



PLANNING COMMISSION AGENDA

Thursday, September 24, 2015

Morgan County Council Room

6:00 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 at Morgan County Courthouse
2. Pledge of Allegiance
3. Approval of agenda
4. Declaration of conflicts of interest
5. Public Comment

Legislative:

Administrative:

6. Discussion/Decision – Conditional Use Table
7. Planning Commission Business/Questions for Staff
8. Approval of minutes from September 10, 2015
9. Adjourn

Use	District				
	NC	GC	BP	LM	I
11 - Agriculture, Forestry, Fishing, and Hunting	C1	C1	C1	P	P
21 - Mining, Quarrying, and Oil and Gas Extraction					
211 - Oil and Gas Extraction				C2	P
2121 - Coal Mining				C2	P
2122 - Metal Ore Mining				C2	P
2123 - Nonmetallic Mineral Mining and Quarrying				C3	P
213 - Support Activities for Mining				C3	P
22 - Utilities					
22111 - Electric Power Generation				C2	C3
22112 - Electric Power Transmission and Control	C1	C1	C1	C1	C2
2212 - Natural Gas Distribution					C2
2213 - Water, Sewage, and Other Systems	C1	C1	C1	C1	C1
23 - Construction					
236 - Construction of Buildings				P	P
237 - Heavy and Civil Engineering Construction					P
238 - Specialty Trade Contractors				C1	P
31-33 Manufacturing					
3111 - Animal Food Manufacturing				C2	P
3112 - Grain and Oilseed Milling				C2	P
3113 - Sugar and Confectionery Product Manufacturing			C2	C2	P
3114 - Fruit and Vegetable Preserving and Specialty Food Manufacturing			C2	C2	P
3115 - Dairy Product Manufacturing			C2	P	P
3116 - Animal Slaughtering and Processing				C1	P
3117 - Seafood Product Preparation and Manufacturing			C2	P	P
3118 - Bakeries and Tortilla Manufacturing	C2	C2	C1	P	P
3119 - Other Food Manufacturing	C2	C2	C2	C2	C2
312 - Beverage Manufacturing		C2	C2	P	P
313 - Textile Mills			C1	P	P
314 - Textile Product Mills			C2	P	P
315 - Apparel Manufacturing			C2	P	P
316 - Leather and Allied Products Manufacturing			C2	P	P
321 - Wood Product Manufacturing				P	P
322 - Paper Manufacturing			C2	P	P
323 - Printing and Related Support Activities		C1	C1	P	P
324 - Petroleum and Coal Products Manufacturing					P
325 - Chemical Manufacturing				C2	P
326 - Plastics and Rubber Products Manufacturing				C2	P
327 - Nonmetallic Mineral Product Manufacturing				C2	P
331 - Primary Metal Manufacturing					P
332 - Fabricated Metal Product Manufacturing				C2	P
333 - Machinery Manufacturing				C2	P
334 - Computer and Electronic Product Manufacturing				C2	P
335 - Electrical Equipment, Appliance, and Component Manufacturing				C2	P
336 - Transportation Equipment Manufacturing				C2	P
337 - Furniture and Related Product Manufacturing				C2	P
339 - Miscellaneous Manufacturing				C2	P
42 - Wholesale Trade					
423 - Merchant Wholesalers, Durable Goods			C2	C1	P
424 - Merchant Wholesalers, Nondurable Goods			C2	C1	P
425 - Wholesale Electronic Markets and Agents and Brokers			C2	P	P
44-45 - Retail Trade					
4411 - Automobile Dealers		C2	C2	P	P
4412 - Other Motor Vehicle Dealers		C2	C2	P	P
4413 - Automotive Parts, Accessories, and Tire Stores	C2	C2	C2	P	P
442 - Furniture and Home Furnishings Stores	C2	C1	C1		
443 - Electronics and Appliance Stores	C2	P	C1		
444 - Building Material and Garden Equipment and Supplies Dealers		C1	C2	P	
4451 - Grocery Stores	C2	C1	C2		
4452 - Specialty Food Stores	C2	C1	C2		
4453 - Beer, Wine, and Liquor Stores		C2	C2	C2	C2
446 - Health and Personal Care Stores	C2	C1	C2		
447 - Gas Stations	C2	C2	C2	P	P
448 - Clothing and Clothing Accessory Stores	C2	C1	C2		
45111 - Sporting Goods Stores	C2	C2	C2		
45112 - Hobby, Toy, and Game Stores	C2	P	C1		
45113 - Sewing, Needlework, and Piece Goods Stores	P	P	C1		
45114 - Musical Instrument and Supplies Stores	P	P	C1		
4512 - Book Stores and News Dealers	P	P	C1		
452 - General Merchandise Stores	C2	C2	C2		
4531 - Florists	P	P	P		

Use	District				
	NC	GC	BP	LM	I
45321 - Office Supplies and Stationery Stores	C2	P	C1		
45322 - Gift, Novelty, and Souvenir Stores	C2	P	C1		
4533 - Used Merchandise Stores	C2	P	C1		
45391 - Pet and Pet Supplies Stores	C2	P	C1		
45392 - Art Dealers	P	P	P		
45393 - Manufactured Home Dealers		C2	C2		
453991 - Tobacco Stores		C2	C2	C2	C2
453998 - All Other Miscellaneous Store Retailers (Except Tobacco)	C2	C2	C2		
4541 - Electronic Shopping and Mail Order Houses	P	P	P		
4542 - Vending Machine Operators		P			
4543 - Direct Selling Establishments		C2	C2		
48-49 Transportation and Warehousing					
481 - Air Transportation (see Article 8-5H and Title 10)	A	A	A	A	A
482 - Rail Transportation			P	P	P
4832 - Inland Water Transportation	P	P	P	P	P
484 - Truck Transportation			P	P	P
485 - Transit and Ground Passenger Transportation	P	P	P	P	P
486 - Pipeline Transportation	C3	C3	C2	C2	C2
487 - Scenic and Sightseeing Transportation	C2	C1	P		
4881 - Support Activities for Air Transportation (see Article 8-5H and Title 10)	A	A	A	A	A
4882 - Support Activities for Rail Transportation			C2	P	P
4883 - Support Activities for Water Transportation			C2	C2	C1
4884 - Support Activities for Road Transportation			C2	C1	P
4885 - Freight Transportation Arrangement			C2	P	P
4889 - Other Support Activities for Transportation			C2	P	P
491 - Postal Service	P	P	P	P	P
492 - Couriers and Messengers		C2	P	P	P
49311 - General Warehousing and Storage				P	P
49312 - Refrigerated Warehousing and Storage				P	P
49319 - Other Warehousing and Storage				C2	C2
51 - Information					
511 - Publishing Industries (Except Internet)		P	P	P	P
51211 - Motion Picture and Video Production		P	P	P	P
51212 - Motion Picture and Video Distribution		C2	P	P	P
51213 - Motion Picture and Video Exhibition	C2	P	P	P	P
51219 - Postproduction Services and Other Motion Picture and Video Industries		P	P	P	P
5122 - Sound Recording Industries		P	P	P	P
515 - Broadcasting (Except Internet)		P	P	P	P
517 - Telecommunications		C2	C2	P	P
518 - Data Processing, Hosting, and Related Services	C2	P	P	P	P
519 - Other Information Services		P	P	P	P
52 - Finance and Insurance					
521 - Monetary Authorities - Central Bank		P	P	P	P
5221 - Depository Credit Intermediation		P	P	P	P
52221 - Credit Card Issuing		P			
52222 - Sales Financing		C2	C2		
522291 - Consumer Lending			C3		
522292 - Real Estate Credit		C2	C2		
522293 - International Trade Financing		P	P		
522294 - Secondary Market Financing		P	P		
522298 - All Other Nondepository Credit Intermediation			C3		
523 - Securities, Commodities Contracts, and Other Financial Investments and Related Activities		C2	C2		
524 - Insurance Carriers	C2	C1	C1	P	P
525 - Funds, Trusts, and Other Financial Vehicles		C1	C1	P	P
53 - Real Estate and Rental and Leasing					
53111 - Lessors of Residential Buildings and Dwellings	C2	P	P		
53112 - Lessors of Nonresidential Buildings		P	P		
53113 - Lessors of Miniwarehouses and Self-Storage Units		P	P		
53119 - Lessors of Other Real Estate Property		P	P		
5312 - Offices of Real Estate Agents and Brokers	C1	P	P	P	P
5313 - Activities Related to Real Estate		P	P		
5321 - Automotive Equipment Rental and Leasing		P	P		
5322 - Consumer Goods Rental		P			
5323 - General Rental Centers		P			
5324 - Commercial and Industrial Machinery and Equipment Rental and Leasing		P		P	P
533 - Lessors of Nonfinancial Intangible Assets (Except Copyrighted Works)		P	P		
54 - Professional, Scientific, and Technical Services					
5411 - Legal Services	C1	P	P		
5412 - Accounting, Tax Preparation, Bookkeeping, and Payroll Services	C1	P	P	P	

Use	District					
	NC	GC	BP	LM	I	
5413 - Architectural, Engineering, and Related Services	C2	P	P	P		
5414 - Specialized Design Services	C1	P	P			
5415 - Computer Systems Design and Related Services	C2	P	P	P		
5416 - Management, Scientific, and Technical Consulting Services	C2	P	P	P		
5417 - Scientific Research and Development Services		P	P	P		
5418 - Advertising, Public Relations, and Related Services		P	P	P		
5419 - Other Professional, Scientific, and Technical Services		P	P	P		
55 - Management of Companies and Enterprises						
551 - Management of Companies and Enterprises		P	P	P		
56 - Administrative Support and Waste Management and Remediation Services						
561 - Administrative and Support Services		P	P	P		
562 - Waste Management and Remediation Services			C2	P		P
61 - Educational Services						
6111 - Elementary and Secondary Schools	P	P	P			
6112 - Junior Colleges		P	P			
6113 - Colleges, Universities, and Professional Schools		P	P			
6114 - Business Schools and Computer and Management Training		P	P			
6115 - Technical and Trade Schools		P	P	P		P
6116 - Other Schools and Instruction		P	P			
6117 - Educational Support Services		P	P			
62 - Health Care and Social Assistance						
6211 - Offices of Physicians	P	P	P	P		
6212 - Offices of Dentists	P	P	P	P		
6213 - Offices of Other Health Practitioners	C2	P	P	P		
6214 - Outpatient Care Centers		P	P	P		
6215 - Medical and Diagnostic Laboratories		P	P	P		
6216 - Home Health Care Services	C2	P	P	P		
6219 - Other Ambulatory Health Care Services		P	P	P		
6221 - General Medical and Surgical Hospitals	C2	P	P	P		P
6222 - Psychiatric and Substance Abuse Hospitals			C3	C3		
6223 - Specialty (Except Psychiatric and Substance Abuse) Hospitals			P	P		
623 - Nursing and Residential Care Facilities	C2		P			
6241 - Individual and Family Services		P	P			
6242 - Community Food and Housing, and Emergency and Other Relief Services			P	P		
6243 - Vocational Rehabilitation Services			P	P		
6244 - Child Day Care Services	C2	C1	C1			
71 - Arts, Entertainment, and Recreation						
7111 - Performing Arts Companies		P	P			
7112 - Spectator Sports		P	P			
7113 - Promoters of Performing Arts, Sports, and Similar Events		P	P			
7114 - Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures		P	P			
7115 - Independent Artists, Writers, and Performers	C2	P	P			
71211 - Museums	P	P	P	P		P
71212 - Historical Sites	P	P	P	P		P
71213 - Zoos and Botanical Gardens		P	P			
71219 - Nature Parks and Other Similar Institutions	P	P	P	P		P
7131 - Amusement Parks and Archades		P	P	P		
7139 - Other Amusement and Recreation Industries		P	P	P		
72 - Accommodation and Food Services						
72111 - Hotels (Except Casino Hotels) and Motels	C3	C2	P	P		
72119 - Other Traveler Accommodation	C2	C2	P	P		
7212 - RV (Recreational Vehicle) Parks and Recreational Camps		P	P	P		
7213 - Rooming and Boarding Houses	C2	C2	P	P		
7222 - Special Food Services	C2	P	P	P		P
7224 - Drinking Places (Alcoholic Beverages)		C2	P	P		
7225 - Restaurants and Other Eating Places	C2	P	P	P		
81 - Other Services (Except Public Administration)						
8111 - Automotive Repair and Maintenance		C2	C2	P		P
8112 - Electronic and Precision Equipment Repair and Maintenance		C2	C2	P		P
8113 - Commercial and Industrial Machinery and Equipment (Except Automotive and Electronic) Repair and Maintenance			C2	P		P
8114 - Personal Household Goods Repair and Maintenance	C2	P	P	P		P
8121 - Personal Care Services	C1	P	P	P		
81221 - Funeral Homes and Funeral Services	C2	P	P	P		
81222 - Cemeteries and Crematories		C3	C3	P		
8123 - Drycleaning and Laundry Services	C2	P	P	P		P
81291 - Pet Care (Except Veterinary) Services	C2	P	P	P		
81292 - Photofinishing	P	P	P	P		
81293 - Parking Lots and Garages		P	P	P		P

Use	District				
	NC	GC	BP	LM	I
81299 - Other Personal Services (Except Escort Services)	C2	C2	C2	C2	C2
8131 - Religious Organizations	P	P	P	P	P
8132 - Grantmaking and Giving Services		P	P	P	
8133 - Social Advocacy Organizations	C2	P	P	P	
8134 - Civic and Social Organizations	C2	P	P	P	
8139 - Business, Professional, Labor, Political, and Similar Organizations	C2	P	P	P	
814 - Private Households	P	P	P	P	P
92 - Public Administration					
921 - Executive, Legislative, and Other General Government Support	P	P	P	P	P
92211 - Courts	P	P	P	P	P
92212 - Police Protection	P	P	P	P	P
92213 - Legal Counsel and Protection	P	P	P	P	P
92214 - Correctional Institutions				C3	C3
92215 - Parole Offices and Probation Offices				C3	C3
92216 - Fire Protection	P	P	P	P	P
92219 - Other Justice, Public Order, and Safety Activities	C2	C2	P	P	P
923 - Administration of Human Resource Programs		P	P	P	P
924 - Administration of Environmental Quality Programs		P	P	P	P
925 - Administration of Housing Programs, Urban Planning, and Community Development		P	P	P	P
926 - Administration of Economic Programs		P	P	P	P
927 - Space Research and Technology		P	P	P	P
928 - National Security and International Affairs		P	P	P	P

Not Included:

4831 - Deep Sea, Coastal, and Great Lakes Water Transportation

7132 - Gambling Industries

72112 - Casino Hotels



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6:30 PM

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

Legislative:

Administrative:

6. Discussion/Decision – Rockin’ M Small Subdivision.
7. Discussion/Decision – The Ridges PRUD Plat Amendment #1
8. Discussion/Decision – Waterpocket Conditional Use Permit.
9. Planning Commission Business/Questions for Staff
10. Approval of minutes from September 10, 2015
11. Adjourn

Members Present

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

Staff Present

Bill Cobabe
Gina Grandpre
Mickaela Moser

Public Present

Randy Sessions
Brent Anderson
Hollie Anderson
Robert Volk
John Barber
Dave Larsen
Bill Chipp

Milan Mecham
Susan Mecham
Bonnie Brown
Tina Kelley
Sam Wright

1. Call to order – prayer. Chair Haslam welcomed those in attendance to the meeting 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 were none.
5. Public Comment

Robert Volk: He represents the Mountain Green Sewer District. He stated that the future potential distillery in Mountain Green is classified as an industrial user and therefore, they are likely to introduce chemicals into the sewer system. He would like the opportunity to take tests and evaluate before permits are issued. He stated that no one has contacted him from the distillery to discuss requirements but we was invited by the County to the meeting tonight.

Sam Wright: He is a neighbor of the potential distillery. He is concerned about chemical, physical or mental pollutants that come from this development. He said the business will use water that isn't there and his opinion is that they won't create very many jobs. He feels the distillery's cons outweigh the pros. He feels this business will push the limits and to pass additional hours of operation and permits to sell alcohol, among other things, and it will be nothing but a detriment to the community.

Dave Larson: He has lived in Morgan County for a long time and warned about passing the distillery. He stated that he hasn't had time to get the awareness to his neighbors and would like additional time to gather concerns and get the word out so many more may come and express their opinions at a public meeting. He also would like a cost analysis done on the distillery to forecast its impact on the community.

Tori Hopkin: Her opinion is also against the distillery. She is concerned about its location being right next to a day care, chemicals, water and insurance. She would like to see more wholesome expansion, like water parks, grocery stores, and a library instead.

Sam Wright: He added to his previous remarks by giving a history of the current building and he believes the current building is an eyesore and wasn't supposed to be built the way it was. He again expressed concern about water usage and he stated that the distillery is not meant for this community.

Bill Chipp: He is a Rollins Ranch resident who supports this development. He understands it's a CUP and stated that he has spoken with his neighbors and many are in favor as well.

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

Legislative:

Administrative:

6. Discussion/Decision – Rockin' M Small Subdivision.

Bill presented this agenda item, stating that this involves two lots where Milan and Susan Mecham are looking to subdivide a piece of their land for their son. Bill stated that this has been looked at by the County Recorder, Surveyor and Engineer and is allowed by current zoning.

Member Nance asked the acreage and Bill responded there are 3.75 acres and it is roughly split in half, with one being about 2 acres and the other being about 1.75 acre. Member Sessions asked to see a map of the flood plain. Bill explained that the flood plain is in the area of the slough.

Milan Mecham: He didn't have anything to add from Bill's presentation. There were no questions for him.

Member Nance moved to approve the Rocking M Small Subdivision, application #15.062, subject to the following conditions and with the following findings from the September 24, 2015 staff report.

Conditions:

1. That all outstanding fees for outside reviews are paid in full prior to recording the final Mylar.
2. That a current updated Title Report is submitted with the final Mylar.
3. That all other local, state, and federal laws are adhered to.

Findings:

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

Second by Member Stephens. The vote was unanimous. The motion carried.

7. Discussion/Decision – The Ridges PRUD Plat Amendment #1

Bill reviewed that the Anderson's are looking to reduce the size of their lot to attract a buyer. Bill reminded that this property is governed by a PRUD. Bill reviewed the surrounding lots and their sizes and owners.

Member Sessions asked about the bonus density to which Bill responded that he was not familiar with that. Bill stated that the parcel will be 30 acres, which greatly exceeds the requirements under the A-20 zone. There was some discussion about the easement, driveway and road access. Member Sessions wanted to have a discussion about removing land from a PRUD, as the Planning Commission members are familiar with adding land but not removing. She was concerned about how it affects the HOA and mentioned that there is not a development agreement. Member Newton stated that the changes are adequate under the current zoning.

Bill stated that with a PUD and a PRUD, the underlying zoning doesn't apply, as there is a more loose interpretation of the zoning ordinance. He commented on the flexibility of a PRUD and reviewed previous similar situations.

Member Wilson asked about open space and requiring open space the inability to change. Bill responded that Brent Anderson still owns all of the land and there are no conservation easements. Member Sessions commented that the PRUD ordinance was amended to protect open space.

Brent Anderson: He stated that he's been trying to sell his home for 2 years and would like to reduce the lot size. He showed on the map where he would like to make driveways and where the new lot lines would be. He said they are not changing the use or open space but they are changing the boundary. He said he would like to go about the process correctly before selling so it's not a mess later on.

Member Nance asked about any adverse consequences associated with the proposal to remove 30 acres and Mr. Anderson replied that he doesn't foresee any problems. There was a letter included

with this proposal from a neighbor, Mark DeYoung, stating his support of this request. Chair Haslam mentioned that there is no direction about taking lots out of a PRUD from the County ordinances. He asked about Mr. Anderson leaving the lot lines where they currently are. Member Sessions asked if anyone had a copy of the ordinance to see what allowances were made in creating this PRUD. Member Newton asked about the possibility of adjusting the lot lines so the parcels could remain a part of the PRUD. Member Wilson stated that he is concerned with passing this.

Member Nance moved to approve the Ridges Plat Amendment – Lot 17, application #15.063, located at approximately 3633 W Ridges Road, amending the plat and reducing the size of Lot 17 and creating remnant Parcels A and B, based on the findings and with the conditions listed in the staff report dated September 24, 2015.

Findings:

1. That the proposed amendment is in keeping with the goals set forth in the Future Land Use Map of the General Plan.
2. That the proposed amendment meets the requirements of the Morgan County Code for subdivision plat amendments.
3. That the proposed amendment will have a negligible impact on surrounding properties.

Conditions:

1. That the owners provide an updated title report prior to recordation.
2. That all fees and taxes are paid, including any fees associated with outsourced consultants.
3. That any minor changes to the plat be handled by County Staff prior to recordation

Second by Member Sessions.

Member Nance commented that this proposed change does not affect any other property owner and he sees no problem with the proposed change. Member Newton discussed the wording of the motion made and it states that the wording does not state that they are not removing land from the PRUD. Member Newton suggested removing wording in Exhibit E in the fine print of the attached map. Member Sessions was in agreement.

Member Newton moved to amend the motion to add one condition:

To remove the fine print on remnant parcels from ‘Exhibit E’ the proposed plat that states: “Note: This area previously a part of Lot 17 to become a part of Lot 3 Ridge View Estates.”
Second by Member Sessions.

It was discussed that this change does impact Brent Anderson’s application: he retains complete control and ownership, but the requested wording was not approved. Brent said he would prefer to have the wording he requested but it could possibly work.

The vote on the amendment was not unanimous with Members Stephens, Ross, Sessions, Newton, Wilson in favor and Member Nance opposed. The amendment to the motion

carried.

The new motion reads:

Member Nance moved to approve the Ridges Plat Amendment – Lot 17, application #15.063, located at approximately 3633 W Ridges Road, amending the plat and reducing the size of Lot 17 and creating remnant Parcels A and B, based on the findings and with the conditions listed in the staff report dated September 24, 2015. Second by Member Sessions.

Findings:

1. That the proposed amendment is in keeping with the goals set forth in the Future Land Use Map of the General Plan.
2. That the proposed amendment meets the requirements of the Morgan County Code for subdivision plat amendments.
3. That the proposed amendment will have a negligible impact on surrounding properties.

Conditions:

1. That the owners provide an updated title report prior to recordation.
2. That all fees and taxes are paid, including any fees associated with outsourced consultants.
3. That any minor changes to the plat be handled by County Staff prior to recordation
4. **To remove the fine print on remnant parcels from ‘Exhibit E’ the proposed plat that states: “Note: This area previously a part of Lot 17 to become a part of Lot 3 Ridge View Estates.”**

It was clarified for the applicant that his application currently states, as it was approved, that he can arrange lot lines, as Lot 3 does not exist yet. And the verbiage for the application did not remove land from the PRUD.

The vote on the motion was unanimous. The motion carried.

8. Discussion/Decision – Waterpocket Conditional Use Permit.

Bill stated that the anticipation for this area, 5 years ago, was that it would be conducive for commercial growth and should be zoned CD (Commercial Development). Currently Morgan County does not have a CD zoning. The wording is vague, stating “commercial and business purposes” are appropriate. Bill clarified this is a PUD, which has its own development agreement and allows beverages. The applicant is requesting to come into the current ...

Member Sessions read from the PUD ordinance from the 1998 code: “No Conditional Use Permit from a planned unit development shall be granted unless such development will meet the use limitations of the zoning district in which it is to be located.” She paraphrased that if something is not allowed in an underlying zone, it can’t happen. Bill stated that he didn’t understand that wording was in place and was trying to be creative in making this application proceed.

Member Sessions stated that a distillery cannot be within certain feet of a school, but a day care

facility does not meet that criteria and Bill stated their intent is to buy out the entire building. Member Ross referenced the water usage and Bill clarified that their potential usage is a lot of water and the applicants would need to address water concerns before proceeding. Member Ross also sought clarification on sewage and wondered if the sewer and water departments would need approval before coming before the meeting and Bill replied that those issues are addressed at the Certificate of Occupancy stage.

Chair Haslam informed the applicants that with the wording in County ordinance, this application is unable to proceed.

Alan and Anna Scott: Alan stated he spoke with the power, water and fire departments before tonight's meeting. He stated this business has very limited usage of chemicals. He also stated that he has spoken with the daycare and they would like to move elsewhere for expansion and the distillery would not be allowed in proximity of children.

Bill suggested making a zone change request, instead of an application denial. Member Sessions responded that the only applicable zone is Commercial Buffer. Alan Scott expressed his considerations for location and possible tourism attraction among other things in their business pursuit. Roland discussed possible ways to avoid paying fees again.

Member Sessions moved to forward a negative recommendation to the County Council for the Waterpocket Distillery Conditional Use Permit, application #15.064, located at approximately 4883 W. Old Highway, Unit C, allowing for the construction and use of a distillery, based on the finding that this use is not allowed in the CD zone.

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

Robert Volk: He discussed their sewage system, noting that it removes bacteria before releasing water into the river. He gave information about their treatments and the system involved. He requested that businesses meet with him about conditions and suggestions concerning sewer systems before permits are issued.

9. Planning Commission Business/Questions for Staff

Bill discussed upcoming planning training opportunities from the Urban Land Institute. Member Nance asked about proceeding with another zone, RR-3 or similar zone and Bill suggested meeting for a few hours as a special meeting to address the Commercial Use Table. The Planning Commission members were in agreement and discussed October 8 as a possible meeting date to complete the Table. Bill also gave his report about the university student tour of the surrounding communities within the County.

10. Approval of minutes from September 10, 2015

Member Newton moved to approve the amended minutes from September 10, 2015. Second

by Member Nance. The vote was unanimous. The motion carried. Member Stephens abstained.

11. Adjourn

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

Approved: _____ Date: _____
Chairman, Roland Haslam

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

DRAFT