



PLANNING COMMISSION AGENDA
Thursday, September 27, 2012
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. Approval of agenda.
3. Declaration of conflicts of interest.
4. Approval of minutes from June 28, 2012 and August 23, 2012.
5. Discussion/Decision: To consider amending portions of sections 8-6-18 and 8-12-46 of the Morgan County Code relating to underground utilities and section 8-11-6 of the Morgan County Code to discuss the potential for changes to hard surface parking
6. Staff Reports.
7. Adjourn.

**MORGAN COUNTY PLANNING COMMISSION MEETING
MORGAN COUNTY COURTHOUSE - RM. 29
THURSDAY September 27, 2012 – 6:30 P.M.**

MEMBERS PRESENT

Roland Haslam, Chairman
Alvin Lundgren
Adam Toone
Debbie Sessions
Darrell Erickson
Steve Wilson

STAFF PRESENT

Charles Ewert, Planner
Teresa Rhodes, Planning Commission Assistant

MEMBERS ABSENT

Shane Stephens

COUNTY COUNCIL PRESENT

Howard Hansen

*** * * M I N U T E S * * ***

1. Call to order – prayer.

Chairman Haslam welcomed. Member Wilson offered the prayer.

2. Approval of agenda.

Member Session moved to approve the agenda. Second by Member Erickson. The Vote was unanimous. The motion carried.

3. Declaration of conflicts of interest.

There were no conflicts of interest declared.

4. Approval of minutes from June 28, 2012 and August 23, 2012.

Member Sessions moved to approve the minutes of June 28, 2012 with the noted minor corrections. Second by Member Wilson. The vote was unanimous. The motion carried.

Member Lundgren moved to approve the minutes of August 23, 2012 with the noted minor corrections. Second by Member Session. The vote was unanimous. The motion carried.

5. Discussion/Decision: To consider amending portions of sections 8-6-18 and 8-12-46 of the Morgan County Code relating to underground utilities and section 8-11-6 of the Morgan County Code to discuss the potential for changes to hard surface parking

Charlie presented his staff report (Please see attached exhibit A).

The following was discussed:

- Boring was discussed.
- Definition of low voltage utility system
- Word *Improved* changed to *platted*
- Bonified and platted agricultural subdivision – wiring to existing pump or barn
- Fencing should be removed.
- Architectural reviews – color (earth tones) – use the words “matching surrounding environment”.
- Amnesty clause for parking lots. (Commercial, multi family, industrial, conditional use home occupation)
 - Expansions of existing parking lot (under amnesty) would need to be brought to full code.

Member Toone moved to close the discussion/decision. Second by Member Wilson. The vote was unanimous. The motion carried.

Member Toone moved to postpone the decision on agenda 5 to allow staff time to address concern that have come up in the discussion tonight and to be re-addressed no later than October 25, 2012. Second by Member Sessions. The vote was unanimous. The motion carried.

6. Staff Reports.

- Staff change – Mr. Gehring is no longer with the county. County currently has 39 open applications; active applications are 20.
- The office issued the 100th building permit today.
- The office has issued 117 applications so far for the year.
- Snow Basin believes they will have an application to submit within two weeks.

- Mt. Green Village Center – Johnson property is in middle of Mt. Green and was re-zoned CD zone (Title 8 chapter 5 D) several years ago. It will be coming forward much like Snow Basin will be coming forward, just on a smaller scale. Johnsons have requested a work sessions to discuss their future application.
 - Jody Burnett will be representing the County. Bruce Baird will be representing the Johnsons.
 - CD zone still exists in the County Code. Charlie noted he would not recommend it being used.

Member Toone was excused at this time.

- Two re-zones on Island Road will be coming forward soon.

7. Adjourn.

Member Erickson moved to adjourn. Second by Member Wilson. The vote was unanimous. The motion carried.

Approved: _____
Chairman

Date: _____

ATTEST: _____
Teresa A. Rhodes, Clerk
Planning and Development Services

Date: _____

Exhibit A – Agenda Item # Discussion/Decision: To consider amending portions of sections 8-6-18 and 8-12-46 of the Morgan County Code

**Planning and Development Services
STAFF REPORT
September 19, 2012**

To: Morgan County Planning Commission
Business Date: 9/27/2012

Prepared By: Charles Ewert, Planner

Re: Continuation of Text Amendment Regarding Utilities and Parking Lot Paving Standards Revisions as Requested by the County Council

Application No.: 12.073

BACKGROUND AND SUMMARY

The Planning Commission recently discussed a potential text amendment to provide for more flexible regulations governing the location, alteration, or extension of utility lines. With this discussion the Planning Commission also addressed concerns with the regulations governing parking lot hard surfacing. Since this discussion the Planning and Development Services Department has had a staffing change. Current staff has reviewed the request and has attempted to address the Planning Commission's concerns, however, when conducting the review a few questions arose that may need further clarifications. Previous staff's proposed text amendment is provided in Exhibit A with purple additions (underlined) and deletions (strikeouts). Current staff has provided additions, modifications, and clarifications with redlined additions (underlined) and deletions (strikeouts). Comments are also provided to give the reasoning greater clarity.

As part of this amendment there are provisions for the extension of overhead utilities for agricultural and residential uses that are not inside developed subdivisions. The intent here is to help those with undeveloped or less developed property avoid the costs of undergrounding new utility infrastructure. The changes also address the requirements for crossing improved streets. There are safety and aesthetics impacts in allowing the crossing of streets with overhead utilities. These impacts can be enumerated in terms of hazards related to downed power lines, high profile vehicles, and the visual disruption of scenery. The Planning Commission wanted to be sensitive to the potential that some cases of undergrounding across the road could lead to extreme costs on residents. Previous staff suggested a process herein in which these aggrieved people can seek relief by obtaining approval from the County Council after recommendation from the County Engineer. Given that there is no formal process set up for such a request outside of the CUP process, current staff feels that this process may be better suited

for the discretion of administrative staff, and suggest an objective threshold from which to consider exceptions. More discussion on this point may be merited.

Finally, this text amendment addresses the hard surfacing of parking lots. The proposal is to make all previously constructed lots legal nonconforming, and requires hard surfacing of all new parking lots. In the text there are also requirements for existing lots to come into conformity if at some future time they are expanded. The expansion of a parking lot may come about by a willing and volunteering landowner, but it is more likely that parking lot expansion will occur as a condition of approval of a new or expanded use on a property. For example, MCC 8-11-4 has a table establishing the number of parking spaces per building square feet based on the type of use. When a use is changed or expanded, the County may require additional spaces be provided. Parking lot upgrades will be required at that time.

Included herewith are comments from two Planning Commissioners about these two items. They illustrate relevant yet diverging opinions that that are at the core of this issue.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the County Council for the proposed land use regulations text amendments regarding utilities and parking lot paving standards revisions, application 12.073, based on the following findings:

1. That the amendments are necessary to provide greater financial feasibility to the installation, alteration, or extension of utilities on undeveloped or less developed lands.
2. That the amendments are necessary to provide adequate parking facilities for changing or expanding uses.
3. That the amendments promote the County's health, safety, and welfare.

MODEL MOTION

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the County Council for the proposed land use regulations text amendments regarding utilities and parking lot paving standards revisions, application 12.073, based on the findings presented in the Staff report dated September 19, 2012:"

1. List any additional findings ...

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation for the proposed land use regulations text amendments regarding utilities and parking lot paving standards revisions, application 12.073, based on the following findings:"

1. List any additional findings ...

EXHIBITS

Exhibit A: Proposed Changes

Exhibit B: Comments from Planning Commissioners