

MORGAN COUNTY PLANNING COMMISSION
May 13, 2019 MINUTES

The Morgan County Planning Commission met on Monday, May 13, 2019 at 7:00 p.m. in the Assembly Room of the Morgan County Administration Building. Answering roll call was: Robert Pennington, Pete Mercer, Terry Rutenbeck, Nathan Troutd, Dave Musgrave, Mike Bailey and Clay Miller. Also present were Pam Cherry, Planning Administrator; Jody Meyer, Planning Assistant; and Shannon Shields, Planning Clerk. Also present was Allyn Wind, alternate from the Planning Commission Board.

The meeting was called to order by Chairman Nathan Troutd.

March 11, 2019 minutes:

It was moved by Mike Bailey and seconded by David Musgrave to approve the March 11, 2019 minutes as presented. Motion carried 7-0.

Agenda:

Accepted as presented.

Nathan reviewed the process memo used for this hearing.

NEW BUSINESS:

Proposed Amendments to the Morgan County Zoning and Subdivision Regulations

1. Proposed amendments to the Morgan County **Subdivision** Regulations regarding Planned Unit Developments and Major Subdivision in various Chapters and Sections.
2. Proposed amendments to the Morgan County **Zoning** Regulations regarding private covenants and developments plans for Planned Developments in various Chapters and Sections.

Pam Cherry read her amendment summary as follows:

This is a Resolution to amend various sections of the Morgan County Zoning and Subdivision Regulations. The Planned Development is being replaced with a Major Subdivision in the Subdivision Regulations. Planned Developments are a zoning action so remain in the Zoning Regulations. In order to complete the subdivision in a Planned Development the Major Subdivision application and process has been added.

Kathryn Sellers, County Attorney, explained to the Planning Commission Board the differences between a Planned Development and a Major Subdivision. Planned Development is a zoning process; major subdivision is the platting of the property. She said they are looking to amend the zoning regulations to take the Planned Development section out of the Subdivision Regulations and keep them in the Zoning Regulations.

Robert Pennington had several questions reading from the draft resolution that was included in the packets such as road issues on page 3; enforcing covenants on page 4; Section 19(D) page 5 regarding the requirement for the extension of a water system. He does not like that wells and public water

systems would have to be installed. He would like to reduce the distance for extending water infrastructure to a new development.

Mike Bailey verified that a plat would not be approved until water is in place.

There was discussion about Section 22-2 the requirement of 6% for green belt area and/or open space for new developments. Bailey and Pennington suggested that this section/requirement be removed. Kathryn stated that this was not a new section added to the regulations, it is currently a requirement.

Terry Rutenbeck suggested that open space/green belt be a requirement if a subdivision is over 50 lots. There was further discussion; Kathryn suggested that the Planning Commission make a recommendation to the County Commissioners on a threshold number of lots prior to requirements for open space/green belt be a requirement. Planning Commission recommends that the threshold for the open space/green belt requirement be set at 25 lots.

There was discussion about the advantages and disadvantages of having open space areas for new developments.

Robert asked if a traffic study on Page 9 would be required and if land dedication or fees in lieu stated in Section 22(2) would apply.

Pam Cherry reviewed State regulations and the process of development. After more discussion she explained to the Board this amendment had to do with new MAJOR SUBDIVISIONS ONLY. Robert along with other Board Members didn't realize the red-lined version of the amendment they had in front of them was "old regulations showing changes, additions, or deletions and the draft Resolution they received was a version of how the regulations would actually read.

There was discussion about Section 6-130(A) and timing to finalize the name of a new subdivision and 6-140(A) and time allowed for staff review. Planning Commission decided to make no recommendations on changes to those two sections. There was discussion about public wastewater collection vs septic systems. This is one item that is reviewed as part of the submittal then recommendations developed.

Kathryn Sellars stated that when all work is complete during the Preliminary plat process then a final plat would be required to be submitted for recording purposes. The final plat should be substantially the same as the preliminary plat; notes clarifying conditions within the subdivision will appear on the final plat.

Terry Rutenbeck asked if the Major Subdivision process could be circumvented with the submittal of two minor subdivisions if there are 8 lots.

PUBLIC TESTIMONY OPEN – NO ONE in favor or in opposition to these amendments.
PUBLIC TESTIMONY CLOSED

After clarifying that the red-lined version are the new regulations, the Board wanted to table these amendments to the regulations so they could have the chance to re-read both the redlined version and

draft version of the new Resolution. They also requested a new redline and draft resolution be prepared for review prior to the next meeting to discuss the amendments.

It was then moved by Robert Pennington and seconded by Pete Mercer to TABLE these amendments to the regulations until their JULY 8TH meeting at 7:00 P.M. so the Board could have the chance to re-read both the redlined version and draft version of how the new Resolution will read with the 3 changes given to Kathryn Sellars as came up in discussion tonight. Motion carried 7-0.

There being no further business, the meeting was adjourned; Motion by Pete Mercer and second by Robert Pennington. Motion carried 7-0.

Respectfully submitted, Jody Meyer, Planning Assistant