



PLANNING COMMISSION AGENDA  
Thursday, September 10<sup>th</sup>, 2026  
Morgan County Commission Room  
Morgan County Courthouse – 48 West Young Street

6:30 p.m. Regular Meeting

1. Call to Order – Prayer
2. Pledge of Allegiance
3. Approval of Agenda
4. Declaration of Conflicts of Interest
5. Public Comment

Legislative

6. **Public Hearing/Discussion/Decision – Warner Future Land Use Map Amendment (FLUMA) and Rezone:** A request to change the Future Land Use Map from Ranch Residential 5 to Village Low Density Residential and to change the zoning from A-20 to R1-20 near 4970 West 6100 North in Morgan County. Total acreage is 51.299. Parcel numbers: 00-0002-5831 (4.50 acres), 00-0086-5855 (46.749 acres), 00-0086-5775 (0.04 acres), 00-0075-2329 (0.01 acres).

Administrative

7. Business/Staff Questions
8. Approval of August 27, 2026, Planning Commission Minutes
9. Adjourn

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

September 10, 2026

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Warner FLUMA & Rezone  
Public Hearing  
September 10, 2026

|                                        |                                                                                                                           |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Application No.:                       | 26.023                                                                                                                    |
| Applicant:                             | The Paul and Beverly Warner Family Trust<br>(Jacqueline W. Woody)                                                         |
| Owner:                                 | The Paul and Beverly Warner Family Trust                                                                                  |
| Project Location:                      | approximately 4970 West 6100 North                                                                                        |
| Parcel Numbers:                        | 00-0002-5831 (4.50 acres)<br>00-0086-5855 (46.749 acres)<br>00-0086-5775 (0.04 acres)<br>00-0075-2329 (0.01 acres)        |
| Serial Numbers:                        | 03-005-023 (4.50 acres)<br>03-005-025-05 (46.749 acres)<br>03-005-025-03-1 (0.04 acres)<br>03-005-044-02-1-2 (0.01 acres) |
| Date of Application:                   | July 7, 2026                                                                                                              |
| Future Land Use Designation:           | RR-5 (Ranch Residential 5)                                                                                                |
| Current Zoning:                        | A-20 (Agriculture)                                                                                                        |
| Requested Future Land Use Designation: | Village Low Density Residential (maximum of 2<br>units per acre)                                                          |
| Requested Zoning:                      | R1-20 (Single-family Residential)                                                                                         |
| Total Acreage:                         | 51.299                                                                                                                    |

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## REQUEST

Request to change the future land use map from “Ranch Residential 5” to “Village Low Density Residential” and to change the zoning from A-20 (Agriculture) to R1-20 (Single-family residential).

## ATTORNEY GUIDANCE

**Legislative Review:** Legislative Review: Legislative land use decisions involve the adoption, amendment, or repeal of ordinances, zoning maps, development standards, and other land use regulations. Under Utah Code § 17-79-501, these are policy decisions entrusted to the County Commission as the County's legislative body and involve the exercise of legislative judgment and discretion.

The Planning Commission's role is to review the proposal, receive public input, evaluate potential impacts, and make a recommendation to the County Commission. In doing so, the Planning Commission should consider whether the proposal is consistent with Morgan County Code, the General Plan, and applicable provisions of Utah law.

**Applicable Law:** Utah law grants counties broad authority to regulate land use through legislative action. Historically, legislative land use decisions were generally upheld if it was reasonably debatable that the regulation promoted the public welfare. However, recent amendments to Utah Code § 17-79-801 provide that a legislative land use regulation will be upheld if it is reasonably debatable that the regulation is consistent with LUDMA.

While there is currently limited case law interpreting this revised standard, recommendations and decisions are best supported by the purposes and policies identified in Utah Code § 17-79-102, Morgan County Code, and the General Plan. Doing so provides a stronger basis for legislative action and judicial review. Among other things, Utah Code § 17-79-102 identifies the following land use purposes:

- Protect the public health, safety, and welfare.
- Promote prosperity and economic stability.
- Protect the tax base and secure economy in governmental expenditures.
- Facilitate orderly growth and a variety of housing types.
- Protect property values.
- Foster agricultural and other industries.
- Protect both urban and nonurban development.
- Promote transportation, infrastructure, and public facilities.
- Balance surrounding land uses with private property rights and constitutional protections.

**Findings:** The record should clearly identify:

- The basis for the recommendation or decision.
- The applicable provisions of Morgan County Code, the General Plan, and Utah law supporting the recommendation or decision.
- The public purposes and policy considerations supporting the recommendation or decision, including any applicable purposes identified in Utah Code § 17-79-102.
- The facts, information, policy considerations, and evidence relied upon in reaching the recommendation or decision.

### **Examples of Supporting Reasons**

"I find the proposal is [consistent/inconsistent] with the goals and policies of the General Plan."

"I find the proposal [appropriately balances/fails to appropriately balance] surrounding land use considerations with the property owner's private property interests and constitutional protections."

"I find the proposal [supports/does not support] the purposes identified in Utah Code § 17-79-102, including orderly growth, infrastructure planning, agricultural preservation,

property rights, compatibility with surrounding land uses, public welfare, economic development, housing opportunities, or other applicable statutory purposes."

"I find the proposal is [consistent/inconsistent] with applicable provisions of Morgan County Code."

"I find the proposal [advances/conflicts with] adopted County policies, plans, or planning objectives."

### Important Considerations

- Legislative decisions involve policy judgments and the exercise of discretion.
- Public comments may assist in identifying impacts, concerns, and policy considerations. Recommendations should be based on the merits of those considerations, rather than the volume of public support or opposition.
- Recommendations are best supported by identifying the applicable provisions of Morgan County Code, the General Plan, and the purposes identified in Utah Code § 17-79-102.
- A well-supported recommendation provides a stronger basis for County Commission action and judicial review.

### STAFF OBSERVATION

The proposal is for a future land use map amendment from Ranch Residential to Village Low Density Residential, and a requested rezone from A-20 to R1-20.

The Ranch Residential 5 future land use designation accommodates rural large lot development. Agriculture privileges are a part of this character. Properties within this category are generally larger lots with accessory structures that may be used for agriculture.

The Village Low Density Residential future land use designation provides for agriculture, and master planned communities. The residential density is a maximum of two (2) units per acre.

Adjacent properties have the following future land use designations, zoning, and current land uses:

|              | <b>Future Land Use</b>                              | <b>Zoning</b>                      | <b>Current Use</b>                                                                 |
|--------------|-----------------------------------------------------|------------------------------------|------------------------------------------------------------------------------------|
| <b>North</b> | Ranch Residential-5                                 | A-20                               | Vacant                                                                             |
| <b>East</b>  | R1-20                                               | RR-1                               | Rollins Ranch Phase 5                                                              |
| <b>South</b> | R1-20                                               | R1-20                              | Rollins Ranch Phase 4A, 4B & Phase 1                                               |
| <b>West</b>  | RR-5 (school);<br>Across Trappers Loop<br>Road RR-1 | Across Trappers Loop<br>Road RR-10 | Mountain Green Middle School,<br>across Trappers Loop Road –<br>Warner Subdivision |

The adjacent properties to the east and to the south are part of phases of the Rollins Ranch PRUD. The Rollins Ranch PRUD has Development Agreements that allow for lots smaller in size than their underlying zoning of RR-1 (to the east) and R1-20 (to the south).

The application narrative states that:

“We want to change the zoning on parcels: 00-0086-5855; 00-0075-2329; 00-0002-5831; and 00-0086-5775. They are currently zoned as A20 Agriculture. The Future Land Map shows it as RR5. We would like to rezone it as R1-20. Most of the land will be 5+ acre lots; however, there are a few places that are more suitable to be 1/2 - 1 acre lots. Currently it is surrounded on the south by 1/4 to 1/3 acre lot and on the east by 1+ acre lots.

Previously the county was wanting to get rid of the A20 zoning in Mountain Green. We think that by changing the zoning on these parcels, it will more closely align with the surrounding area. Currently there are subdivisions on the east and south side of these parcels. On the west side is the Mountain Green Middle School. The city center is within 1/2 - 1 mile of these parcels.”

The proposed 51.299 acres proposed for a future land use map amendment and rezone amendment may be serviced by culinary water and sewer services.

Under Utah state law, residential development is generally favored in areas where municipal or public culinary water service is reasonably available, as connection to such systems supports orderly development and public health objectives.

## ANALYSIS

### General Plan and Zoning:

The application requests a change in the future land use from “Ranch Residential 5” to “Village Low Density Residential” and a rezone from A-20 (Agriculture) to R1-20 (Single-family residential).

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

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*
2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*
3. *Morgan County values its distinctive natural landscapes for their beauty, solitude, recreational opportunities, and natural resources and will work to ensure their long-range conservation and preservation.*
5. *Morgan County public policies support the viability of working and hobby farms, protection of agricultural lands, and the conservation of natural resources and rural character.*
6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term*

*sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The following procedures from the Morgan County Code Section 155.022 and 155.023 effectively apply to a petition to change the future land use map and also apply to a petition to change the zoning map:

Section 155.022: *Amendments to Title and Zoning Map* indicates that:

*The County Commission may amend this chapter, including the zoning map, but only in accordance with the following procedure.*

*(A) The County Commission may instruct staff to study and make recommendations for amendments to this chapter or the zoning map in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for their consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(B) The Planning Commission may instruct staff to study and make recommendations for amendments to this chapter in response to changes in policy or conditions generally within the county. Staff shall forward a recommended amendment to the Planning Commission for its consideration. The Planning Commission shall review and make recommendation to the County Commission regarding the proposed amendment pursuant to § 155.023(D) of this code.*

*(C) Any property owner may initiate an amendment to this chapter or the zoning map, as long as they are affected by the proposed amendment, by submitting a complete application to the Planning and Development Services Department in accordance with § 155.023(A) of this code.*

*(Prior Code, § 8-3-3) (Ord. 13-03, passed 4-16-2013)*

Section 155.023: *Procedures for Amendments and Rezonings* states:

*(D) Planning Commission review and recommendation.*

*(1) Upon receiving a recommendation from staff regarding an amendment to this chapter or the zoning map, and after holding the required public hearing, the Planning Commission shall review the amendment and prepare its recommendation. The Planning Commission may recommend approval, approval with modifications or denial of the proposed amendment and shall submit its recommendation to the County Commission for review and decision.*

*(2) Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this chapter.*

*(E) County Commission review. The County Commission shall schedule and hold a public hearing on the application as provided in § 155.031 of this code. Following the public hearing the County Commission may approve, approve with modifications or deny the proposed amendment. Prior to making a decision that goes contrary to the Planning Commission's recommendation, the County Commission may, but is not obligated to, remand the amendment to the Planning Commission with a request for another recommendation with additional or specific considerations. The Planning Commission*

*shall review such request as specified in division (D) above.*

*(F) Approval standards. A decision to amend the text of this chapter or the zoning map is a matter committed to the legislative discretion of the County Commission and is not controlled by any one standard. However, in making an amendment, the County Commission and Planning Commission should consider the following factors:*

*(1) Whether the proposed amendment is consistent with goals, objectives and policies of the county's General Plan;*

*(2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;*

*(3) The extent to which the proposed amendment may adversely affect adjacent property; and*

*(4) The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies and wastewater and refuse collection.*

*(G) Reconsideration. Where an application for zoning amendment has been denied, the Planning Commission and the County Commission shall not review the same zoning amendment application within two years of a denial unless there is a substantial change of conditions since the earlier application. A new application, with applicable fee, shall be required and processed in accordance with the procedure outlined in this section.*

*(Prior Code, § 8-3-4) (Ord. 13-03, passed 4-16-2013; Ord. 18-07, passed 11-13-2018)*

This meeting is in fulfillment of subsection (D) above.

## **PUBLIC NOTICE, MEETINGS, COMMENTS**

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before August 31, 2026; a minimum of 10 days prior to the scheduled meeting. [Morgan County Code § 155.032 (C)].
- ✓ A Public Notice was posted at the County on or before August 31, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before August 31, 2026.
- ✓ A sign was posted on the site on or before August 31, 2026.

## **RECOMMENDED MOTIONS**

**Recommended Motion for a *Positive* Recommendation** – “I move we forward a positive recommendation to the County Commission for the Warner future land use map amendment and rezone requests, application number 26.023, changing approximately 51.299 acres from future land use of Ranch Residential 5 to Village Low Density Residential, and rezoning from A-20 to R1-20 based on the findings listed in the staff report dated September 10, 2026.”

**Recommended Motion for a *Negative* Recommendation** – “I move we forward a negative recommendation to the County Commission for the Warner future land use map amendment, and rezone requests, application number 26.023, changing approximately 51.299 acres from future land use of Ranch Residential 5 to Village Low Density Residential, and rezoning from A-20 to R1-20 based on the findings listed in the staff report dated September 10, 2026.”

### Supporting Information

Exhibit A: Vicinity Map

Exhibit B: County Future Land Use Map

Exhibit C: County Zoning Map

### Staff Contact

Kent Page

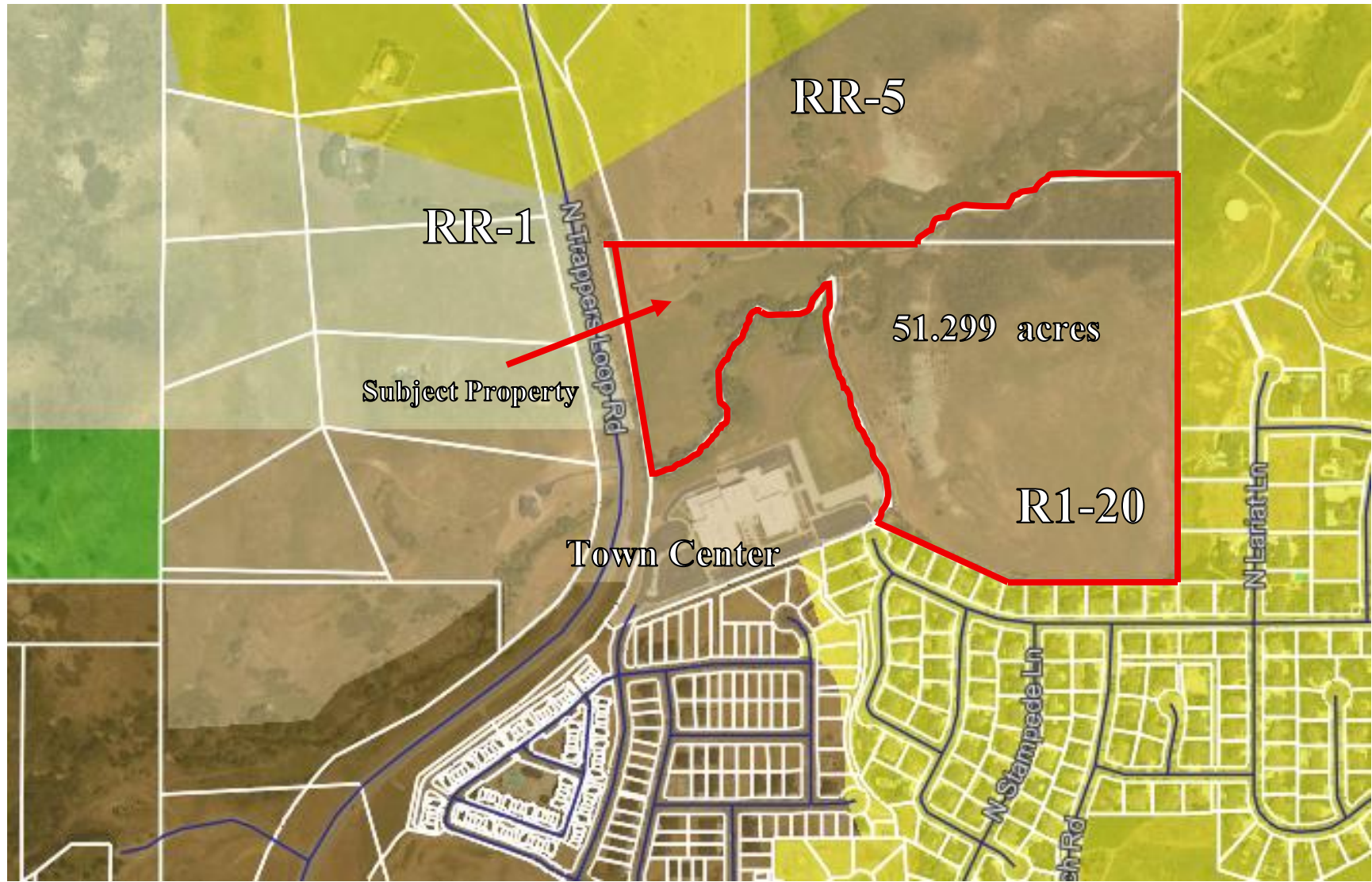
801-845-4007

kpage@morgancountyutah.gov

**Exhibit A: Vicinity Map**



**Exhibit B: County Future Land Use Map**



**Exhibit C: County Zoning Map**





PLANNING COMMISSION Minutes  
Thursday, August 27<sup>th</sup>, 2026  
Morgan County Commission  
Room  
6:30 p.m.

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

**Present PC Members:**    **Absent PC Members**

Chair Sessions  
Member Watt  
Member Taylor  
Member King  
Member Maloney  
Member Wilson

**Public Attendance:**

Shelley Clark  
Jerry Pierce  
Marlin Brooks  
Todd Crowther  
Tammy Crowther  
D Bret Smith  
Shaun Rose

**Staff:**

Deputy County Attorney – Janet Christopherson  
Kent Page – Senior Planner  
Brynnlee Savage -Planner I  
Chris Trenea – Code Compliance Officer  
Jessie Drage, Transcriptionist/Permit Tech

- 1. Call to order – Prayer by Member Watt**
- 2. Pledge of Allegiance**
- 3. Approval of Agenda**

*Member Watt motioned to approve the agenda for Thursday August 27<sup>th</sup>, 2026. Motion was seconded by Member King. Motion carried unanimously.*

- 4. Declaration of Conflicts of Interest – None**
- 5. Public Comment – None**

**Legislative:**

6. **Public Hearing/Discussion/Decision** – *New Monument Code*: Amendments to § 150.04, § 154, § 155.008, § 155.371, § 155.430.

**Shaun Rose, County Recorder** - stated that he was the county recorder and was present before the Commission that evening. He stated that, over the previous few months, he and the County Attorney had spent considerable time working on the new ordinance for the county. He explained that the new ordinance was Ordinance 154, Surveyor and Survey Monuments. The purpose of the ordinance was to consolidate provisions related to surveying, survey monuments, and the Public Land Survey System (PLSS) into one ordinance. He also noted that the county had recently hired a county surveyor, creating the county's first in-house surveyor position. He stated that the ordinance was also intended to align with the new surveyor position.

Mr. Rose requested approval to amend Sections 155.008, 155.371, and 155.430. He explained that those county code sections were within the land use code and contained provisions related to surveying. He requested that those provisions be removed from Chapter 155, amended, and moved into Chapter 154.

**Chair Sessions** - asked if there were any questions for Mr. Rose.

**Member King** - stated that he had read through the proposed amendments.

**Chair Sessions** - stated that she had intended to defer to Member King.

**Member King** - stated that the amendments looked good. He asked about an incident that had occurred several months earlier in which a monument had been obliterated. He noted that he had seen the potential fines listed in the proposed ordinance and asked whether those fines were consistent with those of other counties.

**Shaun Rose** - confirmed.

**Member King** - stated that he was wondering where those numbers had come from.

**Shaun Rose** - stated that the ordinance was based strictly on state code and what the state code allowed the county to do.

**Member King** - stated that the fines were the only item that had stood out to him and that he wanted to ensure the issue was covered.

**Shaun Rose** - stated that, regarding the subdivision and the monument that had been destroyed, the ordinance would protect the monument and help prevent similar incidents from occurring in the future.

**Member King** - asked whether the monument would be recreated.

**Shaun Rose** - stated that his office had held up recording the plat until the required data and tie sheets had been received. He stated that the office had recently received the requested information and had provided the necessary materials. He noted that the CC&Rs were still needed, but the plat was ready to be recorded once those were received.

**Chair Sessions** - asked if there were any additional questions. With no further questions, she stated that the Commission was ready to move into the public hearing and asked for a motion.

***Motion was made by Member Maloney to go into Public Hearing and seconded by Member Taylor. Motion carried unanimously.***

No public comment was made.

***Motion was made by Member Watt to go out of public hearing and seconded by Member Wilson. Motion carried unanimously.***

**Chair Sessions** – asked if there was anymore discussion. With no further discussion, she stated that the Commission was ready for a motion.

***Member King motioned for a positive recommendation for The Monument Preservation Text Amendment modifying code sections 155.008, 155.371, 155.430 based on the findings and the conditions stated in the staff report dated August 27<sup>th</sup> 2026. The motion was seconded by Member Maloney. All in favor, motion carried unanimously.***

7. **Public Hearing/Discussion/Decision** – 2292 W. Chrys Lane Future Land Use Map Amendment (FLUMA) & Rezone: A request to change the FLUM for 5.00 acres from Ranch Residential five (5) acres minimum per dwelling to Rural Residential one (1) acre minimum per dwelling and to rezone 5.00 acres from Rural Residential five (5) acres minimum per dwelling to Rural Residential two and one half (2.5) acres minimum per dwelling at 2292 W. Chrys Lane in the Milton area in unincorporated Morgan County. Applicant: A. Jaden Wells.

**Planner Page** - stated that, for the record, this was application 26.021. The applicant was A. Jaden Wells, and the property owner was Brad Peterson. The request was to change the Future Land Use Map from Ranch Residential Five, which was one dwelling unit per five acres, to Rural Residential, which allowed a maximum of one dwelling unit per acre. The request also included changing the zoning from RR5, which allowed one dwelling per five acres, to RR2.5, which allowed one dwelling unit per 2.5 acres.

He stated that, in the area, the Future Land Use Map called for Ranch Residential Five to the north and east of the property. To the south and west of the property, the Future Land Use Map called for Rural Residential One. The current zoning around the property was RR5 to the north, east, and south, and RR1 to the west. Planner Page stated that he would be glad to address any questions from the Commission.

**Chair Sessions** - asked if there were any questions and then asked if the Commission was ready for the public hearing. She stated that it was time to hear from the public and called for a motion to enter into public hearing.

***Motion was made by Member Wilson to go into Public Hearing and seconded by Member Maloney. Motion carried unanimously.***

**Chair Sessions** - stated that it was time for members of the public to address the Commission regarding the matter. She asked speakers to come to the lectern and state their names for the record.

**Dave Bell** - introduced himself and stated that he lived at 1482 North Morgan Valley Drive. He stated that he lived in the same general area and did not want to see the properties reduced to 2.5-acre lots. He stated that he would like the zoning to remain at five acres because he felt that the area was continually becoming smaller and smaller for those seeking a country-living environment.

Mr. Bell stated that it was frustrating to see the minimum lot size decrease over time, noting that it had previously been 20 acres and had since decreased to five acres. He stated that he did not want to see it reduced to 2.5 acres because he felt that would result in living in a subdivision. He requested that the Commission follow the general plan for Morgan County.

Mr. Bell also expressed concerns regarding septic systems and wells, stating that those issues became increasingly difficult as lot sizes decreased. He questioned how everything would be adequately addressed with above-ground septic systems and expressed concern about the potential effects of future rain and water conditions. He stated that he loved his community and the people around him and thanked the Commission for hearing his concerns.

**Chair Sessions** - stated that the Commission had received an email and that she would read it into the record. She stated that the email concerned the request for rezoning of 2292 Chrys Lane and had been submitted for inclusion in the meeting record.

**Chair Sessions read the email into the record:**

The residents stated that they loved living in Morgan and planned to remain there for a long time. They stated that they lived at 1482 North Morgan Valley Drive and that the request directly affected their property. They acknowledged that growth would occur but stated that another reduction in property size in the Elquis Estates area seemed unfair to the surrounding neighbors. They stated that they believed this would be the third rezone in the area within the previous two and a half years. They noted that the property had been purchased and the home had been built less than a year earlier, and that the owner had been aware of the zoning at the time of purchase. They expressed concern about the frequency of rezones in the area and the reduction in property sizes.

The residents stated that they loved their large lots and noted that the previous owner had owned a large amount of property and had rezoned and subdivided it several times before moving out of Morgan. They asked that another rezone and reduction in property sizes in the area not be allowed and requested that the current zoning remain in place and that the rezone request be denied.

They stated that Morgan County had gone through an extensive process to adopt a general plan with public input and that they respected that process. They expressed appreciation for the time and effort involved in planning and for the Commissioners' and staff's roles in the process. They again requested that the Commission deny the request. The email was signed by Dave and Kimberly Bell, 1482 North Morgan Valley Drive.

**Chair Sessions** - asked if there were any other comments.

**Chet Brooks** - introduced himself and stated that he wished to provide a second voice in support of the comments made by Dave Bell regarding the area. He stated that people wanted to build there because the area was beautiful, but that residents would like it to remain as it was. He thanked the Commission.

**Adam Wells** – introduced himself and stated that he wanted to make the statement that he believed most of the properties surrounding the proposed 2.5-acre property were much less than 2.5 acres. He stated that anyone who wanted to live on five acres could have purchased five acres and lived on five acres, including the owners of the surrounding homes.

Mr. Wells stated that the decision regarding the size of property on which someone chose to live was a personal choice and that if someone chose a one-acre lot, that was what they received. He stated that making a 2.5-acre lot out of five acres was not a significant change and noted that the house currently built on the five-acre property could have been located behind any of the existing neighboring homes. He stated that nobody could be the last person in and shut the door for everyone else and that the applicants were simply looking to improve their lives. He thanked the Commission.

**Marlon Brooks** – introduced himself and stated that he lived at 1380 North Morgan Valley Drive, directly in front of the property being discussed. He stated that his home and three or four other homes in the area were on smaller lots. He stated that he had lived there for 65 years and that when the homes were built, the smaller lot sizes were permitted under the applicable code.

Mr. Brooks stated that he believed he had approximately half an acre and that there would have been other people present at the meeting, but one of his neighbors worked out of town and was unable to attend. He stated that Steve Meacham, who lived next to him, was unable to attend due to medical reasons. He stated that he had spoken with his neighbor to the south, who was also unable to attend but had told him that she was not in favor of the request.

Mr. Brooks stated that he believed the request could set a precedent throughout the county. He referenced a subdivision being developed near Meacham Sheds that contained approximately 15 five-acre lots. He questioned whether those properties could also seek similar changes if the zoning in this area were changed. He stated that instead of having 15 homes, there could potentially be anywhere from 30 to 60 homes. Mr. Brooks stated that he was definitely opposed to the request and thanked the Commission.

**Bret Smith** - stated that he was speaking on behalf of himself and his wife, Rachel Smith. He stated that the matter was extremely difficult for a couple of reasons. First, he stated that they loved the Wells family, and second, they loved the Peterson family. He stated that he lived at 2261 West Chrys Lane.

Mr. Smith stated that he and his wife had moved to the area approximately a year and a half earlier from Draper. He stated that Draper had once been a small rural town and that he had moved because he wanted more space and a stronger sense of community. He stated that they loved the area and that one of the first things they had come to appreciate was the Wells children, noting that he had grandchildren of similar ages.

Mr. Smith stated that he and his wife were opposed to the request for one reason: they were being selfish. He explained that they had moved to the area and obtained five acres and acknowledged

that their property resulted from a previous subdivision of the Reynolds property. He stated that he would not have been there if that subdivision had not occurred and that he was therefore torn regarding the matter.

Mr. Smith stated that, ultimately, if he had the opportunity to voice his opinion, he would prefer that the property remain as it was. He reiterated that the situation was difficult because they were there as a result of a subdivision but did not want the Wells family to have to leave.

Mr. Smith stated that his family had been involved in the meatpacking business for 80 years through Dale T. Smith and Sons Meatpacking Company. He stated that the family had ultimately been unable to continue operating there because the surrounding city development made it increasingly difficult to remain, resulting in the sale and closure of the business. He stated that growth was inevitable and that he understood that, but he still preferred that the property remain as currently zoned. He thanked the Commission for its time.

**Jerry Pierce** – introduced himself and stated that he was also speaking in opposition to the growth and the request before the Commission. He clarified that he was not opposed to growth but was in favor of responsible growth.

Mr. Pierce referenced the comments regarding the county's development patterns and the changes in minimum lot sizes from 20 acres to 10 acres, then to five acres, and now the request for 2.5 acres. He stated that he worked in real estate and frequently encountered people who wanted a one-acre property with a 4,000-square-foot home at an affordable price.

Mr. Pierce stated that he had a house listed directly in front of the Commission and asked how the surrounding property owners would feel if he requested that the property be rezoned to allow quarter-acre or half-acre lots and additional neighbors in their backyards. He stated that he believed such a change would not be well received and that this was the essence of the concern with the current request.

Mr. Pierce stated that people did not like dramatic changes and referenced the previous rezone in the township. He stated that he believed the property should be left as it was and that the county did not need additional density. He stated that people had moved into the area for the country setting and to move away from larger cities and noted that he had seen similar sentiments expressed on social media regarding the county.

Mr. Pierce stated that he did not want the community to continue becoming denser and denser. He acknowledged that there were areas where increased density could not be avoided because development was already established, but stated that he believed the county should preserve what it currently had where possible. He thanked the Commission.

**Chair Sessions** - asked if there were any additional comments. Seeing none, she stated that the Commission was ready for a motion to move out of public hearing.

***Motion by Member King to move out of Public Hearing and seconded by Member Maloney. Motion carried unanimously.***

**Chair Sessions** - added that the Planning Commission was seeking a member from the Milton/Stoddard area and encouraged those interested to apply. She stated that the Commission was ready for discussion.

**Member Maloney** - stated that she had questions for staff. She noted that, according to the packet, if the requested Future Land Use Map amendment and zoning change were approved, an additional lot would need to be a flag lot.

**Member Maloney** - stated that, under Morgan County Code, the square footage required for the flag portion of a flag lot was not allowed to be calculated toward the density. She expressed concern about whether the proposed subdivision would work given that the property was five acres and was proposed to be divided into two 2.5-acre parcels. She stated that the required area for the flag portion would need to be calculated and expressed concern about how the proposal would work even if the rezone were approved.

**Planner Page** - confirmed that the frontage had not been calculated and that staff had not determined exactly how much area the flag portion would require.

**Member Maloney** - asked whether the subdivision would work even at the required width of the flag portion.

**Planner Page** - stated that staff had not reviewed the matter in sufficient detail to determine whether, after removing the flag portion, the remaining acreage could be counted toward the density or acreage requirement. He stated that it might not be possible.

**Member Maloney** - asked for clarification as to whether Planner Page was stating that the subdivision might or might not be possible.

**Planner Page** - stated that it might not be possible and that staff did not know for sure.

**Member Maloney** - stated that it appeared that the proposed subdivision might be tight.

**Member Taylor** - stated that he did not understand the previous comment. He noted that the property was currently a five-acre parcel and that the proposal was to create two 2.5-acre parcels. He stated that something would have to be subtracted from the five acres before creating the two 2.5-acre parcels. He explained that five acres divided by two was exactly 2.5 acres and that, if acreage were subtracted for the flag portion, there would not be enough acreage remaining to create the second lot.

Member Taylor - then asked whether the Future Land Use Map was being amended to the one-acre designation while the actual zoning application was requesting a 2.5-acre zoning designation.

**Planner Page** - stated that the applicant's request for the Future Land Use Map was to change the designation to Rural Residential because it was the closest Future Land Use designation that would allow for 2.5-acre parcels.

**Member Taylor** - stated that the Commission would therefore be zoning the property to a designation that, according to the Code, might not be usable.

**Member Watt** - stated that he had a question for Planner Page. He explained that the Commission was dealing with two legislative actions that had been combined into one request. The first was

the Future Land Use Map amendment, which would move the property from Ranch Residential as part of the larger planning picture to Rural Residential. He stated that this was one legislative issue that had been established.

**Chair Sessions** - clarified that he was referring to the Future Land Use Map amendment.

**Member Watt** - confirmed that and stated that the second issue was the zoning request that would be addressed after the Future Land Use Map amendment was made. He asked whether the Commission was therefore considering two legislative actions that had been combined into one request.

**Planner Page** - confirmed that it was.

**Member Watt** - asked whether Ranch Residential Five had resulted from the Rindlesbach subdivision.

**Planner Page** - confirmed that it had.

**Member Watt** - stated that Rural Residential was a different classification that reduced or affected the amount or type of dwellings that could be placed on the lot.

**Planner Page** - confirmed that it was.

**Member Watt** - stated that he understood the distinction.

**Member Taylor** - stated that, for clarification, if the Future Land Use Map were amended and the rezone were approved, the property still might not be able to be subdivided.

**Planner Page** - stated that it probably could not be subdivided but that staff had not reviewed the matter in sufficient detail to make that determination. He stated that it was a good point.

**Member Maloney** - asked whether the applicant was aware of that issue and whether that discussion had taken place.

**Planner Page** - stated that, to his knowledge, staff had not reviewed the subdivision application with the applicant. He stated that staff had sent the applicant the staff report but had not specifically pointed out that issue.

**Member King** - asked whether that necessarily changed what the Commission needed to do that evening.

**Member Taylor** - stated that any change would have to come from the applicant and that, otherwise, the Commission needed to act on the application that was before it unless the applicant chose to withdraw the request or took some other action.

**Chair Sessions** - stated that she believed the Commission needed to act on the application that was before it that evening.

**Member Watt** - stated that the Planning Commission was only making a recommendation and that the applicant could potentially make a decision before the matter went before the County Commission.

**Member King** - agreed and stated that was exactly the situation.

**Member Maloney** - stated that, since the Commission was still discussing the matter, she wanted to note that the property was bordered by RR1, but that the RR1 zoning along Morgan County Drive was set back from the subject property. She stated that, in her opinion, the current zoning provided a very good buffer from A20. She explained that the transition from A20 to five-acre zoning and then to one-acre zoning made the current zoning a good fit for the property's location.

**Member Watt** - asked whether the Commission was ready for a motion.

**Chair Sessions** - stated that she was ready for a motion if there was no further discussion.

**Member Watt** *motioned for a negative recommendation for The Chrys Lane Future Land Use Map Amendment and Rezone changing five acres from future land use RR5 to rural residential, and rezoning from RR5 to RR2.5 based on the following findings:*

- 1. That the lot will not meet current conditions of the Land Use Map.*
- 2. That the public recommended denial due to the change was not in the best interest of the community.*
- 3. That the area had already been downsized previously.*

*The motion was seconded by Member Wilson.*

**Member Taylor** - asked what restrictions would apply if the matter went before the County Commission and the County Commission voted to deny the request, including whether the applicant would be restricted from reapplying for a different request.

**Chair Sessions** - stated that there would be a two-year restriction for the same application but no restriction for submitting a different application.

**Member Taylor** - advised that it would be best if the applicant withdrew the application.

**Jaden Wells** - stated that he would withdraw the application for the time being.

**Member King** - asked whether the Commission could retract a motion.

**Chair Sessions** – clarified whether the Commission could withdraw a motion.

**Member Maloney** - stated that the Commission could still make a motion and discuss the application as presented, regardless of what the applicant chose to do after the meeting.

**Chair Sessions** - stated that the Commission could vote against the motion.

**Member Taylor** - stated that the applicant could also withdraw the application. He clarified that the Planning Commission's action was a recommendation rather than a final decision and stated that the applicant could withdraw the application after the meeting.

**Member Maloney** - stated that this was her point and that the Commission could finish its meeting while the applicant determined what action to take before the matter went before the County Commission. She clarified that the Planning Commission was not the legislative body making the final decision.

**Chris Tremea** - stated that he was on the phone with Janet Christofferson, Deputy County Attorney, and that she had stated that, because the Commission had not yet voted on the motion, she would be comfortable with the applicant retracting the application at that time. Mr. Tremea asked Ms. Christofferson to confirm that he had stated her position correctly.

**Janet Christofferson** - confirmed that he had.

**Chair Sessions** - asked Jaden Wells to stand again and confirm the withdrawal for the record.

**Jaden Wells** - stated that he was Jaden Wells, the applicant, and confirmed that they would withdraw the application. He asked whether that was acceptable

## **8. Business/Staff Questions**

**Jessie Drage** - stated that she had accepted a position with the City and that this would be her last Planning Commission meeting. She stated that she had thoroughly enjoyed her position with the County and had originally planned to retire there. However, she stated that the opportunity with the City had been too good to decline.

Ms. Drage stated that she had already begun training with the City and would return to assist with training and hiring her replacement. She stated that the transition would be smooth and that she would remain heavily involved during the transition.

**The Planning Commission** - thanked Ms. Drage for her work.

**Chris Tremea, on behalf of the Planning and Development Department** - expressed his gratitude to Ms. Drage for her work and contributions to the department. He stated that the amount of effort she had put into the department and the changes and improvements she had helped implement had been greatly appreciated. He stated that the Director shared the same sentiment.

Mr. Tremea stated that the department was saddened to lose Ms. Drage but believed that her new position would help strengthen the relationship between the City and the County. He stated that her training, cooperation, and communication could lead to positive opportunities for both entities. He thanked Ms. Drage for her service.

**The Planning Commission** - thanked Ms. Drage for her work.

**9. Approval of July 9th, 2026, Planning Commission Minutes**

Chair Sessions – stated if there was no other staff questions or business, she was ready for a motion to approve the minutes for the August 13<sup>th</sup> meeting.

***Member Wilson moved to approve the August 13<sup>th</sup> 2026 minutes. Second by Member Watt. Motion carried unanimously.***

**10. Adjourn**

***Member King moved to adjourn the meeting. Second by Member Taylor. Motion carried unanimously.***

Approved:

\_\_\_\_\_  
Chairman, Debbie Sessions  
Morgan County Planning Commission

Date: \_\_\_\_\_

\_\_\_\_\_  
Brynnlee Savage, Transcriptionist  
Planning and Development Services

Date: \_\_\_\_\_