



PLANNING COMMISSION AGENDA
Thursday, September 11, 2025
Morgan County Commission Room
6:30 p.m.

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

Administrative

6. **Public Meeting/Discussion/Decision** – *Whittier Subdivision, No. 1 Plat Amendment*: A request for approval of a lot line adjustment within the Whittier Subdivision, which is identified by parcel numbers 00-0064-2773 & 00-0064-2854 and serial numbers 01-WHIT-0003 & 01-WHIT-0004, and is approximately located at 3929 N 4000 W in unincorporated Morgan County.

Legislative

7. **Public Hearing/Discussion/Decision** – *Highway Signage Code Text Amendment*: Request for approval of a text amendment to the Morgan County Code (MCC) to allow highway signage.
8. Business/Staff Questions
9. Approval of August 28th, 2025, Planning Commission Minutes
10. Adjourn

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.

Whittier Subdivision, No. 1 Plat Amendment
September 11, 2025
Public Meeting
File #25.015

Applicant/Owner:	Angelique Read
Project Location:	3929 N 4000 W
Parcel Numbers:	00-0064-2773 & 00-0064-2854
Serial Numbers:	01-WHIT-0003 & 01-WHIT-0004
Current Zoning:	Residential (R1-20)
Acreage:	1.07 Acres Combined

REQUEST:

A request for approval of a lot line adjustment within the Whittier Subdivision, which is identified by parcel numbers 00-0064-2773 & 00-0064-2854 and serial numbers 01-WHIT-0003 & 01-WHIT-0004, and is approximately located at 3929 N 4000 W in unincorporated Morgan County.

ATTORNEY GUIDANCE:

Administrative Review:

The sole issue in land use administration is whether the application complies with county ordinances. If it does, it must be approved.

Applicable law:

An applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays all application fees, unless:

“(A) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or

(B) in the manner provided by local ordinance and before the applicant submits the application, the county formally initiates proceedings to amend the county's land use regulations in a manner that would prohibit approval of the application as submitted.

Utah Code Ann. § 17-27a-508(1)(a)(ii). ”

“The Utah Supreme Court has indicated that a significant threat to the public welfare should be considered compelling. “If a proposal met zoning requirements at the time of application but seriously threatens public health, safety, or welfare, the interests of the public should not be thwarted.” W. Land Equities v. Logan, 617 P.2d 388, 395-96 (Utah Sup.Ct. 1980).”

Staffs' findings are legally sufficient to adopt if the Commission finds that the application is complete, conforms to the requirements of the applicable land use regulations, land use decisions, and development standards, and there are no apparent threats to public health, safety, or welfare that would support a compelling countervailing public interest to recommend denying the application. Staffs' recommended conditions are required by county ordinances and appear to be legal conditions.

Recommendations for denial and/or additional findings must be placed on the record, contain a legal basis, and supported by substantial evidence. Legal can provide guidance on what is required for a sufficient record and what is considered substantial evidence.

STAFF RECOMMENDATION:

Based on the information in this staff report, staff recommends approval of the Whittier Subdivision, No. 1 Plat Amendment, subject to all applicable regulations and the following conditions:

1. That all of the County Surveyor and Engineer review comments be addressed.
2. That all outsourced consultant fees are paid current prior to recordation of the plat amendment.
3. That all other local, state, and federal laws are adhered to.

PROJECT DESCRIPTION:

Proposal Details

Angelique Read requests approval for an amendment to the Whittier Subdivision plat for the adjustment of the property boundary between two (2) lots. Peterson Pipeline Association (PPA) has provided will-serve letters for the water utilities for the properties. The approvals for the existing septic systems for each lot comes from the Weber-Morgan Health Department.

DISCUSSION:

This request is for an amendment to the Whittier Subdivision. This amendment proposes a revision to the recorded lot sizes within the subdivision. If approved, the acreage for Lot 3 will be reduced from 0.55 acres to 0.50 acres, while the acreage for Lot 4 will be increased from 0.52 acres to 0.57 acres. The shared property boundary is moving approximately 12 feet to the north. Both Lot 3 and Lot 4 will continue to meet—and exceed—the minimum lot size requirement of 20,000 square feet, as required by R1-20 residential zoning regulations. At no point will either lot fall below the minimum threshold for acreage as required by the applicable zoning.

Lots 3 and 4 have the required frontage along the County Rights-Of-Way (ROW) of 4000 W and 3900 N. The lots are currently developable; a lot line adjustment in this case does not remove any developability within the lots or subdivision. The impact of this application on the County, as well as the nearby property owners, is low and does not change the character of the underlying zoning. The applicant submitted the following narrative:

“Move lot line so septic and a [house] will fit on the lot.

The plat amendment requirements come from Morgan County’s Land Use Management Code, Title 15, Chapter 155, Section 440 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and have found that the application request meets these standards.

155.447: AMENDED PLAT REQUIREMENTS:

(A) Prior to the County Commission’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 subchapter. 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 Commission 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.

(Prior Code, § 8-12-64) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

155.446: 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 Commission 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 Commission 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 Commission adopts an ordinance vacating some or all of a public street, right-of-way or easement, the County Commission 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.

(Prior Code, § 8-12-63) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

155.444: 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 division (A) 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 division (A), 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;

(b) Contains an acknowledgment for each party executing the notice in accordance with the provisions of UCA § 57-2a, 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; and

(4) A notice of approval recorded under this division (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 Commission 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 Commission, 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 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 days of mailed notification; or

(2) *A public hearing is required because all 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 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 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 § 155.031 of this code.*

(Prior Code, § 8-12-61) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

ANALYSIS OF STANDARDS

Standards		Findings	Rationale
Ordinance Evaluation. Morgan County Code, Chapter 155, Section 440 states the following: <i>Prior to the County Commission'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> <i>Therefore, this plat amendment has been reviewed for preliminary and final plat standards.</i>			
155.407: 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>			
A	Vicinity Map 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	Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.	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. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). 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. 9. Show any existing wetlands. 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) 	Does Not Apply	
E	<p>Utility 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. North arrow. 3. Subdivision name. 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. 5. Show location and dimensions of all utility easements. 	Does Not Apply	
F	<p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> 1. Three (3) copies of a geotechnical soils report. 2. A traffic report when required by the planning commission or county engineer. 3. Preliminary title report, which specifically references the boundary survey and exactly matches 	Does Not Apply	

	<p>the legal description of the outside boundary of the subdivision.</p> <ol style="list-style-type: none"> 4. Service agreements from all utility companies or providers. 5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval. 6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist. 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. 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. 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 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. 10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas. 		
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.	Does Not Apply	
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	
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.	Does Not Apply	
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.	Does Not Apply	
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)	Does Not Apply	

155.415: 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 commission 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 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 commission, the plat shall be signed by all required and authorized parties, with the exception of the county commission chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.	Will comply	Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event 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	
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	Complies	

	and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.		
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 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: 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.	Complies	
N	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: 1. Professional land surveyor's "certificate of survey". 2. Owner's dedication certificate in the following form: <i>OWNERS DEDICATION</i> <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> <i>(Add appropriate acknowledgments)</i>	Complies	Owner's Dedication is present, but not signed

	<p>3. Notary public's acknowledgement for each signature on the plat.</p> <p>4. A correct metes and bounds description of all property included within the subdivision.</p> <p>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 commission (a signature line for the commission 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.</p> <p>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.</p> <p>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.</p> <p>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.</p> <p>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 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.</p>		
O	<p>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.</p>	Does Not Apply	Does not border an Agricultural Protection Area
P	<p>A note on the plat which states the following:</p> <p><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></p> <p>(Ord. 10-16, 12-14-2010)</p>	Complies	

DEPARTMENT COMMENTS/RECOMMENDATIONS

Public Works: No comments received

Fire/EMS Services: Comments received

Engineering/Surveyor: Comments received and have given conditional approval

Recorders: Comments received and are being addressed

Zoning: The zoning is residential (R1-20)

RECOMMENDED MOTIONS

Sample Motion for a *Recommendation for Approval* – “I move we recommend approval to the County Commission of the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area based on the findings listed in the staff report dated September 11, 2025.”

Sample Motion for a *Recommendation for Approval with Conditions* – “I move we recommend approval to the County Commission of the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area based on the findings listed in the staff report dated September 11, 2025, 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 of the Whittier Subdivision, No. 1 Plat Amendment, application number 25.015, approximately located at 3929 N 4000 W within the unincorporated county area, with the following findings:”

1. List any additional findings...

Attachments:

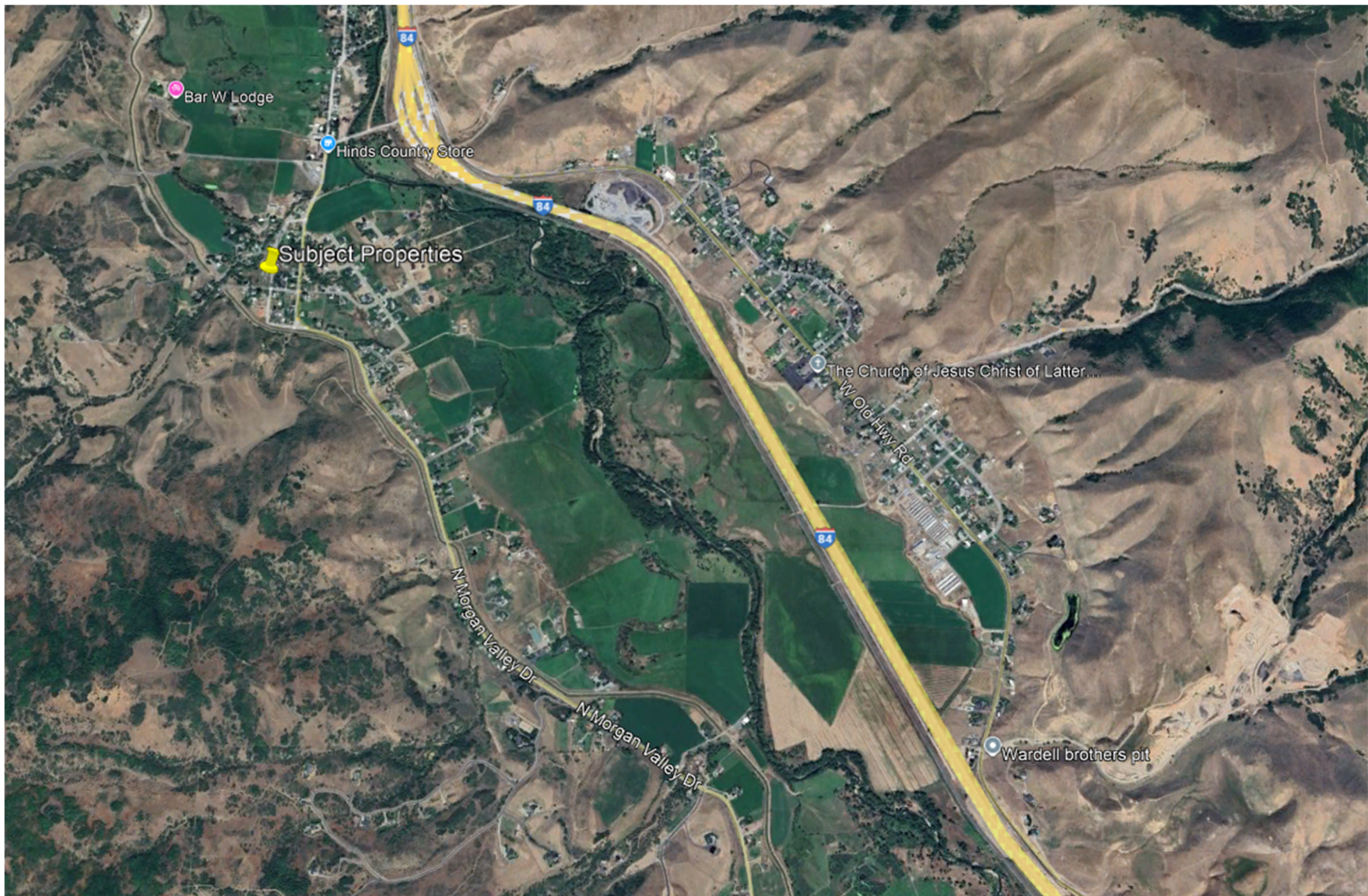
A. Vicinity Map

B. Current Recorded Plat

C. Proposed Plat Amendment

D. Application

Attachment A: Vicinity Map



Attachment B: Current Recorded Plat

[Click here to view a full-size .pdf version of the Recorded Plat](#)

WHITTIER SUBDIVISION
A PART OF THE SW 1/4 SECTION 6, T4N, R2E.
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH
JANUARY, 2002

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERIGNED OWNERS OF THE TRACT OF LAND HEREIN DEDICATED TO BE SUBDIVIDED INTO FOUR LOTS, TO BE KNOWN HEREINAFTER AS:

WHITTIER SUBDIVISION

AND DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 16th DAY OF January, 2002.

R. E. WHITTIER FAMILY PARTNERSHIP

Robert E. Whittier, Managing Partner
Carol R. Toller, Managing Partner

STATE OF UTAH }
COUNTY OF MORGAN } ss

ON THIS 16th DAY OF January, 2002, PERSONALLY APPEARED BEFORE ME, THE UNDERIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

William H. York
NOTARY PUBLIC
RESIDING IN MORGAN COUNTY, UTAH
MY COMMISSION EXPIRES January 1, 2005

PERCOLATION DATA

LOT	PERCOLATION DATA
LOT 1	20,000 SQ FT 0.458 ACRES
LOT 2	20,000 SQ FT 0.458 ACRES
LOT 3	20,000 SQ FT 0.458 ACRES
LOT 4	22,795 SQ FT 0.523 ACRES

IMPROVEMENT DISTRICT:

IN THE EVENT THAT THE RESIDENCES IN THE AREA ESTABLISH AN "IMPROVEMENT DISTRICT" FOR CERTAIN IMPROVEMENTS, THE OWNERS OF THE LOTS OF THIS SUBDIVISION SHALL BE REQUIRED TO PARTICIPATE, AND SHALL NOT BE EXEMPT ON THE BASIS THAT THIS SUBDIVISION HAS BEEN APPROVED WITHOUT THOSE IMPROVEMENTS.

NOTE: 30 FT OF 12" PIPE E/W END SECTIONS SHALL BE PLACED AT ALL DRIVEWAYS. THE DRIVEWAYS SHALL REQUIRE PAVING FROM THE EXISTING ASPHALT TO THE PROPERTY LINE.

SURVEY NARRATIVE:

- THIS SURVEY WAS MADE AT THE REQUEST OF SAID WHITTIER, 3743 WEST 3900 NORTH, MORGAN, UTAH 84050, TEL 876-3181.
- THE PURPOSE OF THE SURVEY IS TO SUBDIVIDE A PARCEL OF LAND INTO FOUR BUILDING LOTS. ONE LOT CONTAINS AN EXISTING HOME.
- THE CORNERS MARKED AS "A" ARE 5/8"x3/4" REBARS, WITH CAPS STAMPED "MOUNTAIN ENGINEERING". OTHER MARKS FOUND OR SET AS INDICATED.
- THE BASIS OF BEARING IS THE CENTERLINE OF MORGAN VALLEY DRIVE AS DEDICATED.

BOUNDARY DESCRIPTION:

A TRACT OF LAND SITUATE IN THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6; THENCE NORTH 90°00'00" EAST 160.00 FEET; THENCE SOUTH 02°02'44" EAST 608.44 FEET TO A POINT ON THE SOUTH LINE OF 4000 NORTH STREET; THE TRUE POINT OF BEGINNING, A NAIL/MARKER;

THENCE SOUTH 86°31'53" EAST 165.00 FEET ALONG SAID SOUTH LINE OF 4000 NORTH STREET TO A REBAR/CAP; THENCE SOUTH 02°02'44" WEST 525.91 FEET ALONG THE WEST LINE OF 4000 NORTH STREET TO A REBAR/CAP; THENCE NORTH 86°10'00" WEST 165.01 FEET ALONG THE NORTH LINE OF 3900 NORTH STREET TO A REBAR/CAP; THENCE NORTH 02°02'44" EAST 524.86 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 1.990 ACRES, AND FOUR LOTS.

THE BASIS OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED.

ACKNOWLEDGMENT OF RESPONSIBILITY

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERIGNED OWNERS OF THE TRACT OF LAND COMPREHENDED WITHIN THE SUBDIVISION BOUNDARY DESCRIBED HEREON, ACKNOWLEDGE THAT FAILURE OF THE LOCAL JURISDICTION OR PLANNING COMMISSION TO OBSERVE OR RECORD OR HAZARDOUS, UNKNOWN OR UNOBTAINABLE, OR TO RECOMMEND DENIAL OF THE SUBDIVISION BECAUSE OF SAID UNRECORDED HAZARDOUS, UNKNOWN OR UNOBTAINABLE CONDITIONS SHALL NOT RELIEVE THE DEVELOPER OR OWNER FROM RESPONSIBILITY FOR THE CONDITION OF DAMAGES RESULTING THEREFROM AND SHALL NOT RESULT IN THE LOCAL JURISDICTION OR PLANNING COMMISSION, ITS OFFICERS OR AGENTS, BEING RESPONSIBLE FOR ANY SUCH DAMAGES OR INJURIES RESULTING THEREFROM.

DE WHITTIER FAMILY PARTNERSHIP

Robert E. Whittier, Managing Partner
Carol R. Toller, Managing Partner

AKA Robert E. Whittier, Managing Partner
PETERSON PIPELINE MAINTENANCE EASEMENT

THE PURPOSE OF THE EASEMENT DESIGNATED ON LOT 1 IS TO ALLOW FOR CLEANING, MAINTENANCE AND IMPROVEMENT OF ENHANCEMENT FOR WATER CONTROL, BY HEAVY EQUIPMENT AS MAY BE DESIGNATED BY MORGAN COUNTY FOR SUCH MAINTENANCE.

CONDITIONS FOR RESIDENCE ON LOT 1:

A DETAILED SITE AND GRADING PLAN FOR THIS LOT WILL BE REQUIRED, ALONG WITH RECORDS OF GROUND WATER MONITORING THROUGH SPRING 1998, AND MUST BE SUBMITTED TO THE BUILDING INSPECTOR BEFORE ISSUANCE OF A BUILDING PERMIT WILL BE CONSIDERED.

MARK LEGEND:

- 1" = 1' REBAR OR SET
- 1" = 1' NAIL OR PIN SET OR FOUND
- 1" = 1' NAIL OR PIN SET OR FOUND

NOTE: CULINARY WATER WILL BE PROVIDED BY PETERSON PIPELINE COMPANY.

ON-SITE WASTE TREATMENT FACILITIES SHALL BE PLACED IN ACCORD WITH INSTRUCTION SET FORTH IN A LETTER DATED JANUARY 7, 2002, FROM THE WEBER-MORGAN HEALTH DISTRICT.

MORGAN COUNTY ATTORNEY

I HAVE EXAMINED THIS SUBDIVISION PLAT AND IN MY OPINION IT CONFORMS TO THE COUNTY ORDINANCES APPLICABLE HEREIN AND IS IN FORCE AND EFFECT.

SIGNED THIS 17th DAY OF January, 2002.

Kellie M. Wright
MORGAN COUNTY ATTORNEY

MORGAN COUNTY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY PLANNING COMMISSION.

SIGNED THIS 17th DAY OF January, 2002.

Chairman, Morgan County Planning Commission

MORGAN COUNTY ENGINEER

THIS IS TO CERTIFY THAT I HAVE INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING PLAT LEGAL DESCRIPTION AND RECORDS IN THIS OFFICE AND THE MORGAN COUNTY RECORDERS' OFFICE.

SIGNED THIS 16th DAY OF January, 2002.

Scott Williams
MORGAN COUNTY ENGINEER

WEBER-MORGAN HEALTH DISTRICT

THE WASTE DISPOSAL SYSTEM AND THE CULINARY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS 16th DAY OF January, 2002.

Mayor, Morgan
DISTRICT HEALTH DISTRICT

MORGAN COUNTY COUNCIL

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COUNCIL OF MORGAN COUNTY, UTAH.

SIGNED THIS 5th DAY OF Feb, 2002.

Don Hansen
MORGAN COUNTY COUNCIL

CERTIFICATE OF SURVEYOR

I, WILLIAM H. YORK, A REGISTERED LAND SURVEYOR IN THE STATE OF UTAH, DO HEREBY CERTIFY THAT THIS PLAT OF WHITTIER SUBDIVISION WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE UTAH SURVEYING ACT, BASED ON THE DATA COMPILED FROM REASONABLE AND ACCURATE SURVEYING METHODS AND FROM A DEPENDABLE AND ACCURATE GROUND SURVEYING INSTRUMENT.

WITNESSED THIS 14th DAY OF Feb, 2002.

William H. York
LAND SURVEYOR REGISTRATION NO. 16741

MORGAN COUNTY RECORDER

ENTRY NO. 81623 FEE PAID \$ 34.00
RECORDED March 19, 2002 AT 8:21AM
IN BOOK 115 OF THE OFFICIAL RECORD.

RECORDED FOR ROBERT WHITTIER

Rebecca D. Nelson
COUNTY RECORDER
BY: Deputy

WHITTIER SUBDIVISION
A PART OF THE SW 1/4 OF SECTION 6, T4N, R2E.
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH

DEWHITTIER, 3743 WEST 3900 NORTH, MORGAN, UTAH 84050

DESIGNED BY: ME 45-46
SHEET 1 OF 1
FILE: "WHITTIER"

Whittier Subdivision, No. 1 Plat Amendment
Application #25.015
September 11, 2025

Attachment C: Proposed Plat Amendment

WHITTIER SUBDIVISION, AMENDED PLAT NO. 1

AN AMENDMENT TO LOTS 3 AND 4 WHITTIER SUBDIVISION

A PART OF THE SW1/4 OF SECTION 6, T4N, R2E.

SALT LAKE BASE AND MERIDIAN

U. S. SURVEY, MORGAN COUNTY, UTAH

JULY, 2025

BOUNDARY DESCRIPTION:

TRACT OF LAND BEING ALL OF LOTS 3 AND 4, WHITTIER SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED AS M.C. 8763 IN Bk. 178 PL. 773 OF MORGAN COUNTY RECORDS, AND BEING A PART OF THE SW1/4 OF SECTION 6, T4N, R2E, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 6, THENCE NORTH 80°00'00" EAST 165.00 FEET, THENCE SOUTH 80°00'00" EAST 86.41 FEET TO A NAIL AND BRASS PLACED ON THE SOUTH LINE OF 4000 NORTH STREET, THENCE SOUTH 03°02'44" WEST 24.79 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 80°00'00" WEST 165.00 FEET TO THE WEST LINE OF 4000 WEST STREET, THENCE SOUTH 03°02'44" WEST 24.79 FEET ALONG SAID WEST LINE INTERSECTING WITH THE WEST LINE OF 3000 NORTH STREET, THENCE SOUTH 80°00'00" WEST 165.00 FEET ALONG SAID NORTH LINE TO A REBAR AND CAP, THENCE NORTH 03°02'44" EAST 24.79 FEET TO THE POINT OF BEGINNING, CONTAINING 48.85 ACRES, 1.07 ACRES.

THE BASES OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED AND RECORDED AS M.C. 4338, WHICH TRAVELS TO THE EAST LINE OF THE WEST HALF OF SECTION 6 AS VORMENTED AND CALLED NORTH 03°00'00" EAST

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT I, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREIN DESCRIBED, HAVE CAUSED SAID TRACT TO BE DIVIDED INTO TWO LOTS TO BE KNOWN HEREINAFTER AS **WHITTIER SUBDIVISION, AMENDED PLAT NO. 1**

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC, ALL PARCELS OF LAND, OTHER UTILITIES, OR EXISTING WORKS ON THIS TRACT AS INTENDED FOR PUBLIC USE, THE SAME TO BE USED FOR INSTALLATION AND OPERATION OF PUBLIC OR PRIVATE UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY MORGAN COUNTY.

IN WITNESS WHEREOF I HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2025.

R.E. BUTTER FAMILY PARTNERSHIP _____
(NAME) (TITLE)

IN WITNESS WHEREOF I HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2025.

ROONEY A READ _____
(NAME) (TITLE)

ROONEY A READ _____
(NAME) (TITLE)

LINE TYPE LEGEND

- ROADWAY CENTERLINE
- UTILITY EASEMENT OR AS NOTED
- PROPOSED PROP/LOT BOUNDARY
- SUBDIVISION BOUNDARY
- EXISTING PROP BOUNDARY
- SECTION LINE OR THE COUNTY RIGHT OF WAY
- ZONE BOUNDARY

UTILITIES

EXISTING GAS AND POWER LINES ARE IN PLACE WITHIN THE EXISTING STREET ON THE EASTERN AND SOUTHERLY SIDE OF THE AMENDED LOTS. SHORT SERVICE LATERALS FROM EXISTING UTILITIES TO THE HOME SITES WILL BE REQUIRED. THE COST OF HOOD UP FEELS INSTALLATION AND MATERIALS FOR THE CONSTRUCTION OF UTILITY SERVICE LINES SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND SHALL BE RETAINED AS ACCORD WITH MOC 8-12-44A.

ON-SITE WASTE WATER DRAINAGE SYSTEMS

NO SEWER IMPROVEMENT DISTRICT CURRENTLY EXISTS FOR THE PETERSON AREA, THEREFORE THE METHOD OF WASTE-WATER TREATMENT WILL BE INDIVIDUAL ON-SITE WASTE TREATMENT SYSTEMS. ALL WASTE WATER TREATMENT FACILITIES SHALL BE APPROVED, PERMITTED AND INSPECTED BY THE MORGAN COUNTY HEALTH DISTRICT.

WATER SUPPLY AND FLOOD PROTECTION REQUIREMENTS

WELLS AND APPROVED COMMUNITY WATER SYSTEMS MUST BE CAPABLE OF PROVIDING 80 GALLONS PER DAY PER EQUIVALENT RESIDENTIAL CONNECTION FOR MOODY COUNTRY LANE AND A MINIMUM OF 1 GALLON PER MINUTE PER PRIVATE HOME FOR OUTDOOR USE. ALL WATER SOURCES, LINES, RATES AND INFRASTRUCTURE SHALL MEET THE REQUIREMENTS OF MOC 8-12-44 (D).

BOTH THE EXISTING HOME ON LOT 3 AND THE PROPOSED NEW HOME ON LOT 4 ARE SERVED BY PETERSON PIPELINE ASSOCIATION.

IF SECONDARY WATER SHAKES ARE TO BE TRANSFERRED TO THE NEW LOT OWNERS, THE DEVELOPER SHALL GRANT SUFFICIENT EASEMENTS TO THE NEW LOT OWNERS WITHIN THE UNPAID REQUIREMENTS OF MORGAN COUNTY SUBDIVISION ORDINANCE SECTION 8-12-44A.

FIRE SYSTEM DESIGN MUST BE APPROVED BY THE DISTRICT FIRE OFFICIAL PRIOR TO ISSUANCE OF A BUILDING PERMIT. BRICK SUPPLY AND FIRE PROTECTION FACILITIES SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF MOC 8-12-44 (C).

NOTICE OF INTEREST TO ADJOINERS

MORGAN COUNTY IS A RIGHT TO FARM COMMUNITY. THIS SUBDIVISION IS LOCATED ADJACENT TO PROPERTY THAT IS FARMED/MANAGED. LOT OWNERS ARE HEREBY NOTIFIED THAT AGRICULTURAL, RECREATION, OR OTHER USES OF ADJACENT LANDS MAY BE AFFECTED BY THE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.

CERTIFICATE OF OCCUPANCY

MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE ADJOINED BUILDING AND FIRE CODE. IT IS A VIOLATION TO OCCUPY A BUILDING LOCATED WITHIN THE SUBDIVISION UNTIL THE BUILDING IS INSPECTED AND APPROVED BY THE UNPAID REQUIREMENTS OF MORGAN COUNTY SUBDIVISION ORDINANCE SECTION 8-12-44A.

SURVEY NARRATIVE

1. THIS SURVEY WAS PERFORMED AT THE REQUEST OF ANGELOE HEAD, 2422 S. LAYTON, UTAH.

2. THE PURPOSE OF THIS SURVEY AND PLAT THEREOF IS TO PROVIDE DEDICATION AND OBTAIN APPROVAL TO ADJUST THE LOT LINE BETWEEN THE EXISTING WHITTIER SUBDIVISION, IN ORDER TO ACCOMMODATE A NEW HOME TO BE CONSTRUCTED ON LOT 4, LOT 3 WITHIN THE WHITTIER SUBDIVISION CONTAINING AN EXISTING HOME, TO THE NORTH HALF OF THE LOT, WITH THE SOUTH END OF LOT 3 BEING MOSTLY UNUTILIZED AREA.

3. THE BASES OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED AND RECORDED AS M.C. 4338, WHICH TRAVELS TO THE EAST LINE OF THE WEST HALF OF SECTION 6 AS VORMENTED AND CALLED NORTH 03°00'00" EAST.

4. THE BASES OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED AND RECORDED AS M.C. 4338, WHICH TRAVELS TO THE EAST LINE OF THE WEST HALF OF SECTION 6 AS VORMENTED AND CALLED NORTH 03°00'00" EAST.

5. THE BASES OF BEARING IS THE CENTERLINE OF NORTH MORGAN VALLEY DRIVE AS DEDICATED AND RECORDED AS M.C. 4338, WHICH TRAVELS TO THE EAST LINE OF THE WEST HALF OF SECTION 6 AS VORMENTED AND CALLED NORTH 03°00'00" EAST.

LEGEND:

- PERCOLATION TEST PIT
- FOUND "MOUNTAIN ENGINEER" REBAR AND CAP OR OTHER AS NOTED
- "SET LOT" REBAR STAMPED: MOUNTAIN ENGINEER INC.
- "SET LOT" REBAR STAMPED: MOUNTAIN ENGINEER INC.
- SECTION CORNER OR ADJUT. RIGHT OF WAY MONUMENT, AS INDICATED
- () RECORD DATA
- P.S. PUBLIC UTILITY EASEMENT
- P.S. PORT OF BEGINNING

PETERSON PIPELINE ASSOCIATION

THE QUARTLY WATER AND SECONDARY WATER FACILITIES ARE HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 2025.

FILE _____

CERTIFICATE OF SURVEYOR

I, JEFFREY C. HENRY, A REGISTERED PROFESSIONAL SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERSONALLY EXAMINED THE SURVEY AND THAT THE SAME IS TRUE AND CORRECT AND THAT I HAVE ADHERED TO ALL REQUIREMENTS AND STANDARDS OF THE BOARD OF SURVEYING AND MAPPING, MORGAN COUNTY, UTAH.

WHITTIER SUBDIVISION, AMENDED PLAT NO. 1

SIGNED THIS _____ DAY OF _____, 2025.

JEFFREY C. HENRY
UTAH LAND SURVEYOR REGISTRATION NO. 46848-01

MORGAN COUNTY ATTORNEY

APPROVED AS TO FORM.

SIGNED THIS _____ DAY OF _____, 2025.

MORGAN COUNTY ATTORNEY _____

WEBER-MORGAN HEALTH DEPARTMENT

THE WASTE WATER REVIEW AND THE QUARTLY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 2025.

MORGAN COUNTY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS SUBMITTED FOR APPROVAL BY THE MORGAN COUNTY PLANNING COMMISSION.

SIGNED THIS _____ DAY OF _____, 2025.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION _____

MORGAN COUNTY ENGINEER _____

APPROVED THIS _____ DAY OF _____, 2025.

MORGAN COUNTY ENGINEER _____

MORGAN COUNTY COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY APPROVED BY THE COMMISSION OF MORGAN COUNTY, UTAH.

SIGNED THIS _____ DAY OF _____, 2025.

CHAIRMAN, MORGAN COUNTY COMMISSION _____

ATTEST: MORGAN COUNTY CLERK _____

MORGAN COUNTY SURVEYOR _____

MORGAN COUNTY RECORDER

ENTRY NO. _____

FILED FOR RECORD AND RECORDED AT _____

PER _____ OF THE OFFICIAL RECORDS.

RECORDED FOR: _____

MORGAN COUNTY RECORDER

ENTRY NO. _____

FILED FOR RECORD AND RECORDED AT _____

PER _____ OF THE OFFICIAL RECORDS.

RECORDED FOR: _____

WHITTIER SUBDIVISION, AMENDED PLAT NO. 1

PERMIT PLAT

LOTS 2 AND 3 AND 4 BENTLEY SUBDIVISION
 A PART OF THE SW 1/4 OF SECTION 6, T4N, R6E,
 SALT LAKE BASIN AND MORGAN, UTAH COUNTY, UTAH

APPROVED: 2024 BY JUDY L. LUTHER, UTAH BOARD OF LAND SURVEYORS

DATE: 06-29-24

BY: [Signature]

FOR REC: [Signature]

DESIGNED BY:
CROWN, INC.

DRAWN BY:
CROWN, INC.

DATE: 04-15-2023

REVISIONS

NO.	DATE	DESCRIPTION
1	04/15/23	DESIGNED AND DRAWN
2	07/19/23	FOR THE COUNTY ENGINEER

MOUNTAIN ENGINEERING

2230 W. OLD HIGHWAY ROAD
 MORGAN, UTAH 84050
 TEL. (801) 791-9279

mtecentral@mountainengr.com

Attachment D: Application

Morgan County - Planning & Development Services

Printed: 08/28/2025

25.015 Whittier Subdivision, No. 1 Plat Amendment

25.015

03/31/2025 - 03/30/2124

d4bf5920-0e83-11f0-a007-ff50f323c51e

Subdivision

General

Active

Under Review

Application Review Status

Pre-Review

Approved

03/31/2025

The Zoning Administrator may take a project out of Pre-Review Status to allow the County Engineer to review to determine that all submittal items contain the required information necessary to be considered a complete application. While the application may be out of pre-review this does not constitute a complete application until such time as the County Engineer provides a memo stating all items are present.

County Commission Not Reviewed

Zoning Administrator Not Reviewed

County Engineer Not Reviewed

Morgan County Fire Department
Approved

Good hydrant placement.

County Surveyor Not Reviewed

Planner I Approved

Peterson Pipeline Association
Approved

Weber-Morgan Health Department
Not Reviewed

GIS Personnel Not Reviewed

County Recorder Not Reviewed

Secondary County Engineer
Not Reviewed

MEMORANDUM

TO: Morgan County Planning Commission

FROM: Morgan County Planning & Development Services Staff

SUBJECT: Highway Signage Code Text Amendment, Application # 25.031

SUMMARY: Request for approval of a text amendment to the Morgan County Code (MCC) to allow highway signage.

The Morgan County Commission directed staff to prepare an amendment to § 155.368 Signs of the Land Use Code to address freestanding signage standards for shopping centers adjacent to Interstate 84 (“I-84”). The prior version of § 155.368 Signs permitted only a single freestanding sign per commercial “planned center” development, which limited visibility for interior tenants and created pressure for additional individual signs along the corridor. The proposed amendment authorizes one additional multi-tenant pylon sign with height measured from the grade of I-84, establishes tenant sign area allocation based on frontage, and permits electronic message centers consistent with the County’s dark sky and illumination standards. The amendment is intended to improve wayfinding, enhance business visibility for non-frontage tenants, and reduce sign proliferation along the interstate corridor while maintaining safety and design standards.

ATTORNEY GUIDANCE

Legislative Review:

The Planning Commission is tasked with advising and recommending to the County Commission whether the proposed zoning change (land use ordinance text amendment) is consistent with Morgan County Code requirements for zoning applications. The Planning Commission is further tasked with advising and making its recommendations based on whether the text amendment conforms to Utah State law. In that regard, while previously the County Commission had broad discretion in either approving or denying a legislative decision (the standard being whether the zoning ordinance could promote the general welfare; or even if it is reasonably debatable that it is in the interest of the general welfare), it appears to have been narrowed by recent changes to § 17-27a-801(3). The subsequently amended statute provides that legislative acts will be upheld if it is shown to be “reasonably debatable that the land use regulation is consistent with LUDMA.” While I have not seen any caselaw testing this new standard, I highly recommend that any recommendations by the Planning Commission or decisions by the County Commission include references to the standards in Morgan County Code and Utah State Code to support them and provide a solid basis for review. In that regard, the State Code standards include:

17-27a-102. Purposes — General land use authority — Limitations.

(1)

- (a) The purposes of this chapter are to:
 - (i) provide for the health, safety, and welfare;
 - (ii) promote the prosperity;

- (iii)improve the morals, peace, good order, comfort, convenience, and aesthetics of each county and each county's present and future inhabitants and businesses;
- (iv)protect the tax base;
- (v)secure economy in governmental expenditures;
- (vi)foster the state's agricultural and other industries;
- (vii)protect both urban and nonurban development;
- (viii)protect and ensure access to sunlight for solar energy devices;
- (ix)provide fundamental fairness in land use regulation;
- (x)facilitate orderly growth and allow growth in a variety of housing types; and
- (xi)protect property values.

(b)Subject to Subsection (4) and Section 11-41-103, to accomplish the purposes of this chapter, a county may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the county considers necessary or appropriate for the use and development of land within the unincorporated area of the county or a designated mountainous planning district, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing:

- (i)uses;
- (ii)density;
- (ii)open spaces;
- (iv)structures;
- (v)buildings;
- (vi)energy-efficiency;
- (vii)light and air;
- (viii)air quality;
- (ix)transportation and public or alternative transportation;
- (x)infrastructure;
- (xi)street and building orientation and width requirements;
- (xii)public facilities;
- (xiii)fundamental fairness in land use regulation; and
- (xiv)considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

PROPOSED TEXT

§ 155.368 SIGNS.

...

(G) Signs requiring a permit.

...

(10) Highway Signage.

(a) *Intent*. The purpose of this amendment is to provide appropriate signage visibility for developments along the I-84 corridor, to limit the proliferation of freestanding pylon signs, and to ensure orderly, effective, and safe wayfinding within multi-tenant developments.

(b) *Multi-tenant Freeway Sign*. One (1) Multi-tenant Freeway sign is permitted for a development classified as a “shopping center.” The sign shall meet all applicable height, setback, and design standards established in this Chapter.

1. The sign shall not exceed forty (40) feet in height, measured from the grade of Interstate 84.

2. The sign shall provide visibility for businesses within the development that do not share an immediate property line with Interstate 84.

(c) *Tenant Sign Area Allocation*. Tenant sign face area shall be determined by the linear frontage of each tenant’s Building Frontage. Each tenant shall be allowed a maximum of two (2) square feet of sign area per one (1) linear foot of building frontage along the longest side.

(d) *Electronic Message Centers (EMCs)*. One (1) EMC shall be permitted on each elevation of the multi-tenant sign, provided that all EMCs comply with the County’s adopted dark sky ordinances and applicable illumination standards.

RECOMMENDED MOTIONS

Sample Motion for a Recommendation for Approval – “I move we recommend approval to the County Commission for the Highway Signage Code Text Amendment based on the findings listed in the memorandum dated September 11, 2025.”

Sample Motion for a Recommendation for Approval with Conditions – “I move we recommend approval to the County Commission for the Highway Signage Code Text Amendment based on the findings listed in the memorandum dated September 11, 2025, 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 Highway Signage Code Text Amendment with the following findings:”

1. *List any additional findings...*

ATTACHMENTS:

Attachment “A”: Highway Signage Code Text Amendment

Attachment “A”: Highway Signage Code Text Amendment

§ 155.368 SIGNS.

...

(G) SIGNS REQUIRING A PERMIT.

...

(10) HIGHWAY SIGNAGE.

(A) *INTENT.* THE PURPOSE OF THIS AMENDMENT IS TO PROVIDE APPROPRIATE SIGNAGE VISIBILITY FOR DEVELOPMENTS ALONG THE I-84 CORRIDOR, TO LIMIT THE PROLIFERATION OF FREESTANDING PYLON SIGNS, AND TO ENSURE ORDERLY, EFFECTIVE, AND SAFE WAYFINDING WITHIN MULTI-TENANT DEVELOPMENTS.

(B) *MULTI-TENANT FREEWAY SIGN.* ONE (1) MULTI-TENANT FREEWAY SIGN IS PERMITTED FOR A DEVELOPMENT CLASSIFIED AS A “SHOPPING CENTER.” THE SIGN SHALL MEET ALL APPLICABLE HEIGHT, SETBACK, AND DESIGN STANDARDS ESTABLISHED IN THIS CHAPTER.

1. THE SIGN SHALL NOT EXCEED FORTY (40) FEET IN HEIGHT, MEASURED FROM THE GRADE OF INTERSTATE 84. 2.

2. THE SIGN SHALL PROVIDE VISIBILITY FOR BUSINESSES WITHIN THE DEVELOPMENT THAT DO NOT SHARE AN IMMEDIATE PROPERTY LINE WITH INTERSTATE 84.

(C) *TENANT SIGN AREA ALLOCATION.* TENANT SIGN FACE AREA SHALL BE DETERMINED BY THE LINEAR FRONTAGE OF EACH TENANT’S BUILDING FRONTAGE. EACH TENANT SHALL BE ALLOWED A MAXIMUM OF TWO (2) SQUARE FEET OF SIGN AREA PER ONE (1) LINEAR FOOT OF BUILDING FRONTAGE ALONG THE LONGEST SIDE.

(D) *ELECTRONIC MESSAGE CENTERS (EMCS).* ONE (1) EMC SHALL BE PERMITTED ON EACH ELEVATION OF THE MULTI-TENANT SIGN, PROVIDED THAT ALL EMCS COMPLY WITH THE COUNTY’S ADOPTED DARK SKY ORDINANCES AND APPLICABLE ILLUMINATION STANDARDS.

PLANNING COMMISSION MINUTES

Thursday, August 28th, 2025
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 Street, Morgan, Utah.

Present PC Members:

Member Sessions
Member Maloney
Member King
Member Wilson
Member Watt
Member Telford

Absent PC Members

Member McMillan

Public Attendance:

Tina Kelley	Lynn Pederson
Paul Clayton	RJ Bunnell
Ryan Jibson	Angie Hansen
Nancy Moss	Daniel Hansen
Josh Jenks	Ty Reese
Sarah Dubano	Dana Bauer
George Pederson	

Staff:

Planning Director Cook -Absent
Jeremy Lance -Planner I
Judy Vogel, Transcriptionist/Permit Tech

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

Motion by Member King to approve the agenda.

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

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

Deputy Attorney Christofferson explained that it is amendment to the development agreement and it is a legislative action.

Legislative

7. Public Hearing/Discussion/Decision – Rollins Ranch DA, Fifth Amendment: A request for a minor amendment to a street layout depicted within the conceptual development plan for the Rollins Ranch Development Agreement, which is identified by parcel number 00-0063-3521 and serial number 03-005-029, and is approximately located at 6113 N Hidden Valley Rd in unincorporated Morgan County.

Planner Lance presented the request to revise the road alignment for safety and recommends that the Planning Commission only look at road change. Read an email from Mountain green Fire Marshall. Included in the minutes

Member Sessions questioned the absence of Exhibit A

Open Public Hearing

Motion by Member Sessions to open Public Hearing

Second, by Member King. The vote was unanimous. Motion carried.

Dana Bauer- quoted the code on double frontage lots and voiced concerns. Stated its unfair, unsightly. Deeds to discuss easement. This road change will impact homes.

George Pederson – voiced concerns with wording. Didn't address Ranch Blvd in the notice. Concerns with changing flow of traffic and heavy equipment effect on the road. Concerns that they are paying road maintenance for Ponderosa.

Robert Banell – Owner of property that will have three frontages if this passes. Feels it will be devastating to his family. Concerns for safety, drainage and flooding.

Lynn Pederson – Concerns with safety and speed of traffic. Will create more havoc. Needs another access. Quote, “our job is to control growth, but growth is controlling us” opinions don't matter.

Paul Clayton -Durbano shifted road 10ft. from his property line. He does have drainage concerns. Questioned what the decision means for them. Concerns about increased traffic and egress accessibility. Stated the need for mindful planning.

Ryan Jensen – Browning Attorney. Concerns with language and direction arrows on C-1 of appendix A plan to Browning. And the mention of a public ROW to Mountain Green trail system which goes over browning property. Wants that language omitted. Does not want trespassers.

Daniel Hansen – Property not affected but stated concerns with increased traffic, making the road straight would increase the speed. Stated his opposition to the amendment and thinks the entrance should be kept at the 4 way stop where it was originally.

Josh Jenks – Stated the significant risk to public health and safety due to increased traffic and speed. Keep original entrance at the 4 way stop.

Dana Bauer- repeated hers and everyone's statements. Included an email statement in the minutes

Close Public Hearing

Motion by Member Watt to close Public Hearing.

Second, by Member Telford. The vote was unanimous. Motion carried.

Applicant Ty Reese- Read his engineers comments and stated the road is safer with the re-design. There are no blind curves with the redesign and would be safer for children.

Member Sessions questioned if this was done by a traffic engineer?

Applicant Ty Reese stated it was a Civil Engineer.

Members of the Planning Commission questions property lines, addressing drainage, safety of the slope.

Member Telford questioned **Planner Lance** if property rights were restricted?

Planner Lance deferred answer to **Planning Director Cook**.

Chair Maloney questions the process.

Member Sessions stated it is a self-inflicted problem. That in 2015-2017 the applicants added a pump house where the old entrance would be and now it would need to be moved. There was no traffic study done, these problems can be mitigated to put the entrance back to the original spot.

Member Watt started he looked at the area and took two different perspectives. Stated they are changing plans in the middle of the game. Stated it is not fair to homeowners.

Chair Maloney asked to clarify double frontage in the code.

Planner Lance stated it has to be approved by the County Commission.

Member Sessions “I move we recommend denial to the County Commission for an amendment to the Rollins Ranch Subdivision Development Agreement, due to the following findings:”

- 1. The change will unduly affect the neighbors*
- 2. The Pump House can be moved to allow for original access*
- 3. It is feasible to leave the road the same.*

Second by Member Wilson. The vote was unanimous in the negative. Motion carried.

Deputy Attorney Christofferson cleared up concerns about the trail system and the Browning property. Stated that it was from the original concept plan, C-1 doesn't apply.

8. Business and staff questions

Chair Maloney stated the right map needs to be included in the packet.

Member Telford stated the need to address the developing trail system.

9. Approval of minutes

Motion by Member King

Second, by Member Watt the vote was unanimous. Motion carried.

10. Adjourn

Motion by Member Sessions

Second, by Member Watt. The vote was unanimous. Motion carried.

Approved: _____ Date: _____
Chairman, Maddie Maloney

Judy Vogel, Transcriptionist
Planning and Development Services

Judy Vogel

From: Danna Bauer <dannajbauer@gmail.com>
Sent: Wednesday, August 27, 2025 5:53 PM
To: Planning
Subject: Fwd: Rollins Ranch/Ponderosa street amendment concerns for meeting 8/28

CAUTION: This email originated from outside of Morgan County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure please contact Jeremy or Brandon.

To Whom it May Concern,

I have read the proposal from the representatives for Ponderosa Development regarding the change to the road/entrance to the new subdivision and would like to voice my extreme disagreement with this request to move the road away from the current plan concept to coincide with Hidden Valley Road. Has the developer provided any third-party engineering or planning documentation and proof to back up their stated claims that this is better for our community and not just for the developer?

CODE VIOLATION 155.426:

There is significant concern as to how the new road would affect the current homes and their existing structures and easements. The existing home that the road would be east of is a corner lot and would be turned into a double frontage lot if the road is placed on the west side of the future development. Code 155.426 States that double frontage lots are not permitted unless approved by the County Commission after receiving a recommendation from county staff and the Planning Commission. How would making this a double frontage lot (one could even refer to as a triple sided lot once the new road is placed next to it) be acceptable after the Rollins Ranch Development Agreement and Concept Plan was approved and someone's HOME, someone's LIFE, is now being upended because the developer doesn't want his own private road impeded upon and doesn't want more traffic in his corner so he puts it in theirs and changes their potential easements and frontage? This will dramatically change the worth of this home if it is turned into a triple sided lot and is surrounded by three roads. This is not customary or normal for Morgan County to approve. If this is approved, who is going to cover the costs of moving the current legally placed structures to meet new easement requirements? If approved will the public be provided with the basis of why an exception was made to change the Development Agreement and allow a triple sided lot? I would hope there will be transparency as there is no historical basis for making such an exception and there really doesn't seem to be a large enough reason to allow it.

CODE VIOLATION 155.407:

Has a storm drainage plan been done with the new road proposal that shows it would be better than the current situation or the current road plan to mitigate flooding of the home on the corner of Ranch Blvd and Horseshoe Hollow along with putting more strain on the already overwhelmed storm drains along

that road? This spring, the water runoff from the future development took over the entirety of Ranch Blvd, creating a pretty intense river and damage on the road. During Spring 2023 after the record snowfall, it was WAY worse than this, especially because of the new digging that was done in the hillsides to get county approval for the lots. Did the developer even get the proper permitting to do this excavation before completing it? They absolutely took out enough dirt to need the permitting and it was mentioned by developer in an HOA meeting in the year prior that it was being done in order to minimize the steep terrain to get the plat map and lot sizes approved. Has this change been reviewed by the proper authorities to ensure that the hillside is still structurally sound to build upon after being manipulated and is no longer in its natural form?

CODE VIOLATION 155.407 and 155.427

Has a traffic report been done for both road proposals to show which one would be the best course to proceed with? Since the changes appear to be of concern to traffic safety per the developer's proposal, it seems like it would be beneficial to all parties to have an expert opinion drafted up to consider an impartial third party instead of going off the developer's ChatGPT argument alone. The Fire Dept. is also supposed to provide comments on the length of the road while it is a dead-end street per 155.427 regarding dead end streets. Has this been done and proven satisfactory?

CODE VIOLATION 155.426, 155.410 and 155.406

I don't see that these codes have been satisfied as I don't see any public documentation showing the entire parcel/subdivision plan in the plat map provided. The plat needs to show any future phases. This argument brings up the frustration that we have had all year on this, why has this development repeatedly been put in front of the commission without a complete application first? It has not only wasted taxpayer dollars and resources but also wasted the entire community's time and efforts repeatedly throughout the year by not being completely ready for public comment but still put on the agenda. This does not meet the requirement per 155.406 which states that no application shall be forwarded to or scheduled for public meeting before the Planning Commission until all required information has been received and reviewed by the county staff. Each time that the discussion has been removed from the agenda last minute (and usually not until community members are at the meeting and the board has started), the application has been incomplete. Why is Morgan County allowing this developer to bypass code requirements and put this on our calendars for the entirety of 2025 thus far?

Lastly, whose decision was it to put the irrigation pump house that is being referred to in the argument to move the road? It is my understanding that the Ponderosa developer put in the pump house so it appears that he is the one that has defied the original Rollins Ranch Development Agreement and Subdivision Concept Plan as he placed the pump house within one of his lot locations. If this decision on pump house location was made by the owners of Ponderosa, they should be liable for moving the pump house to allow the roads to meet the originally intended design rather than changing it at the detriment of current homeowners to fit their desired profit and maintaining privacy for the developer's private road to

his home. It is almost as if the pump house was installed where it is to give this argument any weight of keeping more people off of his area and adding additional problems and traffic into ours instead.

From the perspective of a current homeowner in the Rollins Ranch community, this road is better placed as an extension to Hidden Valley Road. I currently live across from Horseshoe Hollow Lane and just with less than a dozen homes above mine on that street, the car lights and noise from additional traffic can be bothersome to the enjoyment of our home at times. We chose this lot knowing that the road was there though and we are ok with it because we had the opportunity to weigh the pros and cons when purchasing our home. The homes that are across from the proposed development will now suffer this fate and they did NOT choose their lot with the knowledge that a road would be across the street from them, allowing car lights to glare into their front rooms, allowing more noise to their front bedrooms, and causing more traffic in front of their homes that they were expecting to be down on the existing street corner.

As a broad statement, this developer is not interested in balancing current homeowner needs against his own profit desires.

I strongly urge you to deny this request to move the road and to keep the current Rollins Ranch Concept Plan in place. It is not appropriate to change road plans now after a home has been built in that space for almost 20 years now.

Sincerely,

Danna and Christian Bauer

602-330-8785

owners of 4445 Ranch Blvd in Rollins Ranch



TO: Attention: Ty Reese

FROM: Golden Barrett, Fire Marshal

RE: Ponderosa Subdivision

DATE: 8/19/2025

The Mountain Green Fire Protection District has completed its review of the Ponderosa Subdivision site plans dated 06/13/2025. Based on the submitted documentation and evaluations, the subdivision is approved.

It has been determined that the recent road alignment adjustments do not affect this approval. Furthermore, the Ponderosa Subdivision has demonstrated that it now has an adequate and reliable water supply, as confirmed by the 2021 International Fire Code and the water model dated July 8th from Epic Engineering.

Please note that a Water flow test must be performed once the infrastructure is in place, prior to any homes being built; this office must witness the water flow test. If any significant deviation from the water model is observed, it will cause added delays in construction until the water flow corrections are made.

If additional information or clarification is needed, please feel free to contact the Mountain Green Fire Protection District.

Sincerely,

Golden T. Barrett

Fire Marshal
Mountain Green Fire Protection District.
C 801-910-4580
Firemarshal131@MGFPD.org