



PLANNING COMMISSION AGENDA

Thursday, January 13, 2022

Morgan County Commission 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, Commission Chambers; 48 West Young St., Morgan, Utah. The agenda is as follows:

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

Legislative Discussion

6. **Discussion/Public Hearing/Decision: Winterton Commercial Use Table Amendment** – A proposed amendment to Morgan County Code Section 8-5C-3 Use Regulations. Amending the Commercial Use Table to allow for Outdoor Storage as a C2 in the CB Zone.

Administrative Discussion

7. **POSTPONED FROM OCTOBER 28TH MEETING - Discussion/Decision: Paul Warner Subdivision Plat Amendment** - A proposed amendment to the Paul Warner Subdivision. Changing the number of lots from two to twelve. Located at 4810 W Old Highway Road in Mountain Green, Utah.

Other:

8. Business/Staff Questions.
9. Approval of December 16, 2021, Planning Commission minutes.
10. Adjourn.

Public Hearing

Request to Amend Morgan County Code 8-5C-3: Use Regulations in the Commercial Zones

File #21.068

Applicant: Dale Winterton

REQUEST: Dale Winterton requests a Land Use Management Code Amendment to Section 8-5C-3: Use Regulations to allow for outdoor storage in the CB zone as a C2.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends the Planning Commission recommend approval to the County Commission of the proposed LUMCA in Section 8-5C-3 based on the following findings:

1. That the proposed amendment is consistent with goals, objectives and policies of the County's general plan.
2. That the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property.
3. That the proposed amendment will allow for mitigation measures to not adversely affect adjacent property.
4. That there are adequate facilities and services to serve the property.

ANALYSIS

There are eighteen properties along Cottonwood Commercial Street in the CB zone. Six of the properties appear to have outside storage uses that may be grandfathered. The County amended the CB zone on October 6th, 2020, to allow for several of the existing uses but outside storage was not considered an acceptable use in the Commercial Buffer zone.

Due to the limited area for outside storage in the county especially on property under five acres staff believes that a conditional use would allow the Planning Commission to determine what sufficient mitigation measures of outside storage would be appropriate. The potentially negative impacts of any property seeking a Conditional Use Permit (CUP) could be mitigated by a site design that keeps the outside storage away from residential uses and require improvements like berms, walls and landscaping to mitigate any impacts.

PROPOSED CHANGES TO MORGAN COUNTY CODE

The following is a small portion of the Commercial Use Table. The amended would make Storage Outdoor a C2 use in the CB zone.

8-5C-3: USE REGULATIONS:

	NC	TC	CS	CH	TPC	CB	LC	LM	I
Parking garage	C1	P	P	P	P	P	C1	P	P
Radio and television communication facilities	C1	C1	C1	C1	C1	C1	C1	P	P
Repair shop (small equipment, personal items)	C1	-	C1	C1	P	P	C1	P	-
Sexually oriented businesses, as defined in section 8-18-2 of this title	-	-	-	-	-	-	-	-	C3
Storage facility enclosed	C1	-	C1	P	C1	C1	C1	C1	C1
Storage outdoor	-	-	-	-	-	C2	-	P	P
Tailor	P	P	P	P	P	P	P	P	P
Tanning salons	P	P	P	P	-	-	-	-	-
Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	-	-	-	-	-	-	-	C2	C1

SAMPLE MOTION

Sample Motion for *approval* – “I move that the Planning Commission recommend approval to the County Commission to approve the revision of Morgan County Code Section 8-5C-3 to allow for outdoor storage as a C2 use in the CB zone, based on the text listed in the staff report dated January 13, 2022.”

Sample Motion for *approval with additional changes* – “I move that the Planning Commission recommend approval to the County Commission to approve the revision of Morgan County Code Section 8-5C-3 to allow for outdoor storage as a C2 use in the CB zone based on the text listed in the staff report dated January 13, 2022, with the following corrections:”

1. List any corrections...

Sample Motion for *denial* – “I move that the Planning Commission recommend denial to the County Commission for the revision of Morgan County Code Section 8-5C-3 to allow for outdoor storage as a C2 use in the CB zone *due to the following findings:*”

1. List findings...



LAND USE MANAGEMENT CODE AMENDMENT APPLICATION

NOTE: Please Read Chapter 3 of Title 8: Land Use Management Code as well as any other pertinent sections of the Code/General Plan/Area Plan in detail before submitting any type of Code Amendment Application. The applicant should realize that a typical time frame for a Zoning Ordinance Amendment may be lengthy, depending upon the complexity and issues.

Section to be amended:					
Name of Owner(s): Dale Winterton				Date of Submission: 12/15/2021	
Owner(s) Address: 4220 Iris Ave.			Owner(s) Mailing Address (if different):		
City: Mtn. Green	State: Utah	Zip: 84050	City:	State:	Zip:
Phone: 801-458-5390			Email: dale.winterton@yahoo.com		
Name of Applicant or Authorized Agent:					
Agent Address: 4071 W. 5800 S.			Agent Mailing Address (if different):		
City:	State:	Zip:	City:	State:	Zip:
Phone:			Email:		
Owner(s): Signature of Authorization to file:				Date of Submission: 12/15/2021	
Describe proposed LUMC ordinance amendment:					
Amend CB Zone to allow for Outdoor Storage at the Cottonwood Commercial Park as a C2 Use.					
There are only 3 undeveloped lots in this subdivision, and all 3 owners want this changed.					
Describe how this change will affect the general character of the zone:					
This will not change the character of this zone, because it was permitted on all the other lots.					
RECEIVED					
Any additional information that may be useful:					
There are no other places in Mtn. Green suitable for this application.				DEC 15 2021	
Morgan County					
Pre-Application Conference Date (if applicable or necessary):					



PLANNING COMMISSION STAFF REPORT

Subdivision Plat Amendment

January 13, 2022

Paul Warner Subdivision Plat Amendment
Public Meeting

Application No.:	21.036
Applicant:	Paula Miller
Owners:	Paul and Beverly Warner Family Trust
Project Location:	4900 W Old Highway Road
Current Zoning:	R1-20
General Plan Designation:	Village Low Density Residential
Acreage:	8.21 acres
Date of Application:	July 13, 2021

REQUEST: The applicant requests approval of the Paul Warner Subdivision plat amendment to create 10 single-family lots in addition to the two already existing lots, creating a 12-lot subdivision.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends that the Planning Commission recommend approval of the plat amendment for the Paul Warner Subdivision subject to all applicable regulations and the following conditions:

1. That all of the County Surveyor, Engineer and Mountain Green Fire review comments be addressed.
2. That the applicant submits a copy of the proposed protective covenants for the detention basin and other common area maintenance proposals that are to serve any portion of the subdivision.
3. That all outsourced consultant fees are paid current prior to final plat recordation.
4. That all other local, state, and federal laws are adhered to.

PROJECT DESCRIPTION:

Proposal Details

This request is for a plat amendment to the Paul Warner Subdivision. The property is located at 4900 W Old Highway Road in the Mountain Green area. The Paul Warner Subdivision Plat Amendment consists of 12 lots and a new public street (4900 West Street) that extends approximately 600 feet from W Old Highway Road into a cul-de-sac. Lots 1-11 will gain their

access off of the new public street. Lot 12 will gain its access from the existing driveway off of Old Highway Road. There is an existing SFH located on lots 11 and 12, and an accessory building located on lot 1 and the detention basin easement. Each lot will be between 1.37 and 0.6 acres. The subdivision proposes to use Highlands Water Company as their water source and Mountain Green Sewer Improvement district for their proposed method of sewage disposal. The proposal has been reviewed and meets the preliminary and final design standards as required by Morgan County Code (MCC).

DISCUSSION:

The plat amendment requirements come from Morgan County's Land Use Management Code, Title 8, Chapter 12, Section 61 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and have found that the application request meets these standards.

8-12-64: AMENDED PLAT REQUIREMENTS:

- A. Prior to the County Council's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an amended plat map and complete supporting preliminary plat and final plat information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.*
- B. Upon approval of the plat amendment, all required documents, submissions, signatures, and review procedures which are required for a final plat shall be submitted and followed, prior to recordation in the Office of the County Recorder.*
- C. The County Council may vacate a subdivision or a portion of a subdivision by recording in the County Recorder's Office an ordinance describing the subdivision or the portion being vacated. (Ord. 10-16, 12-14-2010)*

8-12-63: GROUNDS FOR VACATING OR CHANGING A PLAT:

- A. The land use authority may approve the vacation, alteration, or amendment of a plat by signing an amended plat showing the vacation, alteration, or amendment if the land use authority finds that:*
 - 1. There is good cause for the vacation, alteration, or amendment; and*
 - 2. No Public Street, right of way, or easement has been vacated or altered.*
- B. The land use authority shall ensure that the amended plat showing the vacation, alteration, or amendment is recorded in the office of the county recorder.*

- C. *If an entire subdivision is vacated, the county council shall ensure that a resolution containing a legal description of the entire vacated subdivision is recorded in the county recorder's office.*
- D. *The county council may adopt an ordinance granting a petition to vacate some or all of a public street, right of way, or easement if the legislative body finds that:*
 - 1. *Good cause exists for the vacation; and*
 - 2. *Neither the public interest nor any person will be materially injured by the vacation.*
- E. *If the county council adopts an ordinance vacating some or all of a public street, right of way, or easement, the county council shall ensure that a plat reflecting the vacation and/or an ordinance describing the vacations is recorded in the Office of the County Recorder.*
- F. *The action of the legislative body vacating some or all of a street, right-of-way, or easement that has been dedicated to public use:*
 - 1. *Operates to the extent to which it is vacated, upon the effective date of the recorded plat, as a revocation of the acceptance of and the relinquishment of the County's fee in the vacated street, right-of-way, or easement; and*
 - 2. *May not be construed to impair:*
 - a. *Any right-of-way or easement of any lot owner; or*
 - b. *The franchise rights of any public utility. (Ord. 10-16, 12-14-2010)*

8-12-61: PROCEDURE:

- A. *For plat amendments that result in adjusting and/or altering lot lines through an exchange of title within a platted subdivision the zoning administrator shall be the land use authority.*
 - 1. *The zoning administrator shall approve an exchange of title under this subsection if the exchange of title will not result in a violation of any land use ordinance.*
 - 2. *If an exchange of title is approved under this subsection, a notice of approval shall be recorded in the office of the county recorder which:*
 - a. *Is executed by each owner included in the exchange and by the land use authority; and*
 - b. *Contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah state code title 57, chapter 2a, recognition of acknowledgments act; and*
 - c. *Recites the descriptions of both the original parcels and the parcels created by the exchange of title;*
 - 3. *A document of conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.*

4. *A notice of approval recorded under this subsection A does not act as a conveyance of title to real property and is not required to record a document conveying title to real property.*
- B. *For plat amendments that result in the combination of lots, building pad adjustments, subdivision title changes, plat note revisions, amendments to internal lot restrictions, the alteration, amendment, or vacation of a public or private road shown on a subdivision plat, and all other modifications to lots within a recorded subdivision plat shall be reviewed by the county council with a recommendation from the planning commission.*
- C. *Applications to vacate or amend a subdivision plat shall be required to submit those documents required for review in a complete preliminary plat application which pertain to and describe the proposed amendment, as well as a paper copy of the proposed final plat mylar. Revised construction drawings shall also be submitted when changes to any required subdivision improvements are proposed.*
- D. *Upon receipt of a petition or a proposal to vacate or amend a subdivision plat which requires action by the county council, the matter shall be referred to the planning commission for a recommendation on the proposal.*
- E. *The land use authority shall hold a public hearing within forty five (45) days after the day on which the petition is filed if:*
 1. *Any owner within the plat notifies the county of the owner's objection in writing within ten (10) days of mailed notification; or*
 2. *A public hearing is required because all of the owners in the subdivision have not signed the revised plat.*
- F. *The land use authority may consider at a public meeting, without a public hearing, an owner's petition to vacate or amend a subdivision plat if:*
 1. *The petition seeks to join two (2) or more of the petitioning fee owner's contiguous lots;*
 2. *Subdivide one or more of the petitioner's fee owner's lots if the subdivision will not result in a violation of a land use ordinance or a development condition;*
 3. *Adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join the petition, regardless of whether the lots and parcels are located in the same subdivision;*
 4. *On a lot owned by the petitioning fee owner adjust an internal lot restriction imposed by the county;*
 5. *Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as common area; and*
 6. *Notice has been given to adjacent property, in accordance with section 8-3-12 of this title. (Ord. 10-16, 12-14-2010)*

ANALYSIS OF STANDARDS

Standards		Findings	Rationale
<p>Ordinance Evaluation. Morgan County Code, Chapter 8, Section 12-64 states the following:</p> <p><i>Prior to the County Council's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an <u>amended plat map and complete supporting preliminary plat and final plat</u> information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.</i></p> <p><i>Therefore, this plat amendment has been reviewed for preliminary and final plat standards.</i></p>			
<p>8-12-24: PRELIMINARY PLAT SUBMITTAL: <i>The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</i></p>			
A	<p>Vicinity Map</p> <ol style="list-style-type: none"> 1. Drawn at a maximum scale of one thousand feet (1,000') to the inch. 2. Show all existing and proposed roadways in the vicinity of the proposed development. 3. A north arrow. 4. The nearest section corner tie. 5. Subdivision name. 	Complies	
B	<p>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</p>	Complies	
C	<p>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</p> <ol style="list-style-type: none"> 1. Drawn at a scale not smaller than one hundred feet (100') to the inch. 2. A north arrow. 3. Subdivision name. 4. The layout and names and widths of existing and future road rights of way. 5. A tie to a permanent survey monument at a section corner. 6. The boundary lines of the subdivision with bearings and distances. 7. The layout and dimensions of proposed lots with lot areas in square feet. 8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces. 9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings. 10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas. 11. Location and ownership of all adjoining tracts of land. 12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010) 	Complies	
D	<p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 	Complies	

	<p>7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA).</p> <p>8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</p> <p>9. Show any existing wetlands.</p> <p>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</p>		
E	<p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <p>1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout.</p> <p>2. North arrow.</p> <p>3. Subdivision name.</p> <p>4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</p> <p>5. Show location and dimensions of all utility easements.</p>	Complies	
F	<p>The subdivider shall provide the following documents with the application:</p> <p>1. Three (3) copies of a geotechnical soils report.</p> <p>2. A traffic report when required by the planning commission or county engineer.</p> <p>3. Preliminary title report, which specifically references the boundary survey and exactly matches the legal description of the outside boundary of the subdivision.</p> <p>4. Service agreements from all utility companies or providers.</p> <p>5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.</p> <p>6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist.</p> <p>7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat.</p> <p>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</p> <p>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow</p>		

	<p>rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</p> <p>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</p>		
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	Complies	
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.	Complies	The applicant agrees to these terms.
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Complies	Owner dedication of detention area is in favor of all lot owners. COA requires recordation of covenants prior to plat recordation.
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Complies	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)	Not Applicable	The original subdivision did not have these provisions; therefore, it does not apply to the plat amendment.
8-12-32: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:			
A	The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county council agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.	Will Comply	Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission and/or County Council recommend changes to the plat.
B	The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.	Complies	
C	The plat shall contain a north arrow and scale of the drawing and the date.	Complies	
D	Prior to consideration by the county council, the plat shall be signed by all required and authorized parties, with the exception of the county council chairperson, planning commission chairperson and county attorney, with	Will comply	Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event

	appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.		that the Planning Commission and/or County Commission recommend changes to the plat.
E	An accurate and complete survey, which conforms to Utah state law.	Complies	The survey has been completed.
F	Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.	Complies	
G	The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot.	Complies	
H	All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.	Complies	
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Complies	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.	Complies	
K	All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.	Complies	
L	The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.	Complies	
M	The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all	Complies	

	<p>improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat:</p> <ol style="list-style-type: none"> 1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties; 2. All right of way monuments at angle points and intersections as approved by the county surveyor. 		
N	<p>The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:</p> <ol style="list-style-type: none"> 1. Professional land surveyor's "certificate of survey". 2. Owner's dedication certificate in the following form: <p><i>OWNERS DEDICATION</i></p> <p><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i></p> <p><i>(Add appropriate acknowledgments)</i></p> <ol style="list-style-type: none"> 3. Notary public's acknowledgement for each signature on the plat. 4. A correct metes and bounds description of all property included within the subdivision. 5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county council (a signature line for the council chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat. 6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor. 7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. 8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards. 9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the 	Complies	

	name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.		
O	On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.	Complies	
P	A note on the plat which states the following: <i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i> (Ord. 10-16, 12-14-2010)		

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering: Engineering comments have been addressed.

Surveyor: All Surveyor edits need to be corrected prior to recordation.

Recorders: No comments received

Zoning: The zoning is R1-20:

8-5B; Article A: Residential District R1-20:

The purpose of the Residential District R1-20 is to provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character.

As proposed subdivision plat amendment appears to meet the zoning requirements.

The following code states (8-12-61):

B. For plat amendments that result in the combination of lots, building pad adjustments, subdivision title changes, plat note revisions, amendments to internal lot restrictions, the alteration, amendment, or vacation of a public or private road shown on a subdivision plat, and all other modifications to lots within a recorded subdivision plat shall be reviewed by the County Council with a recommendation from the Planning Commission.

C. Applications to vacate or amend a subdivision plat shall be required to submit

those documents required for review in a complete preliminary plat application which pertain to and describe the proposed amendment, as well as a paper copy of the proposed final plat mylar. Revised construction drawings shall also be submitted when changes to any required subdivision improvements are proposed.

D. Upon receipt of a petition or a proposal to vacate or amend a subdivision plat which requires action by the County Council, the matter shall be referred to the Planning Commission for a recommendation on the proposal.

Therefore, the Planning Commission's decision for this application will be a recommendation to the County Commission.

Recommended Motion

Sample Motion for a recommendation for Approval – “I move we recommend approval to the County Commission for the Paul Warner Subdivision Plat Amendment, application #21.036, located at 4900 W Old Highway Road based on the findings and with the conditions listed in the staff report dated January 13, 2022.”

Sample Motion for a recommendation for Approval with conditions – “I move we recommend approval to the County Commission for the Paul Warner Subdivision Plat Amendment, application #21.036, located at 4900 W Old Highway Road based on the findings and with the conditions listed in the staff report dated January 13, 2022, with the following additional conditions:”

1. *List any additional findings and conditions...*

Sample Motion for a recommendation for Denial – “I move we recommend denial to the County Commission for the Paul Warner Subdivision Plat Amendment, application #21.036, located at 4900 W Old Highway Road, based on the following findings:

1. *List any additional findings...*

Attachments:

1. Zoning Map
2. Original Plat
3. Proposed Plat Amendment
4. Mountain Green Fire District Review Comments
5. Application

VICINITY MAP & EXISTING CONDITIONS

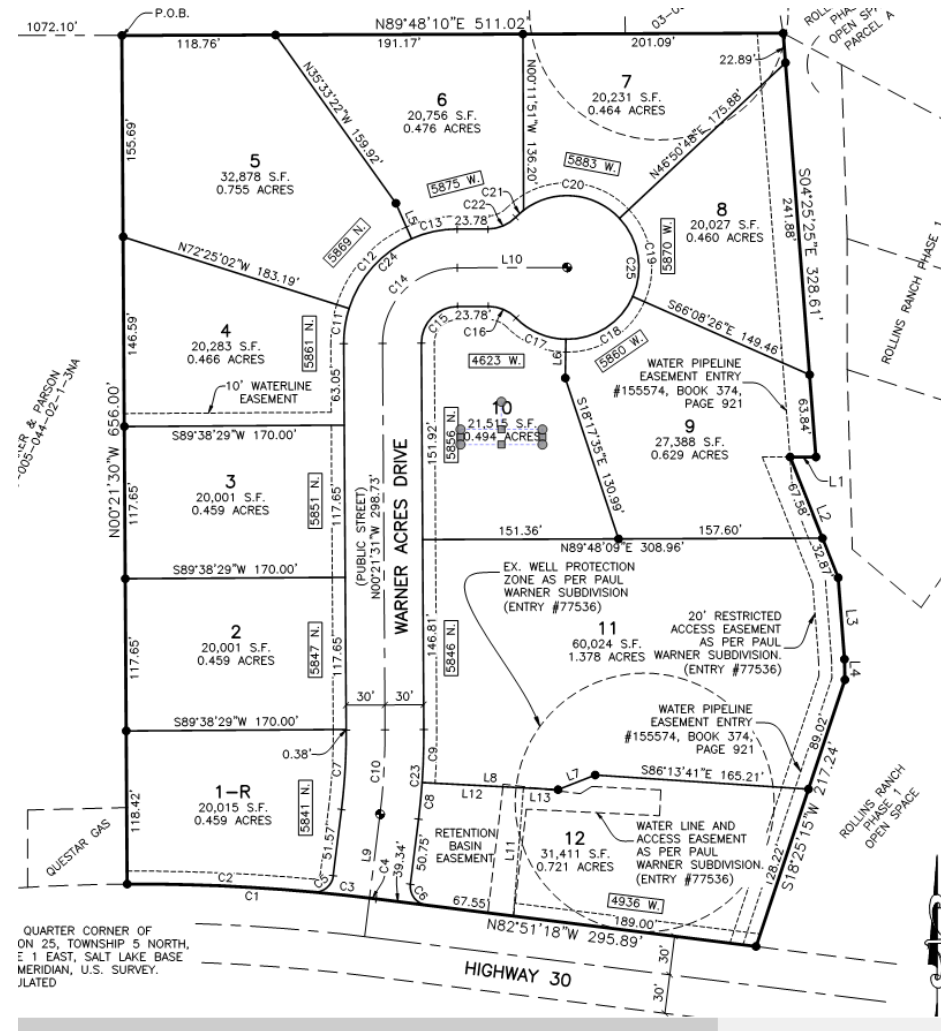
The site grade slopes downward to the south and east. Portions of the site appear to have been used as a gravel pit. The site is bounded on the north and west by undeveloped land, on the east by residential development, and on the south by Old Highway Road.



*Paul Warner Subdivision Plat Amendment
Application #21.036
13 January 2022*

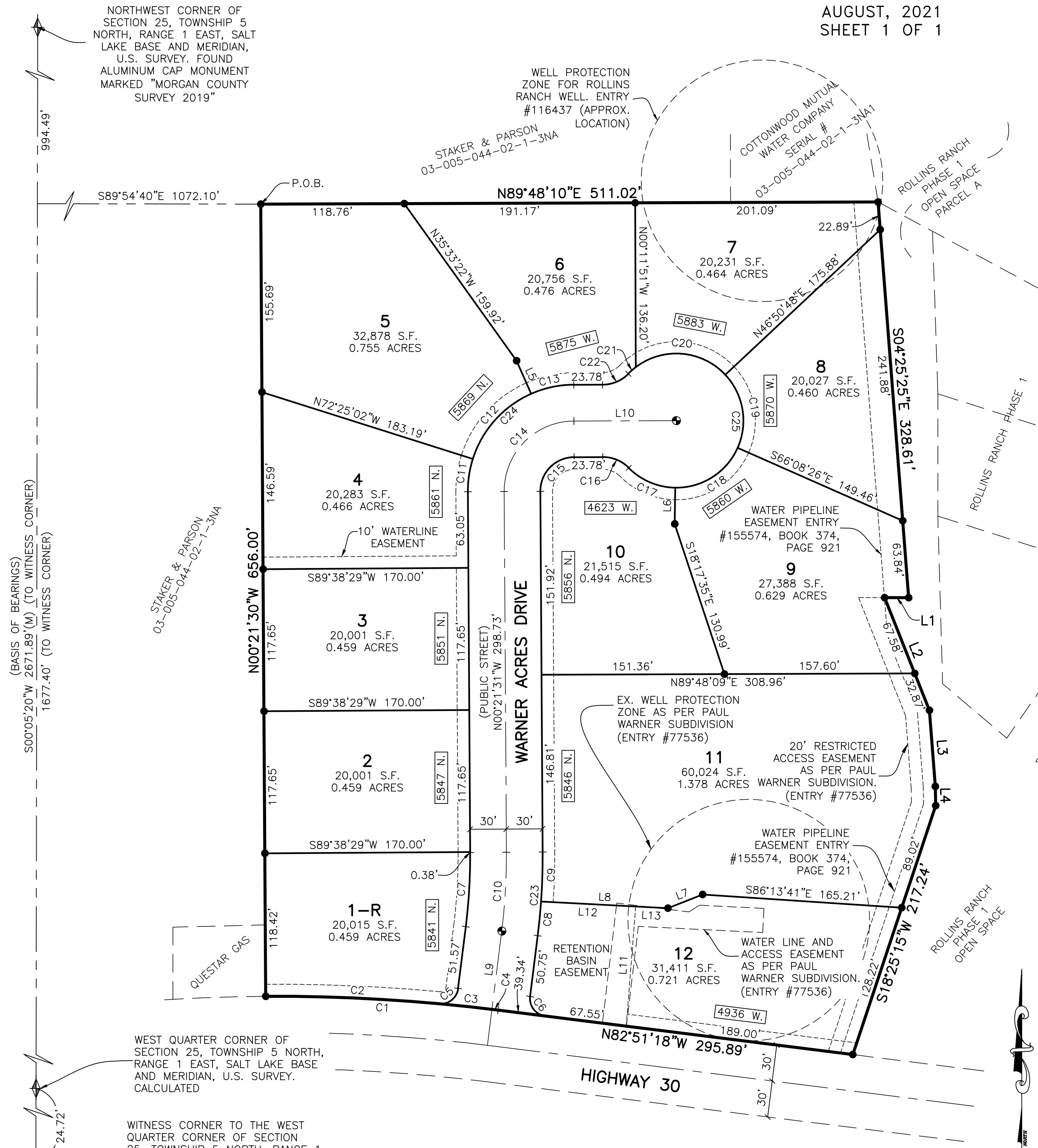
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ATTACHMENT 3: PROPOSED PLAT



PAUL WARNER SUBDIVISION 1ST AMENDMENT

AMENDING LOT 1 AND 2 OF PAUL WARNER SUBDIVISION
PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
MORGAN COUNTY, UTAH
AUGUST, 2021
SHEET 1 OF 1



NOTES

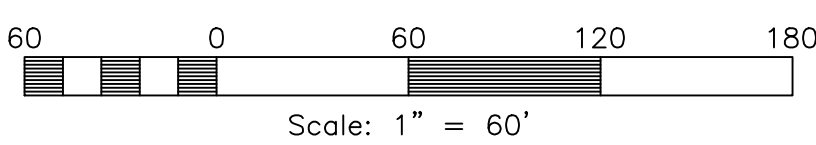
1. R = RESTRICTED TO NO ACCESS TO HIGHWAY 30
2. MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE ADOPTED BUILDING AND FIRE CODES. IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY ISSUED BY THE COUNTY
3. THE NORTHERLY WELL AS SHOWN ON THE RECORDED PLAT FOR PAUL WARNER SUBDIVISION PLAT WAS NEVER CONSTRUCTED. THE EASEMENT SHOWN ON SAID ORIGINAL PLAT IS HEREBY VACATED WITH THIS PLAT.
4. THE SOUTHERLY WELL AND WATERLINE/ACCESS EASEMENT SHOWN ON THE RECORDED PLAT FOR PAUL WARNER SUBDIVISION IS TO BE REMOVED ONCE THIS DEVELOPMENT IS TO CONNECT TO THE EXISTING CULINARY WATER SYSTEM. AT THAT TIME, THE WELL PROTECTION EASEMENT AND WATERLINE/ACCESS EASEMENT SHOWN HEREON SHALL BE VACATED WITHOUT FURTHER DOCUMENTATION.

LINE TABLE

LINE	BEARING	DISTANCE
L1	N89°55'25"W	19.94'
L2	S21°41'25"E	100.45'
L3	S04°25'25"E	63.16'
L4	S01°08'50"E	15.94'
L5	N23°51'41"W	30.00'
L6	N00°52'19"E	30.00'
L7	N68°27'49"E	30.86'
L8	S86°58'27"E	105.15'
L9	N07°09'41"E	65.25'
L10	N89°48'09"E	84.69'
L11	N04°30'15"E	99.40'
L12	S86°58'27"E	78.43'
L13	S86°58'27"E	26.72'

LEGEND

- SECTION CORNER
- WITNESS CORNER
- SET STREET MONUMENT
- SET 5/8" X 24" REBAR & PLASTIC CAP STAMPED "REEVE & ASSOCIATES"
- BOUNDARY LINE
- LOT LINE
- ADJOINING PROPERTY
- EASEMENTS
- SECTION TIE LINE
- ROAD CENTER LINE



VICINITY MAP

NO SCALE

CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	1472.70'	192.87'	192.73'	96.57'	N86°36'24"W	7°30'13"
C2	1472.70'	143.68'	143.63'	71.90'	S87°33'48"E	5°35'24"
C3	1472.70'	44.03'	44.02'	22.01'	S83°54'43"E	1°42'46"
C4	1472.70'	5.16'	5.16'	2.58'	S82°57'19"E	0°12'03"
C5	14.50'	22.29'	20.16'	14.02'	N51°11'18"E	88°05'13"
C6	14.50'	22.78'	20.51'	14.50'	S37°51'18"E	89°53'59"
C7	470.00'	61.55'	61.51'	30.82'	N03°23'35"E	7°30'12"
C8	530.00'	28.42'	28.42'	14.22'	N05°36'30"E	3°04'22"
C9	530.00'	40.98'	40.97'	20.50'	S01°51'24"W	4°25'50"
C10	500.00'	65.48'	65.43'	32.79'	N03°23'35"E	7°30'12"
C11	88.00'	27.56'	27.44'	13.89'	N08°36'44"E	17°56'29"
C12	88.00'	74.58'	72.36'	39.69'	N41°51'38"E	48°33'21"
C13	88.00'	36.35'	36.09'	18.44'	N77°58'14"E	23°39'50"
C14	58.00'	91.27'	82.14'	58.16'	N44°43'19"E	90°09'40"
C15	28.00'	44.06'	39.65'	28.08'	N44°43'19"E	90°09'40"
C16	30.00'	23.79'	23.17'	12.56'	S67°28'53"E	45°25'55"
C17	55.50'	42.97'	41.91'	22.53'	S08°56'48"E	44°21'45"
C18	55.50'	64.91'	61.28'	36.74'	N57°21'57"E	67°00'45"
C19	55.50'	64.91'	61.28'	36.74'	S09°38'49"E	67°00'45"
C20	55.50'	81.45'	74.34'	50.05'	S85°11'51"E	84°05'18"
C21	55.50'	8.13'	8.12'	4.07'	S48°33'52"W	8°23'17"
C22	30.00'	23.79'	23.17'	12.56'	S67°05'11"W	45°25'55"
C23	530.00'	69.41'	69.36'	34.75'	N03°23'35"E	7°30'12"
C24	88.00'	138.48'	124.63'	88.25'	N44°43'19"E	90°09'40"
C25	55.50'	262.37'	77.89'	54.67'	N00°11'51"W	270°51'51"

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO DIVIDE THE SUBJECT PROPERTY INTO LOTS AND STREETS AS SHOWN HEREON. THE BOUNDARY WAS DETERMINED BY RETRACING THE PAUL WARNER SUBDIVISION. ALL BOUNDARY AND REAR LOT CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

BOUNDARY DESCRIPTION

PARCEL 1:
ALL OF LOT 1, PAUL WARNER SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE MORGAN COUNTY RECORDER.

PARCEL 2:
ALL OF LOT 2, PAUL WARNER SUBDIVISION, ACCORDING TO THE OFFICIAL PAL THEREOF, ON FILE AND OF RECORD IN THE OFFICE OF THE MORGAN COUNTY RECORDER AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING S00°05'20"W 994.49 FEET AND S89°54'40"E 1072.10 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 25; THENCE N89°48'10"E 511.02 FEET; THENCE S04°25'25"E 328.61 FEET; THENCE N89°55'25"W 19.94 FEET; THENCE S21°41'25"E 100.45 FEET; THENCE S04°25'25"E 63.16 FEET; THENCE S01°08'50"E 15.94 FEET; THENCE S18°25'15"W 217.24 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF HIGHWAY 30; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE THE FOLLOWING TWO (2) COURSES: (1) N82°51'18"W 295.89 FEET; AND (2) ALONG A TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 1472.70 FEET, AN ARC LENGTH OF 192.87 FEET, A DELTA ANGLE OF 07°30'13", A CHORD BEARING OF N86°36'24"W, AND A CHORD LENGTH OF 192.73 FEET; THENCE N00°21'30"W 656.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 357,515 SQUARE FEET OR 8.207 ACRES MORE OR LESS.

MORGAN COUNTY SURVEYOR

I HEREBY CERTIFY THAT THE MORGAN COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA, AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE MORGAN COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS _____ DAY OF _____, 20____.

MORGAN COUNTY SURVEYOR

MORGAN COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT, AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND AFFECT. SIGNED THIS _____ DAY OF _____, 20____.

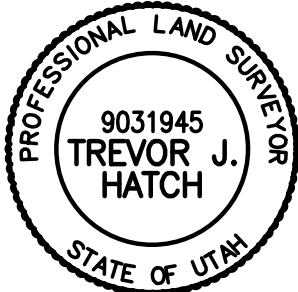
MORGAN COUNTY ATTORNEY

SURVEYOR'S CERTIFICATE

I, **TREVOR J. HATCH**, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **PAUL WARNER SUBDIVISION 1ST AMENDMENT** IN **MORGAN COUNTY**, UTAH, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **MORGAN COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **MORGAN COUNTY**, CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____.

9031945
UTAH LICENSE NUMBER



OWNERS DEDICATION AND CERTIFICATION

KNOW TO ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS(S) OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED SAID TRACT TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS **PAUL WARNER SUBDIVISION 1ST AMENDMENT**, AND DO HEREBY DEDICATE TO MORGAN COUNTY A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY AND WATERLINE EASEMENTS TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITIES AND ALSO DO HEREBY DEDICATE TO HIGHLANDS WATER COMPANY A 10' EASEMENT TO BE OWNED AND MAINTAINED BY THE SAME. RETENTION BASIN IS FOR THE BENEFIT OF LOTS 1R, 2-12 AND IT TO BE MAINTAINED BY THE SAME, OWNERSHIP WILL REMAIN WITH THE OWNER OF LOT 12.

SIGNED THIS _____ DAY OF _____, 20____.

FOR: PAUL & BEVERLY WARNER FAMILY TRUST

ACKNOWLEDGMENT

STATE OF UTAH)SS.
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____, (AND _____) (AND _____) BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE _____, AND _____, AND _____ OF SAID TRUST AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID TRUST FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC - STATE OF UTAH

PRINT NAME

COMMISSION NUMBER

COMMISSION EXPIRES

Project Info.

Surveyor: T. HATCH

Designer: N. ANDERSON

Begin Date: 11-19-2020

Name: PAUL WARNER SUBD.

1ST AMENDMENT

Number: 7381-01

Revision: 12-22-21 E.R.

Scale: 1"=60'

Checked: _____

MORGAN COUNTY PLANNING COMMISSION APPROVAL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY PLANNING COMMISSION. SIGNED THIS _____ DAY OF _____, 20____.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

MORGAN COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

MORGAN COUNTY ENGINEER

HIGHLANDS WATER COMPANY

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE HIGHLANDS WATER COMPANY. SIGNED THIS _____ DAY OF _____, 20____.

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE NORTHWEST CORNER AND THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, SHOWN HEREON AS S00°05'20"W.

MORGAN COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF MORGAN COUNTY, UTAH. SIGNED THIS _____ DAY OF _____, 20____.

CHAIRMAN, MORGAN COUNTY COMMISSION

LR 21.036 Paul Warner Subdivision Plat Amendment

Mountain Green Fire District Comments

Posted by Brian Brendel on Dec 16, 2021



- Per your preliminary plans dated September 2, only one fire hydrant is shown on the plat. Per International Fire Code (IFC) C102.1, maximum travel distance from hydrant to home road frontage is 250 feet. Presently, distance to end of cul-de-sac from hydrant exceeds 360 feet.
- Water line diameter is indicated as 4 inches at the upper part of the street. If a hydrant is added to the blow off on the end of the cul-de-sac, the water line diameter will have to be increased in order to provide adequate fire flow to that hydrant.
- Highland Water Company will need to provide a water model to show fire flow attainability to the end of the street.
- Fire flow calculations are dependent upon proposed square footage of a structure within the foundation, including basements. If fire flow cannot be obtained, an approved automatic fire sprinkler system will be required in that structure.
- IFC D103.2 provides that Fire Apparatus Access Roads (FAAR) shall not exceed 10% in grade. Your proposed street is a dead-end FAAR. Grades steeper than 10% must be approved by the Fire Code Official.

ATTACHMENT 5: APPLICATION

Subdivision Amendment Application

Planning and Development Services
48 West Young Street, Morgan, UT 84050
(801) 845-4015 Fax (801) 845-6087
www.morgan-county.net



Notice: The applicant must submit copies of the preliminary plans and final plat to be reviewed by the County in accordance with the terms of the Morgan County Code. Once a set of preliminary plans and final plat are submitted, the plans are subject to compliance reviews by the various county departments and contracted staff, and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the County Code and all other applicable laws. All submitted preliminary plan and final plat proposals shall be reviewed in accordance with Title 8 of the Morgan County Code. Submission of preliminary plans and final plat in no way guarantees placement of the application on any particular agenda of the County land use authority. It is **strongly** advised that all preliminary and final subdivision plans be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission:		Zone: R1-20		Serial#(s): 03-PWS1-01 & 20	
Project Name: WARNER ACRES				Parcel #(s): 244-031 & 252-89	
Project Address: 4810 WEST OLD HIGHWAY ROAD					
Project Description: THE DEVELOPMENT WILL CONSIST OF THE CREATION OF A 12 LOT SUBDIVISION OF A 1 LOT SUBDIVISION					
Property Owner(s): PAUL & BEVERLY WARNER FAMILY TRUST			Applicant(s): PAULA MILLER		
Address: 6551 TRAPPERS LOOP ROAD			Address: 6551 TRAPPERS LOOP ROAD		
City: MORGAN	State: UT	Zip: 84050	City: MORGAN	State: UT	Zip: 84050
Phone: 801-781-0988			Phone: 801-781-0988		
Contact Person: PAULA MILLER			Address: 6551 TRAPPERS LOOP ROAD		
Phone: 801-781-0988			City: MORGAN	State: UT	Zip: 84050
Cellular:		Fax:	Email: paulawmiller@gmail.com		

*The application you are submitting may become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time to process or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann.* § 63-2-302.5, please inform the County employee accepting this information. Morgan County does not currently share your private, controlled or protected information with any other person or government entity.

Subdivision Amendment Fees

Number of Lots: 12

_____ Subdivision Amendment application fee.....	\$250.00 plus \$10.00/lot
_____ Engineering review fees.....	\$Actual Cost
_____ Surveyor review Fees.....	\$Actual Cost
_____ Outside Consultants or Outsourced Staff Fee.....	\$ Actual Cost
_____ Noticing Fee.....	\$60.00

PLANNING COMMISSION MINUTES
Thursday, December 16, 2021
Morgan County Commission Room
6:30 pm

Minutes of the Morgan County Planning Commission meeting at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young St., Morgan, Utah.

Present PC Members:

Chairman Ross
Member Sessions
Member Little
Member Mayerle
Member Stephens
Member Bass
Member Wilson

Staff:

Lance Evans, Planning Director
Bailey Smith, Transcriptionist/Permit Tech

Public Attendance:

See Sign-in Sheet

1. Call to order – prayer
2. Pledge of Allegiance
3. Approval of agenda

Member Stephens moved to approve the agenda. Second by Member Bass. The vote was unanimous. Motion carried.

4. Declaration of conflicts of interest
5. Public Comment

No public comment.

Legislative Discussion

6. **Discussion/Public Hearing/Decision: Lot Width Code Amendment** – A proposed amendment to Morgan County Code Section 8-5A-5 Width and Frontage Regulations. Amending the width requirement in the RR-1 and larger zones and the establishment of lot shape requirements to Morgan County Code 8-12-43M.

Evans presented the final draft of the lot width code amendment. He recapped the discussions that the Planning Commission had during the two previous meetings. The changes are that the width would be allowed to reduce by no more than 70%. This gives some flexibility with lot design but maintains a fairly normal shaped lot. The second change is that the wellhead protection area is to be completely maintained on the lot. In the table the last sentence needs to be removed. The last change in section 8-12-43M would be adding a definition regarding lot shape. Member Stephens asked about the access easements being applicable in the RR-10 and RR-5 zones. Member Sessions stated they used to be applicable before they amended the access easement code. Evans suggested breaking off the first sentence and then the next sentence be changed to reference the access easement code. Member Sessions asked if the wording maintained is the correct verbiage to use. Member Mayerle stated wholly contained would be less interpretive.

Member Mayerle moved to go into public hearing. Second by Member Wilson. The vote was unanimous. Motion carried.

No public comment.

Member Mayerle moved to go out of public hearing. Second by Member Little. The vote was unanimous. Motion carried.

Member Sessions moved that the Planning Commission recommend approval to the County Commission to approve the revision of Morgan County Code Section 8-5A-5 and 8-12-43 to amend the width requirement for RR-1 and larger zones based on the text listed in the staff report dated December 16, 2021, with the following corrections:

1. *Changing the wording in the sentence wellhead protection zones must be wholly contained on the lot.*
2. *Removing the last two sentences of the table starting at Access easements.*
3. *Add a cross-reference to the access easement code.*

Second by Member Stephens. The vote was not unanimous. 5 for 1 against. Motion carried.

Administrative Discussion

7. **Discussion/Decision: Canyon View Commercial West Preliminary Plat** - A proposed preliminary plat for a 9 lot commercial subdivision. Located at approximately 5800 W Old Highway Road, Mountain Green, UT.

Evans presented the preliminary plat for Canyon View Commercial west. The long-term use of that is for commercial use. The nine lots could be considered a small subdivision. Because of its complexity staff recommended splitting the preliminary and final. The applicant is working on getting access from UDOT for his portion of the road. The conditions are that all county engineer and surveyor comments as well as Mountain Green fire concerns be addressed. Member Sessions asked if the preliminary plat should go to the county commission. Evans stated yes.

Member Mayerle moved to recommend approval to the County Commission for the Canyon View Commercial West Preliminary Plat, application number 21.016, allowing for a nine-lot subdivision of land located at approximately 5600 West Old Highway Road, based on the findings and with the conditions listed in the staff report dated December 16, 2021 and with the following additional conditions.

1. *To change condition one to read that all county engineer, surveyor, and mountain green fire comments be addressed prior to final plat submittal.*

Second by Member Wilson. The vote was unanimous. Motion carried.

8. **Discussion/Decision: 2022 Meeting Schedule**

Member Sessions moved to approve the 2022 Planning Commission Meeting Schedule. Second by Member Little. The vote was unanimous. Motion carried.

Other:

9. Business/Staff Questions.

Evans stated the General Plan is being worked on and they are hoping to bring it in front of the PC at the end of January. There was a lot of feedback from the preliminary draft. The County Commission is meeting to go over a proposed change of 5 days a week from 8-5.

10. Approval of December 2, 2021, Planning Commission minutes.

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Member Mayerle moved to approve the December 2, 2021, Planning Commission minutes. Second by Member Stephens. The vote was unanimous. Motion carried.

11. Adjourn.

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Member Stephens moved to adjourn. Second by Member Mayerle. The vote was unanimous. Motion carried.