standards: The following standards shall apply to the issuance of a commercial recreation use permit:

1. A commercial recreation use shall conform to:

a. The general criteria set forth in this section; and

b. Any recommendations received from the applicable County review agencies.

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Morgan County Planning

2. No commercial recreation use permit shall be issued unless the Zoning Administrator finds the proposed commercial recreation use:

a. Will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working within the vicinity, or injurious to property, improvements or the public in general;

b. Will not substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area;

c. Will not conflict with nor be incompatible with the permitted uses and regulations of the zone within which the commercial recreation use is located; and

d. Is in compliance with regulations, conditions and licensing requirements of applicable provisions of this code.

H. Effect of Approval: Approval of a commercial recreation use permit shall authorize an applicant to engage in the commercial recreation use subject to any conditions of approval.

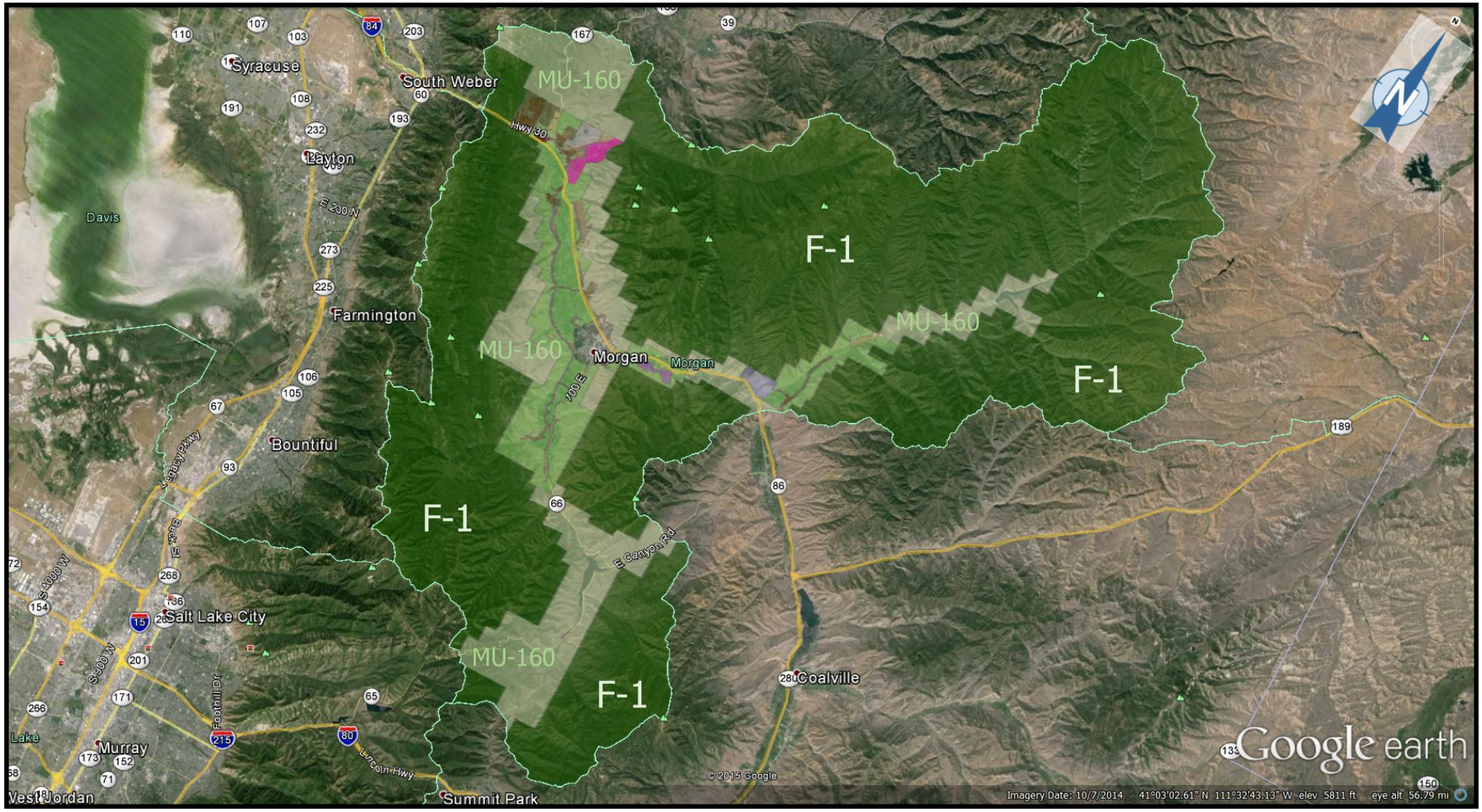
I. Amendments: The procedure for amending any commercial recreation use permit shall be the same as the original procedure set forth in this section.

J. Revocation: A commercial recreation use permit may be revoked when the Zoning Administrator or their designee determines that actions taken hereunder do not conform to plans, specifications, or conditions of the permit; that the same was procured by false representation or was issued by mistake; or that any of the provisions of this title are being violated.

1. Written notice of such revocation shall be served upon the property owner, company and/or his or her agent; and, thereafter, no such activity shall proceed.

K. Expiration: A commercial recreation use permit shall remain in effect and shall be renewed annually as part of any required business license and as regulated by title 3, chapter 1, "Business License Regulations", of this code by the Morgan County Clerk's Office. In the event the business license is not renewed in conformance with the provisions of this code, the commercial recreation permit shall become void and the applicant shall formally apply for and receive approval for a new commercial recreation use permit prior to commencing any commercial activities. If it has been deemed that a business license is not required for such commercial recreation use permit, the approved permit shall remain in effect, unless specific conditions regarding time limitations are placed on the permit which are necessary to mitigate potential detrimental effects.

Exhibit B: Current Zoning Map of Morgan County



MORGAN COUNTY
Planning and Development Services

Planning Commission
Staff Report

Anderson Future Land Use Map Amendment
Public Hearing
February 26, 2014

Application No.:	15.015
Applicant:	Brent Anderson
Owner:	Brentwood Properties, LLC
Project Location:	Generally west of the existing Ridges Subdivision
Current Zoning:	MU-160
General Plan Designation:	Natural Resources and Recreation
Acreage:	~45
Request:	Amend the Future Land Use Map, changing the existing designation to Agricultural
Date of Application:	February 10, 2015
Date of Previous Hearing:	N/A

Staff Recommendation

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

Findings:

1. That the proposed amendment is in harmony with future land use planning efforts.
2. That the proposed amendment will be in harmony with existing land uses to the east (Ridges Subdivision).
3. That the anticipated development will not adversely impact the adjacent properties.

Background

Brent Anderson applied for the Future Land Use Map amendment in order to pursue anticipated development of this property. The property is located generally west of the existing Ridges Subdivision, which contains approximately 17 lots ranging from around five acres to over 60 acres. The proposed amendment would change a portion of the adjacent property along the north section line and encompassing the northeast ¼ of the northwest ¼ of Section 18, Township 4 North Range 2 East. The land is currently vacant (see Exhibit A).

Analysis

General Plan and Zoning. Changing the Future Land Use Map/General Plan is a serious undertaking. The General Plan represents the desires of the people of Morgan County, and as

such should only be modified to reflect these continuing desires. Care should be taken to ensure viability of any proposed projects, as well as maintaining the desires of the people as expressed in the General Plan.

The General Plan and Future Land Use Map anticipate the development of property in this area. In designating the property as a part of the Natural Resources and Recreation zoning district, the General Plan demonstrated the desire of the County to keep this area in relatively open space, protecting property from rapid and dense development, and ensuring that the relatively undeveloped areas of the County remain pristine. The requested designation, Agricultural, notes that:

> *The purpose of [the Agricultural] designation is to support viable agricultural operations in Morgan County, while allowing for incidental large-lot residential and other uses. The residential density in this category is up to one unit per 20 acres.*

As can be seen in Exhibit D03-005-029-01, and as noted above, there is already some compatible development in the area. It is also anticipated that the developer will request a rezone to A-20 pending the approval of the proposed Future Land Use Map amendment.

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

> *2. Morgan County respects property rights and recognizes personal responsibility to the land and communities.*
>
> *…*
>
> *5. Morgan County public policies support the viability of working and hobby farms, protection of agricultural lands, and the conservation of natural resources and rural character.*
>
> *6. Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages, or be located within master-planned communities.*

<u>Ordinance Evaluation</u>:

Morgan County ordinance anticipates amendments to the General Plan. Section 8-3-10: General Plan indicates that:

C. Plan Adoption:

1. *After completing a proposed general plan for all or part of the area within the county, the planning commission shall schedule and hold a public hearing on the proposed plan.*

After the public hearing, the planning commission may make changes to the proposed general plan.

2. *The planning commission shall then forward the proposed general plan to the governing body.*

3. *The governing body shall hold a public hearing on the proposed general plan recommended to it by the planning commission.*

   The governing body shall publish notice of the time, place, and purpose of the public hearing in a newspaper of general circulation in the county at least ten (10) days before the hearing at which the proposed general plan is to be considered and public comment heard.

4. *After the public hearing, the governing body may make any modifications to the proposed general plan that it considers appropriate.*

5. *The governing body may:*

   a. *Adopt the proposed general plan without amendment;*
   b. *Amend the proposed general plan and adopt or reject it as amended; or*
   c. *Reject the proposed general plan.*

6. *The general plan is an advisory guide for land use decisions.*

D. Amendment of Plan: The governing body may amend the general plan by following the procedures required by subsection C of this section.

This meeting is in fulfillment of subsection (D) above, in following the procedures outlined in subsection (C), which is included for reference.

<u>Model Motion</u>

Sample Motion for a *Positive* Recommendation – "I move we forward a positive recommendation to the County Council for the Anderson Future Land Use Amendment, application number 15.015, changing the designation from Natural Resources and Recreation to Agricultural, based on the findings listed in the staff report dated February 26, 2015."

Sample Motion for a *Negative* Recommendation – "I move we forward a negative recommendation to the County Council for the Anderson Future Land Use Amendment, application number 15.015, changing the designation from Natural Resources and Recreation to Agricultural, based on the findings listed in the staff report dated February 26, 2015, *due to the following findings*:"

1. List any additional findings…

Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Future Land Use Map
Exhibit C: Existing Zoning Map
Exhibit D: Current Ridges PRUD Plat
Exhibit E: Section Plat Map

Staff Contact

Bill Cobabe, AICP
801-845-4059
bcobabe@morgan-county.net

Exhibit A: Vicinity Map

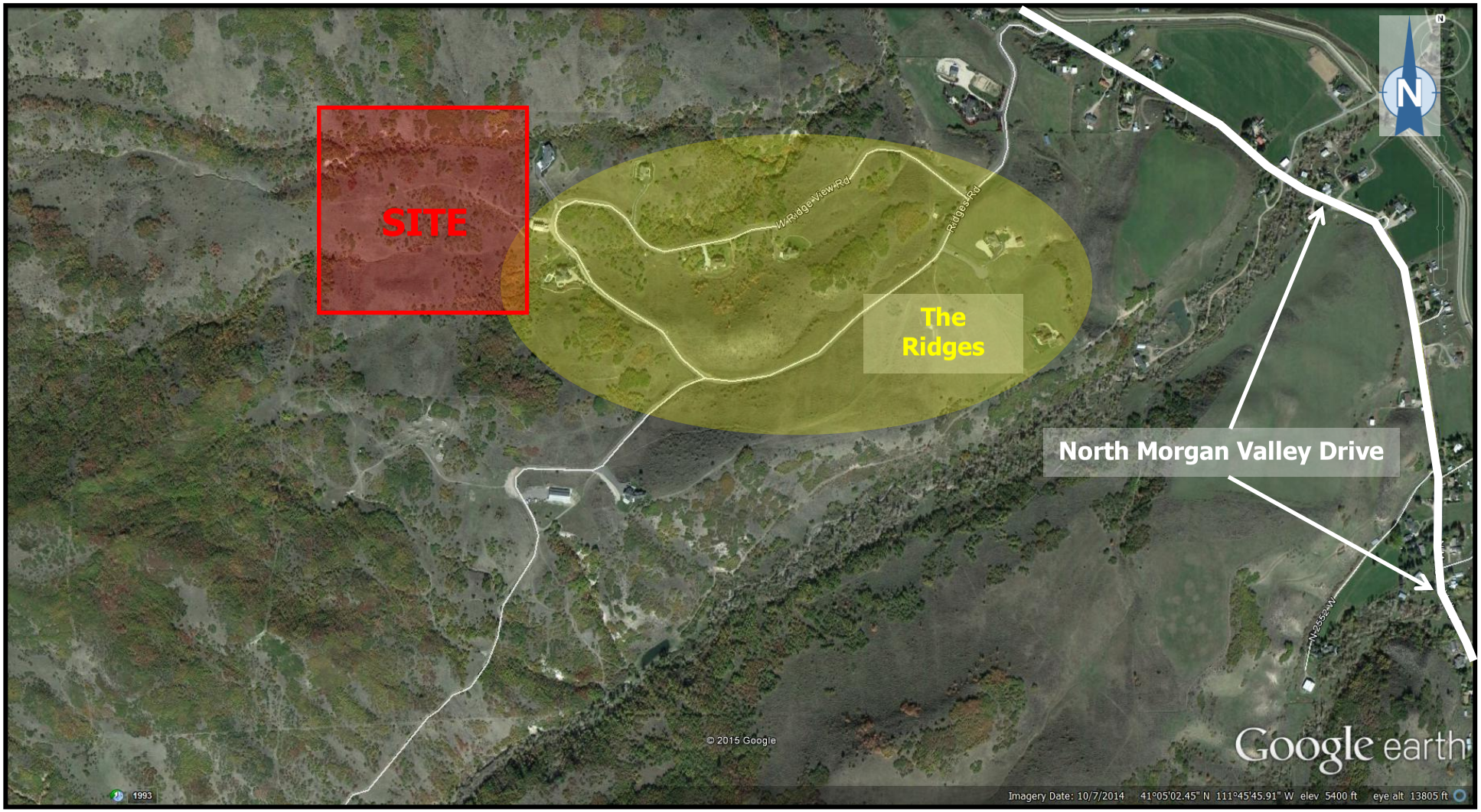


Exhibit B: Future Land Use Map

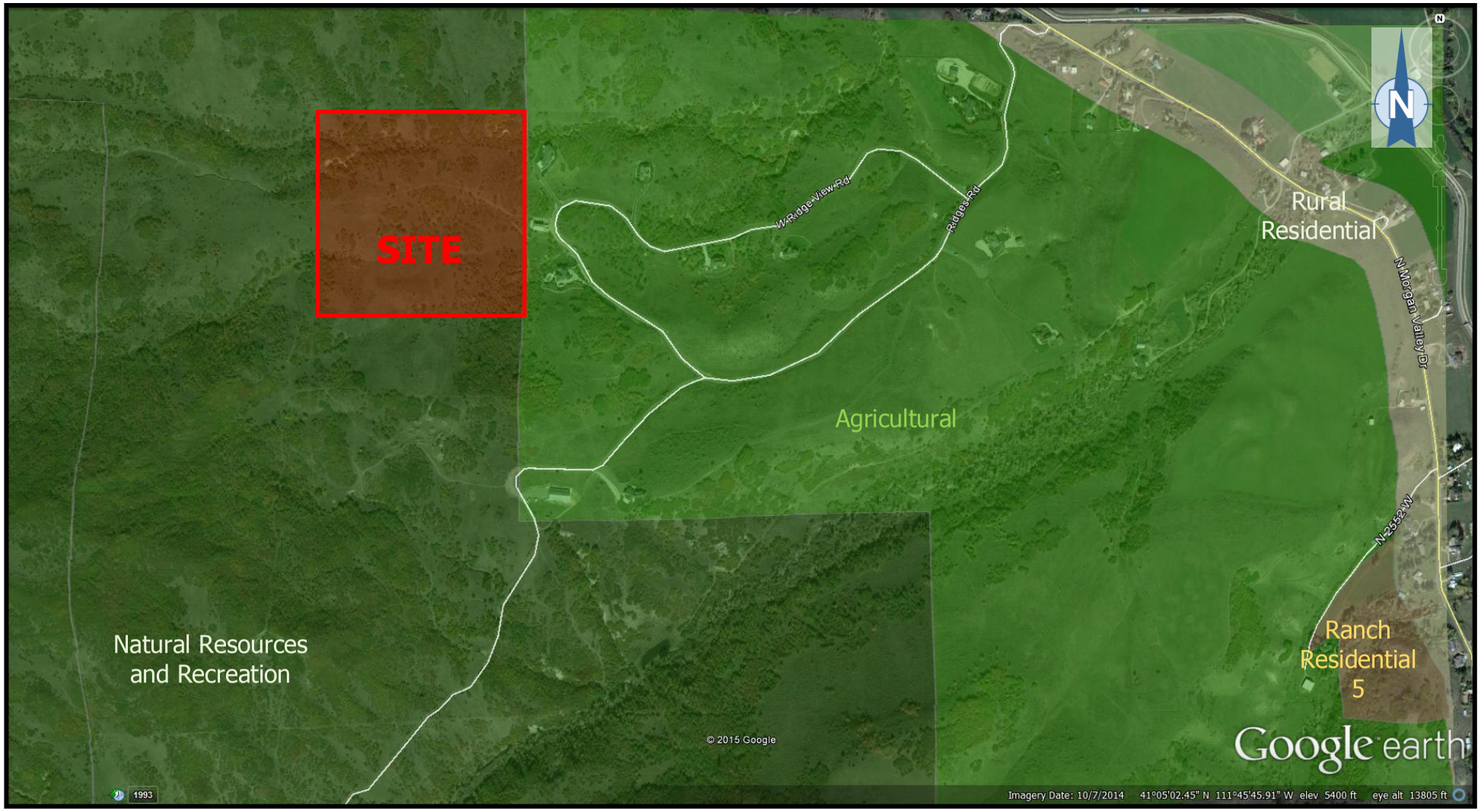


Exhibit C: Existing Zoning Map

Exhibit D: Current Ridges PRUD Plat

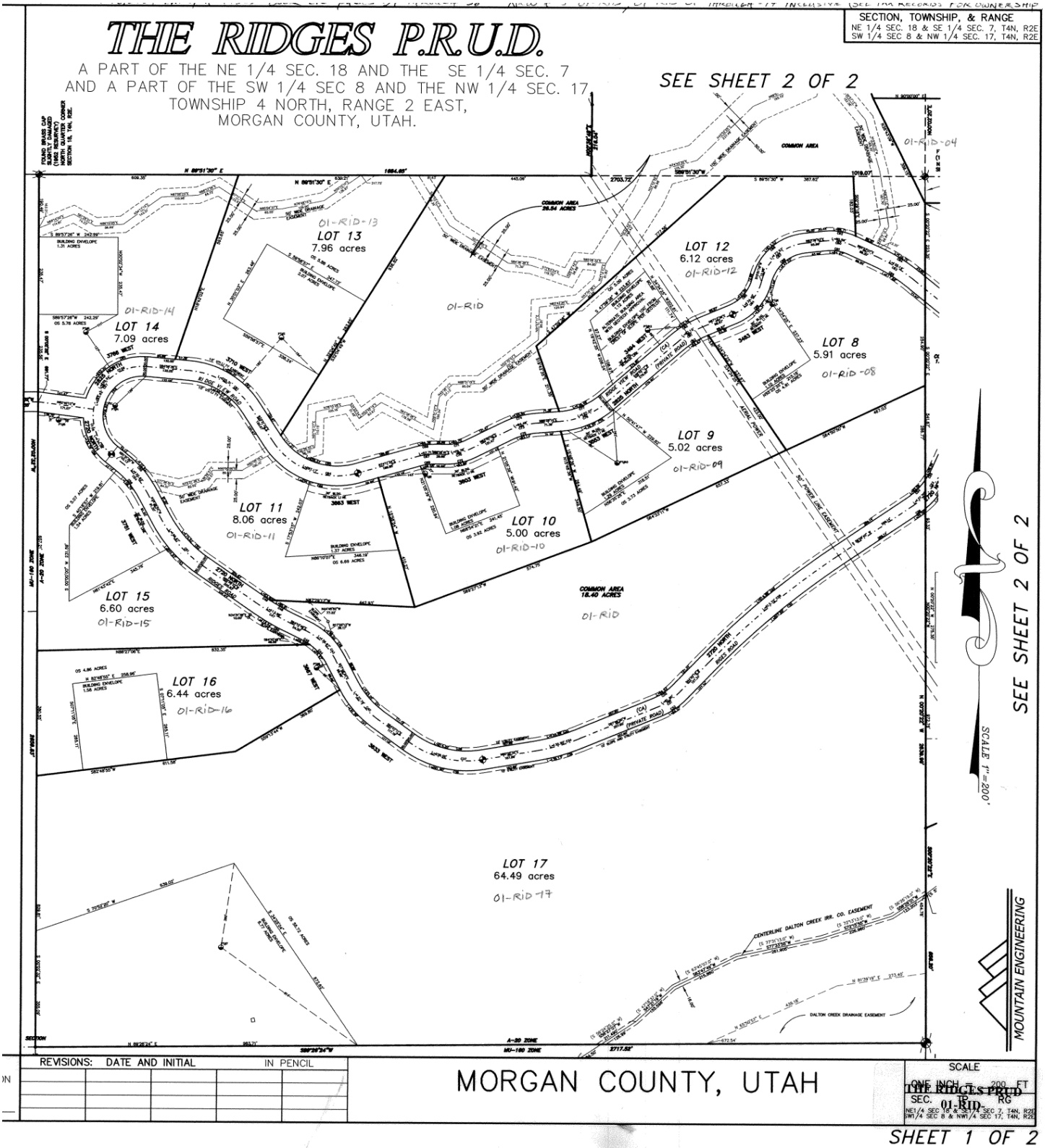
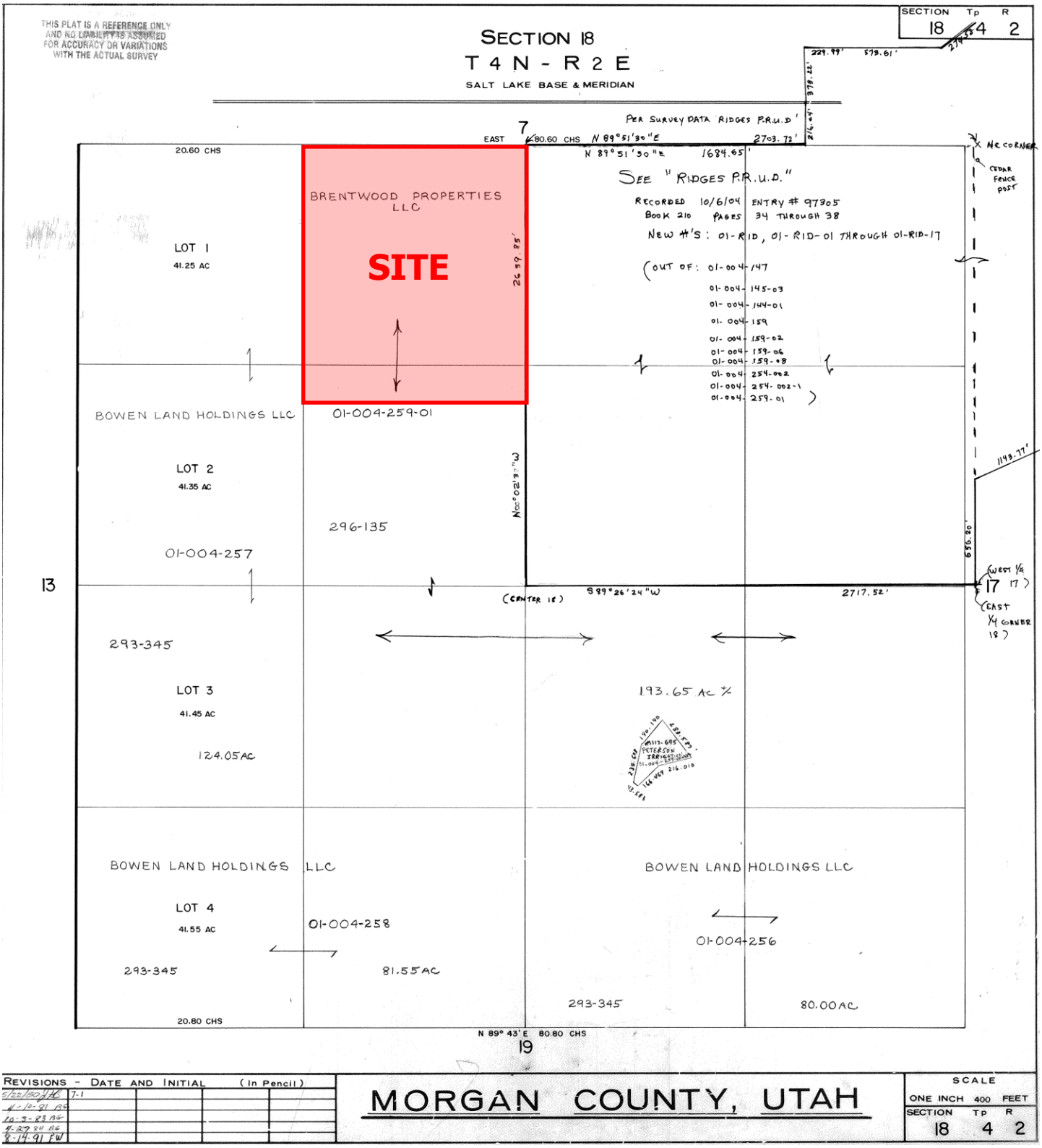


Exhibit E: Section Plat Map



PLANNING COMMISSION AGENDA
Thursday, February 12, 2015
Morgan County Council Room
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers; 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

Administrative:

6. Discussion/Decision – Recommendation of the Woodland Heights Lot 23 Plat Amendment – A proposed plat amendment to the Woodland Heights Subdivision, adding approximately 50 feet (.27 acres) to the eastern portion of the lot.
7. Discussion on commercial use table text amendment.
8. Planning Commission Business/Questions for Staff
9. Approval of minutes from January 8, 2015
10. Adjourn

DRAFT

Members present	Staff Present	Public Present
Shane Stephens	Bill Cobabe	Tina Kelley
David Sawyer, via Skype	Gina Grandpre	Tina Cannon
Debbie Sessions	Mickaela Moser	Larry Nance
Roland Haslam		Nick Ordyna
Michael Newton		Jamie Ordyna

1. Call to order – prayer. Chair Haslam called the meeting to order and Member Newton offered prayer.

2. Pledge of Allegiance

3. Approval of agenda
   Member Newton moved to approve the agenda. Second by Member Sessions. The vote was unanimous. The motion carried.

4. Declaration of conflicts of interest
   There was none.

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

   There was none.

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

Administrative:

6. Discussion/Decision – Recommendation of the Woodland Heights Lot 23 Plat Amendment – A proposed plat amendment to the Woodland Heights Subdivision, adding approximately 50 feet (.27 acres) to the eastern portion of the lot.

   Bill reminded that the original subdivision plat was approved in 2006 and this addition will add about .27 acre, bringing their full acreage to about .75 acre. Bill reviewed the additional conditions that must be taken care of before final plat. Bill showed the Planning Commission members on the map where the additional acreage will be added, saying that the impact will be minimal. The reason for the amendment is that the property currently does not allow setbacks for the applicants to build a home the way they would like it. Bill said staff is recommending approval.
   Chair Haslam asked what the 'R' represents on the current map, to which Bill responded that it indicates geological standards. Bill also said the geologic studies conducted have

all come back in the affirmative. Bill stated that the applicants were issued a 'concrete only' permit in October 2014 but there has been some additional construction done and it will need to be inspected. He further stated that Kent (the building inspector) is aware of the situation.

Nick Ordyna: He pointed out the unique shape of the lot in comparison with the surrounding others. He stated that they wanted to be able to have a house plan without a lot of stairs, and wanted to build out instead of up and the additional 50 feet allows for that. He said they were informed of certain timelines and anticipated being on the Planning Commission agenda in October, but their application kept being pushed back and they decided to proceed with further construction even though they had a 'concrete only' permit.

Chair Haslam informed them that there is a penalty associated with their illegal building and he recommended halting the construction before this proceeds to the County Council meeting, as they decide on any penalties.
Mrs. Ordyna: She asked about the procedures associated with County Government, as she has concerns with the geological company that the County has hired to perform the studies on their lot. She feels they've been overcharged, their issues and concerns ignored, and would like the option to hire someone else. They have spent thousands of dollars and she is concerned because she's received three invoices for additional reviews that she doesn't feel are necessary. She is frustrated with the volley of additional reviews and additional charges between their personal geologist and the County's geologist, with the Ordyna's being caught in the middle. She feels there is no accountability for those conducting the surveys.
Member Sessions asked Mrs. Ordyna to bring up this issue when they present with the County Council, as they have receptive ears and it needs to be brought to their attention also. Chair Haslam informed the Ordyna's that the Planning Commission is an advisory board, but the County Council is the governing body that can take action on this issue. Member Sessions said their frustration is understandable and explained that there should be an ordinance in place to prevent someone from having to pay for the geologists to go back and forth. Member Sawyer suggested they write an email to their council member, Tina Cannon (who was present at the meeting) so she can also be aware and have time to investigate before the County Council meets.

Member Sessions moved to recommend approval of the Ordyna Plat Amendment – Woodland Heights Lot 23, application #14.102, located at approximately 5653 W Woodland Dr., amending the plat and adding approximately 50 feet on to the eastern portion of the property, based on the findings and with the conditions listed in the staff report dated February 12, 2015.
Second by Member Newton. The vote was unanimous. The motion carried.

7. Discussion on commercial use table text amendment.
   Bill thanked the Planning Commission members for their attention to the items they

emailed in response to their review of the commercial use table text amendment. Member Sessions expressed frustration that the current commercial use table list is so restrictive. Currently, if the item is not listed, it is prohibited and since the list is so specific, she feels it works against County residents in limiting their options. Bill attempted to explain that it is meant to work in the opposite direction and allocate certain activities in their appropriate zones. There was some confusion as to what they were asked to do, as the Planning Commission members were supposed to review the 19,000 items on the table and decide what is appropriate and where. There was trepidation and discussion as to the best way to approach the list and analyze the options.
Chair Haslam suggested that if an applicant wants to apply for something not listed on the commercial use table, they should be able to have their desire reviewed and considered. Bill stated that having that kind of uncertainty is discouraging to business owners and developers. Chair Haslam said this is a rural community that would like to stay rural and he doesn't feel comfortable reviewing a potential 19,000 business opportunities. Member Stephens suggested that the majority of Morgan County residents enjoy the rural setting and would like for it to remain such. Bill then gave an example of a potential applicant who wants to open a coffee shop and explored the areas available for his business venture. It would be classified as a drive-thru restaurant, which comes with its own set of restrictions. Bill said there are specifics under each general category that allow for business ventures to even be considered in Morgan County, but they need to be reviewed first with Planning Commission members as to whether they're appropriate. Member Sessions expressed that she wants to generalize, condense and make less conditional uses. She believes that the size of a potential grocery store should be addressed at a different time and not restricted initially. She would like to see business development and feels that by being more specific on the commercial use table, there could be many possibilities left out because if they're not on the list, they will be prohibited.
A work session was suggested to address the direction in which to head. Tina Cannon recommended a joint work session between the Planning Commission and County Council. Bill could get it on the next available agenda, set for March 3, 2015.

Member Newton moved to request a work session with the County Council, at their earliest convenience, to discuss and review the commercial use table (date to be determined by the County Council).
Second by Member Sessions. The vote was unanimous. The motion carried.

8. Planning Commission Business/Questions for Staff
Upcoming planning conference the first week in April in St. George in which Planning Commission members are invited to attend. Bill informed about the items on the next Planning Commission agenda. Bill gave an update on the Ponderosa development, addressing the issues of Phase 7 being brought out of Rollins Ranch, which has private roads instead of a County road beyond the gate.

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9. Approval of minutes from January 8, 2015
   Member Newton moved to approve the amended minutes. Second by Member Stephens. The vote was unanimous. The motion carried.

10. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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

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