



PLANNING COMMISSION AGENDA

Thursday, October 9th, 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

1. **Public Meeting/Discussion/Decision** – *Shadow Creek Development Preliminary Plat*: A request for preliminary plat approval for a 14-lot subdivision, which is identified by parcel numbers 00-0090-2565 & 00-0090-2644 and serial numbers 01-004-523-06 & 01-004-529-01, and is approximately located approximately 700 feet northwest of the intersection of West Surrey Lane and North Morgan Valley Drive in unincorporated Morgan County.
2. **Public Meeting/Discussion/Decision** – *Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat*: A request for preliminary plat approval for a 24-lot subdivision throughout property across five (5) parcels, utilizing zero lot line homes with yards in common, which is identified by parcel numbers 00-0086-7344, 00-0092-5593, 00-0089-1186, 00-0086-4865, and 00-0086-5513 and serial numbers 03-005-108-12-1, 03-005-108-13-1-1, 03-005-108-06-2-1, 03-005-108-06-4, and 03-005-108-05-4, located approximately east of the intersection of Park Meadow Drive and Kingston Drive in unincorporated Morgan County.
3. **Public Meeting/Discussion/Decision** – *Ponderosa Subdivision Preliminary Plat*: A request for preliminary plat approval of a subdivision of 24 lots, which is identified by parcel numbers 00-0083-4593, 00-0083-4595, and 00-0063-3521 and serial numbers 03-POND1-0101, 03-POND1-0103, 03-005-029, and is approximately located at 6113 N Hidden Valley Rd in unincorporated Morgan County.
4. **Public Meeting/Discussion/Decision** – *North Side Creek P.R.U.D, No. 2 Plat Amendment*: A request for an amendment to the North Side Creek P.R.U.D. Subdivision plat to create three (3) additional lots, identified by parcel number 00-0089-1772 and serial number 03-NSCRK-K-A1, and located approximately 0.22 Miles northeast of the intersection of North Cottonwood Canyon Road and North Lakeside Drive in unincorporated Morgan County.
5. Business/Staff Questions
6. Approval of September 11th, 2025, Planning Commission Minutes
7. Adjourn

Shadow Creek Development Preliminary Plat
October 9, 2025
Public Meeting
File #24.069

Applicant:	Casey Lowe
Property Owner:	Steven Petersen
Current Zoning:	Rural Residential (RR-5)
General Plan Designation:	Ranch Residential 5
Acreage:	80.19 acres
Project Location:	Approximately 700' northwest of the intersection of W Surrey Ln and N Morgan Valley Dr

REQUEST:

A request for preliminary plat approval for a 14-lot subdivision

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:

County Staff has reviewed the application for Shadow Creek Development Preliminary Plat. Staff recommends approval of the requested preliminary plat based on the following findings and with the conditions listed below:

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan and applicable zoning regulations.
3. This proposal is not detrimental to the health, safety, and welfare of the public.

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat application.
2. That all other local, state, and federal laws are adhered to.
3. The developer shall install any requisite infrastructure, including roadways, etc. as part of the preliminary plat approval.
4. That all outstanding issues be addressed prior to final plat submittal.

PROJECT DESCRIPTION:

Proposal Details

This request is for a 14-lot preliminary subdivision plat. The parcels being subdivided total approximately 80.19 acres. Portions of the two (2) larger parcels will be divided into 14 single-family lots, with sizes ranging from approximately 5 acres to 6.15 acres and an average lot size of 5.15 acres. The developer will construct a public road system that connects to South Morgan Valley Drive on the south side of the subdivision, providing primary ingress and egress. Water service will be provided through individual wells, and wastewater disposal will be handled through individual septic systems—both regulated by the Weber-Morgan Health Department. Fire protection will be provided by the Morgan County Fire Department (MCFD).

DISCUSSION

This preliminary plat is consistent with the uses and standards as required by the applicable MCC Subdivision Standards, pursuant to Morgan County's Land Use Management Code, Title 15, Chapter 155, Sections 407-411. Staff has reviewed the requirements and procedures for a preliminary plat and have found that the application request meets the standards.

§ 155.405: PRELIMINARY PLAT; PURPOSE:

The purpose of the preliminary plat is to require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the provisions of this title and any other applicable county ordinances. (Ord. 10-16, 12-14-2010)

§ 155.409: REVIEW OF PRELIMINARY PLAT:

(A) The Planning Commission shall review the submitted preliminary plat and determine compliance with the standards and criteria set forth in this chapter and all other ordinances of the county, including, but not limited to, the Land Use Management Code, General Plan, master street plan, road and bridge standards and applicable Building Codes. Courtesy notice of the public meeting at which the Planning Commission reviews the proposed preliminary plat shall be provided in accordance with § [155.395](#) of this code. The Planning Commission shall make findings specifying any inadequacy in the application, noncompliance with county regulations, design and construction standards and/or engineering and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat. The Planning Commission may review all relevant information pertaining to the proposed development including, but not limited to, the following: Fire protection; sufficient supply of culinary and secondary water to the proposed subdivision; sanitary sewer and septic service; traffic considerations and the potential for flooding; and the like. The Planning Commission shall submit its findings and recommendations regarding approval or disapproval of the preliminary plat to the County Commission for review and decision.

(B) The County Commission shall review the findings and recommendations by the Planning Commission for the proposed preliminary plat. The County Commission may make any modifications to the proposed preliminary plat that it considers appropriate, and which are in accordance with this chapter.

(C) Granting of preliminary plat approval by the County Commission shall not constitute a final acceptance of the subdivision by the County Commission. Approval of the preliminary plat shall not relieve the subdivider of the responsibility to comply with all required conditions and ordinances and to provide the improvements and easements necessary to meet all county standards and requirements.

(D) Preliminary plat approval must be granted by the county prior to the application for final plat approval.

(Prior Code, § 8-12-26) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

Property Layout. As noted, there are 14 total lots. The proposed conceptual lot layout conforms to the requirements of the zoning district.

Roads and Access. Access to the property is from Morgan Valley Dr. The applicant is electing to install a private street.

Grading and Land Disturbance. The property is located in the Milton area in close proximity to the Morgan City limits. The property is currently undeveloped. Grading and topography are not particular concerns for the subject property. The roads and lots will be graded to comply with county standards and blend with the adjacent properties.

Water Source. Water for each lot will be provided through connection to individual private wells, approved through the Weber-Morgan Health Department. Ordinance number CO-24-09 Utilities Text Amendment was passed by the County Commission on April 16, 2024. Discussion for that ordinance included raising the number of wells for approval of a small subdivision to 15 lots within the RR-5 zone. Detailed plans and verifications of water and well locations must be in place to ensure that adequate water is available and can be reasonably provided.

Fire Protection. The property is served by the Morgan County Fire Department.

Sanitary Sewer Systems. Sanitary sewer services will be addressed by individual leach fields on each lot in the subdivision. The locations that are proposed are only approximate and will be reviewed further in future submissions.

Utilities: Other utilities (power, gas, etc.) will be addressed with the preliminary plat reviews.

Flood Plain: It appears that the northern parts of some of the lots will be in the existing 100-year flood plain (see Attachment C).

ANALYSIS OF STANDARDS

Ordinance Evaluation. Morgan County Code § 155.447 states the following:

Prior to the County Council's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County a preliminary plat map and complete supporting preliminary plat information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.

Therefore, this plat amendment has been reviewed for preliminary plat standards.

§ 155.407: PRELIMINARY PLAT SUBMITTAL: *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:*

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	Preliminary plat (all facilities within 200 feet of the plat shall be shown): 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	Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer): 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	Complies	

	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)		
E	Utility plan (may be combined with plat sheet, if approved by the county engineer): 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.	Complies	
F	The subdivider shall provide the following documents with the application: 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 the legal description of the outside boundary of the subdivision. 4. A Will Serve Letter from all utility companies or providers that states: a. That their system has capacity to serve the proposed development, documentation of such available capacity and specifying the amount of such capacity that will be utilized for the proposed project. b. Any conditions of required improvements before they can serve the subdivision 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	Complies	

	(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.	Complies	
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.	Complies	
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Complies	
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Complies	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)	Complies	

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on September 29, 2025; a minimum of 10 days prior to the scheduled meeting. (Morgan County Code § 155.032).
- ✓ A Public Notice was posted at the County on September 29, 2025.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on September 29, 2025.
- ✓ A sign was posted on the site on September 29, 2025.

Recommended Motion

Sample Motion for *Approval* – “I move we recommend approval to the County Commission of the Shadow Creek Development Preliminary Plat, application number 24.069, for a proposed subdivision of 14 single family lots, located approximately 700 feet northwest of the intersection of W Surrey Ln and N Morgan Valley Dr in Milton, based on the findings and with the conditions listed in the staff report dated October 9, 2025.”

Sample Motion for *Approval with Conditions* – “I move we recommend approval to the County Commission of the Shadow Creek Development Preliminary Plat, application number 24.069, for a proposed subdivision of 14 single family lots, located approximately 700 feet northwest of the intersection of W Surrey Ln and N Morgan Valley Dr in Milton, based on the findings and with the conditions listed in the staff report dated October 9, 2025, and with the following additional conditions:”

1. List any additional conditions...

Sample Motion for *Denial* – “I move we recommend approval to the County Commission of the Shadow Creek Development Preliminary Plat, application number 24.069, for a proposed subdivision of 14 single family lots, located approximately 700 feet northwest of the intersection of W Surrey Ln and N Morgan Valley Dr in Milton, *due to the following findings:*”

1. List any additional findings...

Supporting Information

Attachment “A”: Vicinity Map

Attachment “B”: Current Zoning Map

Attachment “C”: Floodplain Map

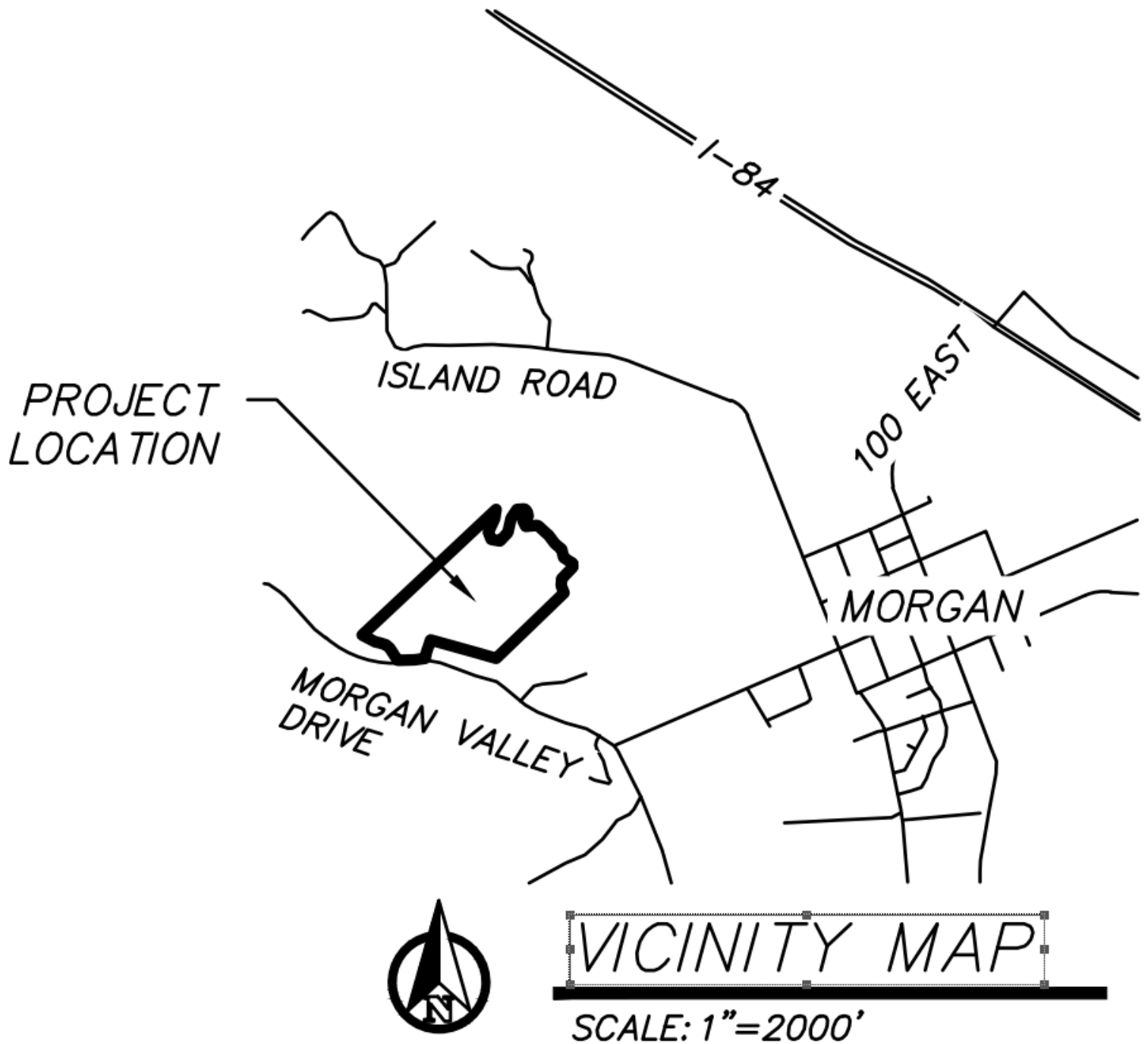
Attachment “D”: Proposed Preliminary Plat

Attachment “E”: At-Risk for Review of Incomplete Application

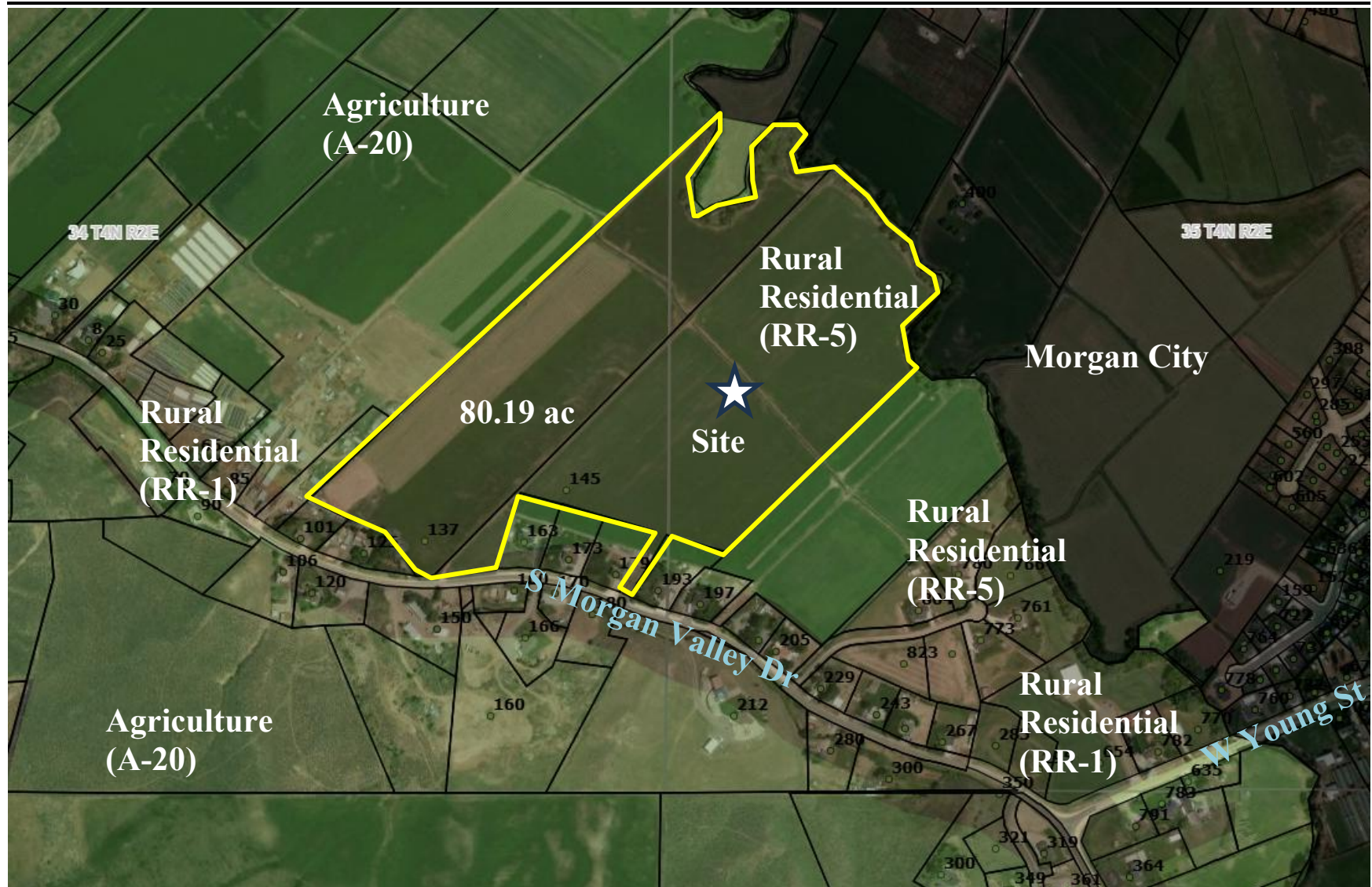
Attachment “F”: Weber-Morgan Health Department Letter of Feasibility

Attachment “G”: Application

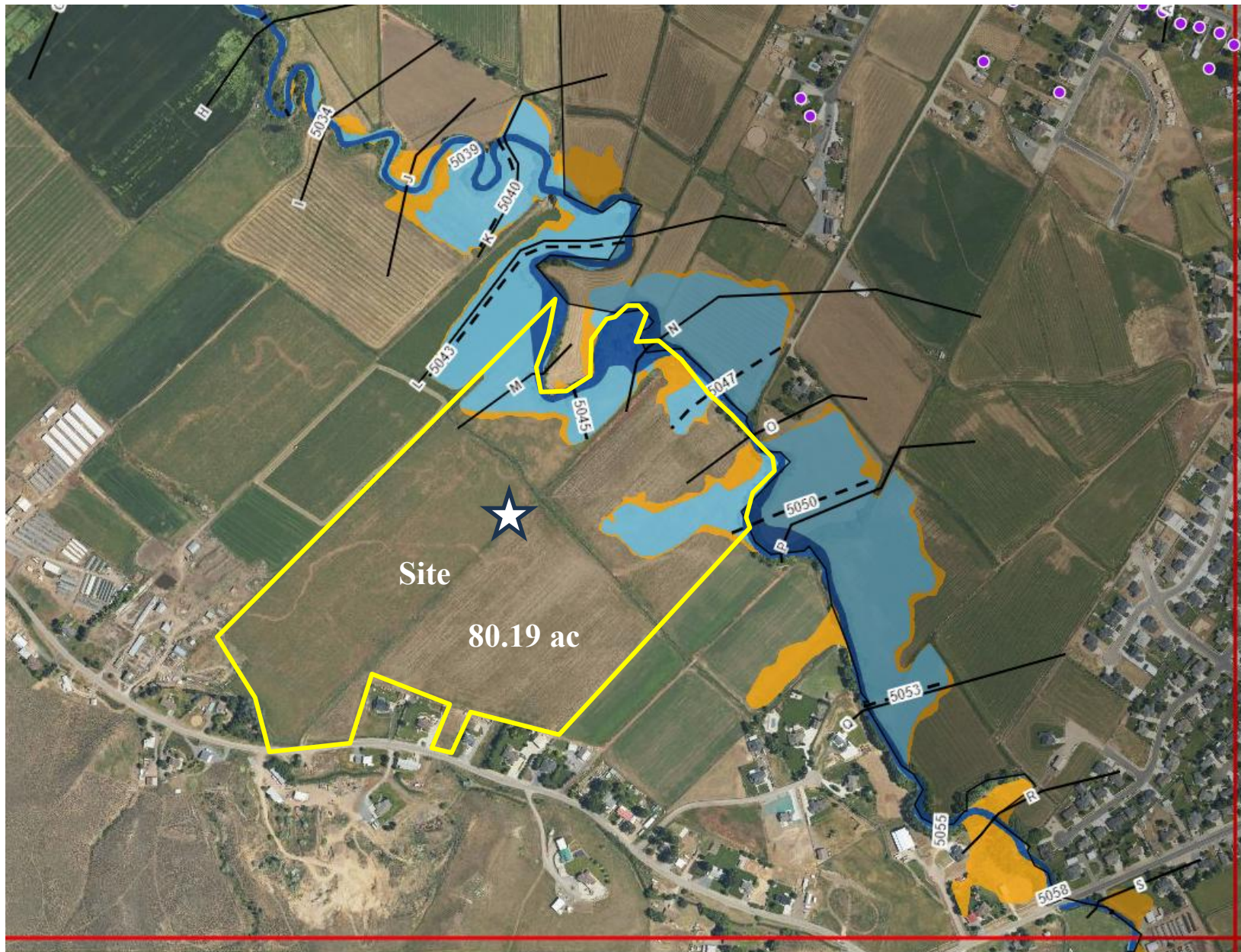
Attachment A: Vicinity Map



Attachment B: Existing Zoning Map

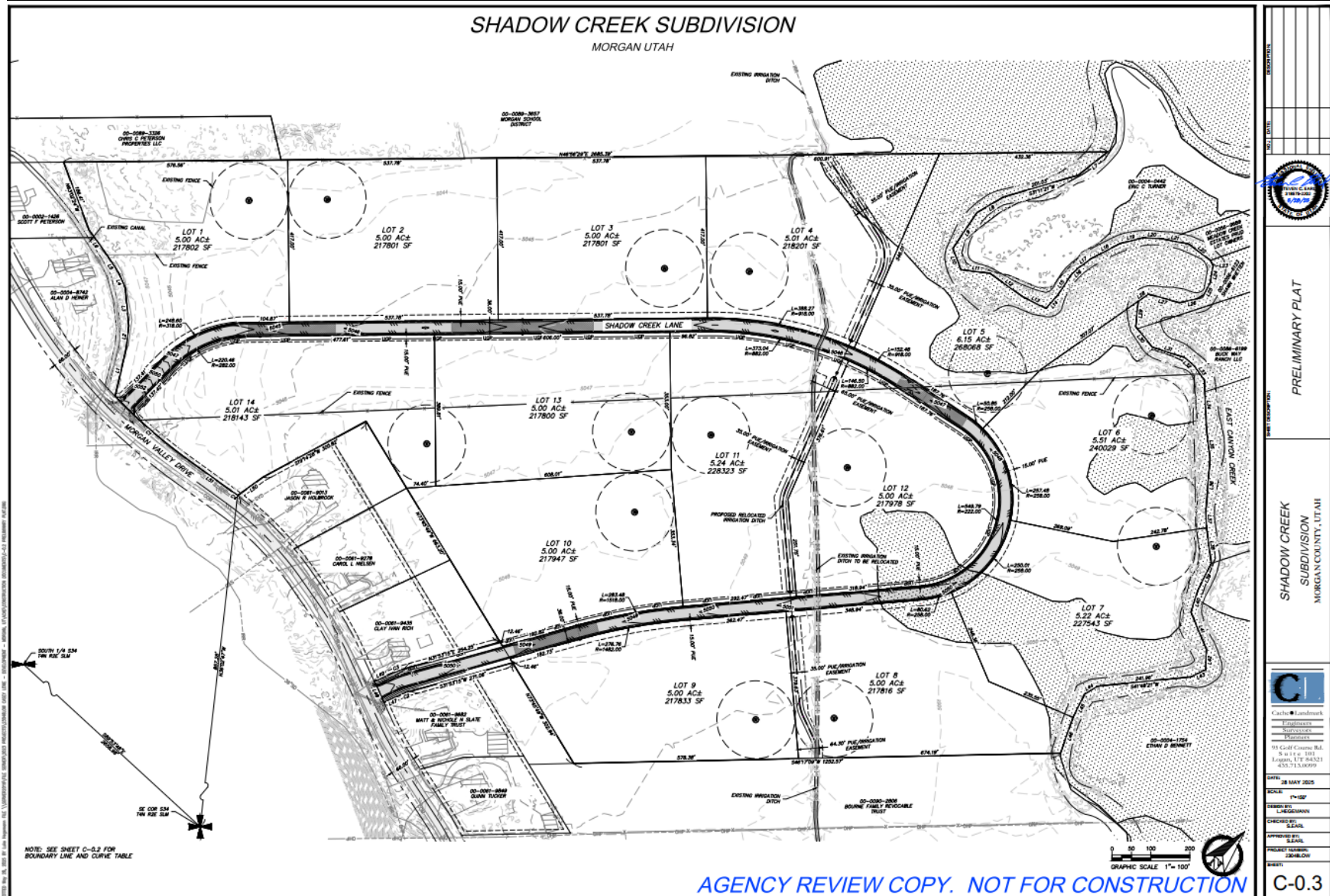


Attachment C: Floodplain Map



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

Attachment D: Proposed Preliminary Plat



**AT-RISK AFFIDAVIT AND AGREEMENT
FOR PARTIAL REVIEW**

OF INCOMPLETE PRELIMINARY PLAT APPLICATION

I, Steven Petersen, the owner of property located at 145 South Morgan Valley Drive, identified by Parcel No(s). 00-0090-2565; 00-0090-2694 and Serial No(s). 01-004-523-06; 01-004-529-01-2-2-3, located within unincorporated Morgan County, Utah, certify by my signature below that I understand and agree to the following:

- SP 1. I acknowledge that my preliminary plat application is incomplete and does not meet the requirements of Morgan County Code §155.407.
- SP 2. I acknowledge that pursuant to Morgan County Code §155.408, the County Planning and Development Services Department cannot submit my incomplete Preliminary Plat application to the County Engineer for comments or review and cannot do so until my application is complete.
- SP 3. In an effort to assist in completing my application, I have requested that my incomplete Preliminary Plat application be forwarded to and reviewed by the County Engineer for comments.
- SP 4. In an effort to accommodate me, the County Planning and Development Services Department has agreed to forward my incomplete application to the County Engineer for comments under the provisions of this affidavit and agreement.
- SP 5. I acknowledge that the County Engineer's review of my incomplete application is not a final review and does not mean that my incomplete application is otherwise under review as a complete application. I further acknowledge that I will have further review by the County Engineer upon submitting a complete application.
- SP 6. All review of my incomplete application is being performed under this Affidavit is AT-RISK, until I have completed all submittal and review requirements.
- SP 7. I further acknowledge and agree to pay all fees and costs associated with the County Engineer's review of my incomplete application and shall pay all fees and costs associated with any further reviews.
- SP 8. The County does not consider my application to be complete and allowing this AT-RISK review of my incomplete application by the County Engineer will not mean that I have a complete application.
- SP 9. Nothing in this AT-RISK Affidavit shall imply or construe that my application is complete or vest me with any entitlements, including approval of my preliminary plat application, nor any further review of my preliminary plat application.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct and further agree to the above terms and conditions.

Signed on the 18 day of December, 2024, at
Weber County, Utah (County, State).

Steven Petersen
Printed name
[Signature]
Signature

State of Utah)

§

County of Weber)

Subscribed and sworn to before me on this 18th of December, in the year
2024, by Steven Petersen.

Witness my hand and official seal.

(Seal)

Notary: Lee B Rasmussen



Attachment F: Weber-Morgan Health Department Letter of Feasibility

BRIAN COWAN, MPH, LEHS
Health Officer/Executive Director



August 19, 2025

Morgan County Planning Commission
P.O. Box 886
Morgan, UT 84050

RE: Preliminary Subdivision **Determination**
Shadow Creek Subdivision, 14 lots
Parcel #01-004-529-01 & 01-004-523-06
Soil log #15626

The soil and percolation information for the above-referenced lot have been reviewed. Culinary water will be provided by a private well. **The placement of the well is critical so as to provide the required 100 foot protection zone.** The well will need to be dug, tested and the water supply approved prior to issuance of a wastewater disposal permit.

DESIGN REQUIREMENTS

Lot 1, 3, & 6: Documented ground water tables not to exceed 70.5 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.5 gal/sq. ft. /day as required for a fine to medium sandy loam, granular to blocky structure soil horizon.

Lot 2 & 4: Documented ground water tables not to exceed 70 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.45 gal/sq. ft. /day as required for a very fine sandy loam-silt loam, granular to blocky structure soil horizon.

Lot 5, & 7-14: Documented ground water tables not to exceed 63 inches, fall within the range of acceptability for the utilization of a Conventional Wastewater Disposal System as a means of wastewater disposal. Maximum trench depth is limited to 18 inches. The absorption system is to be designed using a maximum loading rate of 0.4 gal/sq. ft. /day as required for a sandy clay loam, granular to blocky structure soil horizon with a documented percolation rate of less than 60 minutes per inch.

Engineering considerations

- 1) As per current Utah Administrative Code R317-4 the minimum separation distance between a conventional wastewater disposal system and a stormwater retention basin is 100 feet. A storm water retention basin is any storm water infrastructure that would allow infiltration into the basin and then allow stormwater to percolate into the soil below. Four stormwater retention basins have been engineered to be installed below sections of the roadway. These basins will have an impact on lots 1, 2, 3, 5, 6, 9, and 10. It may simplify the design process to do additional soil work on lot 5 in the future.
- 2) Lot 5, 6, 7, 8, and 12 all have areas identified as within the 100-year flood zone for the East Canyon Creek. The engineered wastewater design should avoid designing conventional onsite wastewater systems within these areas if possible.

EDUCATE | ENGAGE | EMPOWER

phone: 801-399-7100 | fax: 801-399-7110 | 477 23rd Street, Ogden, UT 84401 | www.webermorganhealth.org

Attachment G: Application

Morgan County - Planning & Development
Services

Printed: 09/16/2025

24.069 Shadow Creek Development Preliminary Plat

24.069

b65af150-931e-11ef-8ddc-95af043e062d

01/20/2025 - 01/19/2124

Subdivision

Active

General

Under Review

Application Review Status

Pre-Review

Approved

10/25/2024

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
County Engineer	Not Reviewed
Morgan County Fire Department	Not Reviewed
Planner I	Not Reviewed
Weber Basin Water	Not Reviewed
Weber-Morgan Health Department	Not Reviewed
GIS Personnel	Not Reviewed
Secondary County Engineer	Not Reviewed
County Geologist	Not Reviewed
Zoning Administrator	Not Reviewed
Final-Review	Not Reviewed



PLANNING COMMISSION

STAFF REPORT

Preliminary Plat

October 9, 2025

Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat
October 9, 2025
Public Meeting
File #25.009

Applicant:	Skyler Gardner
Owner:	Cottonwood Meadows Holding Company Inc, Gardner Cottonwood Creek Lc
Project Location:	Approx. east of the intersection of Park Meadow Dr and Kingston Dr
Parcel Numbers:	00-0086-7344, 00-0092-5593, 00-0089-1186, 00-0086-4865, and 00-0086-5513
Serial Numbers:	03-005-108-12-1, 03-005-108-13-1-1, 03-005-108-06-2-1, 03-005-108-06-4, and 03-005-108-05-4
Current Zoning:	Rural Residential (RR-1) w/ DA
Acreage:	7.29 acres combined

REQUEST:

A request for preliminary plat approval for a 24-lot subdivision throughout property across five (5) parcels, utilizing condominium-style lot line homes with yards in common.

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:

County Staff has reviewed the plans for the Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat Application. Staff recommends approval of the requested preliminary plat based on the following findings and with the conditions listed below:

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan, applicable zoning regulations, and Cottonwoods Development Agreement.
3. This proposal is not detrimental to the health, safety, and welfare of the public.

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat application.
2. That all other local, state, and federal laws are adhered to.
3. The developer shall install any requisite infrastructure, including roadways, etc. as part of the preliminary plat approval.
4. That all outstanding issues be addressed prior to final plat submittal.
5. That the applicant present a letter from the Dam Board finalizing approval of the new inundation line prior to Final Plat submittal.

PROJECT DESCRIPTION:**Proposal Details**

This request is for a 24-lot preliminary subdivision plat. The proposed development spans five (5) parcels totaling approximately 7.29 acres. The subdivision will feature 24 residential units utilizing a condominium-style configuration with shared yard space, a concept that is the first of its kind in the county.

The homes in this development are placed directly on the property. Rather than each lot having a fully fenced, private yard, yards will be held in common and shared between adjacent homes, creating a more cohesive and community-oriented open space layout. This arrangement enhances usable green space, supports efficient land use, and encourages neighbor interaction. Ongoing maintenance of these shared yard areas will be provided by the subdivision's Homeowners Association (HOA).

Lot sizes will range from approximately 0.069 acres (3,025 square feet) to 0.088 acres (3,850 square feet), with an average lot size of 0.079 acres (3,425 square feet). The development will also include 3.952 acres of open space, distributed throughout the site in a manner that supports the shared yard design.

The property is located east of the intersection of Park Meadow Drive and Kingston Drive, and access to the subdivision will be provided via Kingston Drive. A new public road system will be constructed to serve the lots and provide necessary connectivity to existing infrastructure.

Water service will be provided by Cottonwood Mutual Water Company (CMWC), and sewer utilities will be provided by the Mountain Green Sewer Improvement District (MGSID). Will serve letters have been provided from the required districts. Fire protection services will be provided by the Mountain Green Fire Protection District (MGFPD).

DISCUSSION:

The property is known as Meadow Park East, a master planned Sub-Phase within Phase 5 of the Cottonwoods at Mountain Green Development Agreement. The applicant received concept plan approval from the Planning Commission for preliminary and final plat approval for a proposed small subdivision of five (5) lots, consisting of 1.74 acres in the relevant area, on July 13, 2023 (application # 22.024). The Cottonwoods Development Agreement (DA) was recorded on August 16, 2006, while the Meadow Village East Cottages, a Planned Unit Development (PUD) plat, was approved by the County Council on December 16, 2008. This preliminary plan is consistent with the uses and layout as required by the DA and the applicable MCC Subdivision Standards.

The preliminary plat requirements come from Morgan County's Land Use Management Code, Title 15, Chapter 155, Sections 407-411. Staff has reviewed the requirements and procedures for a preliminary plat and have found that the application request meets the standards.

§ 155.405: PRELIMINARY PLAT; PURPOSE:

The purpose of the preliminary plat is to require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the provisions of this title and any other applicable county ordinances. (Ord. 10-16, 12-14-2010)

§ 155.409: REVIEW OF PRELIMINARY PLAT:

(A) The Planning Commission shall review the submitted preliminary plat and determine compliance with the standards and criteria set forth in this chapter and all other ordinances of the county, including, but not limited to, the Land Use Management Code, General Plan, master street plan, road and bridge standards and applicable Building Codes. Courtesy notice of the public meeting at which the Planning Commission reviews the proposed preliminary plat shall be provided in accordance with § [155.395](#) of this code. The Planning Commission shall make findings specifying any inadequacy in the application, noncompliance with county regulations, design and construction standards and/or engineering and the need for any additional information which may assist the Planning Commission to evaluate the preliminary plat. The Planning Commission may review all relevant information pertaining to the proposed development including, but not limited to, the following: Fire protection; sufficient supply of culinary and secondary water to the proposed subdivision; sanitary sewer and septic service; traffic considerations and the potential for flooding; and the like. The Planning Commission shall submit its findings and recommendations regarding approval or disapproval of the preliminary plat to the County Commission for review and decision.

(B) The County Commission shall review the findings and recommendations by the Planning Commission for the proposed preliminary plat. The County Commission may make any modifications to the proposed preliminary plat that it considers appropriate, and which are in accordance with this chapter.

(C) Granting of preliminary plat approval by the County Commission shall not constitute a final acceptance of the subdivision by the County Commission. Approval of the preliminary plat shall not relieve the subdivider of the responsibility to comply with all required conditions and ordinances and to provide the improvements and easements necessary to meet all county standards and requirements.

(D) Preliminary plat approval must be granted by the county prior to the application for final plat approval.

(Prior Code, § 8-12-26) (Ord. 10-16, passed 12-14-2010; Ord. 19-09, passed 10-15-2019)

ANALYSIS OF STANDARDS

Ordinance Evaluation. Morgan County Code § 155.447 states the following: <i>Prior to the County Council's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County a preliminary plat map and complete supporting preliminary plat 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 plat standards.</i>			
§ 155.407: PRELIMINARY PLAT SUBMITTAL: 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:			
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	Preliminary plat (all facilities within 200 feet of the plat shall be shown): 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.	Complies	

	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)		
D	Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer): 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)	Complies	
E	Utility plan (may be combined with plat sheet, if approved by the county engineer): 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.	Complies	
F	The subdivider shall provide the following documents with the application: 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 the legal description of the outside boundary of the subdivision. 4. A Will Serve Letter from all utility companies or providers that states: a. That their system has capacity to serve the proposed development, documentation of such available capacity and specifying the amount of such capacity that will be utilized for the proposed project. b. Any conditions of required improvements before they can serve the subdivision 5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval.	Complies	

	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.	Complies	
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.	Complies	
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Complies	
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Complies	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)	Complies	

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Fire/EMS Services: No comments

Engineering: Comments have been received and are being addressed

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before September 29, 2025; 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 September 29, 2025.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before September 29, 2025.
- ✓ A sign was posted on the site on or before September 29, 2025.

Recommended Motions

Motion for a *Positive Recommendation* – “I move we recommend approval to the County Commission of the Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat, application #25.009, allowing for a 24-lot subdivision of land located approximately east of the intersection of Park Meadow Drive and Kingston Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 9, 2025.”

Motion for a *Positive Recommendation with Conditions* – “I move we recommend approval to the County Commission of the Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat, application #25.009, allowing for a 24-lot subdivision of land located approximately east of the intersection of Park Meadow Drive and Kingston Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 9, 2025, and the following conditions:”

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

Motion for a *Negative Recommendation* – “I move we recommend approval to the County Commission of the Meadow Park East Cottonwoods Phase 5A-5 Preliminary Plat, application #25.009, allowing for a 24-lot subdivision of land located approximately east of the intersection of Park Meadow Drive and Kingston Drive in unincorporated Morgan County, *due to the following findings:*”

Attachments:

Attachment A: Vicinity Map

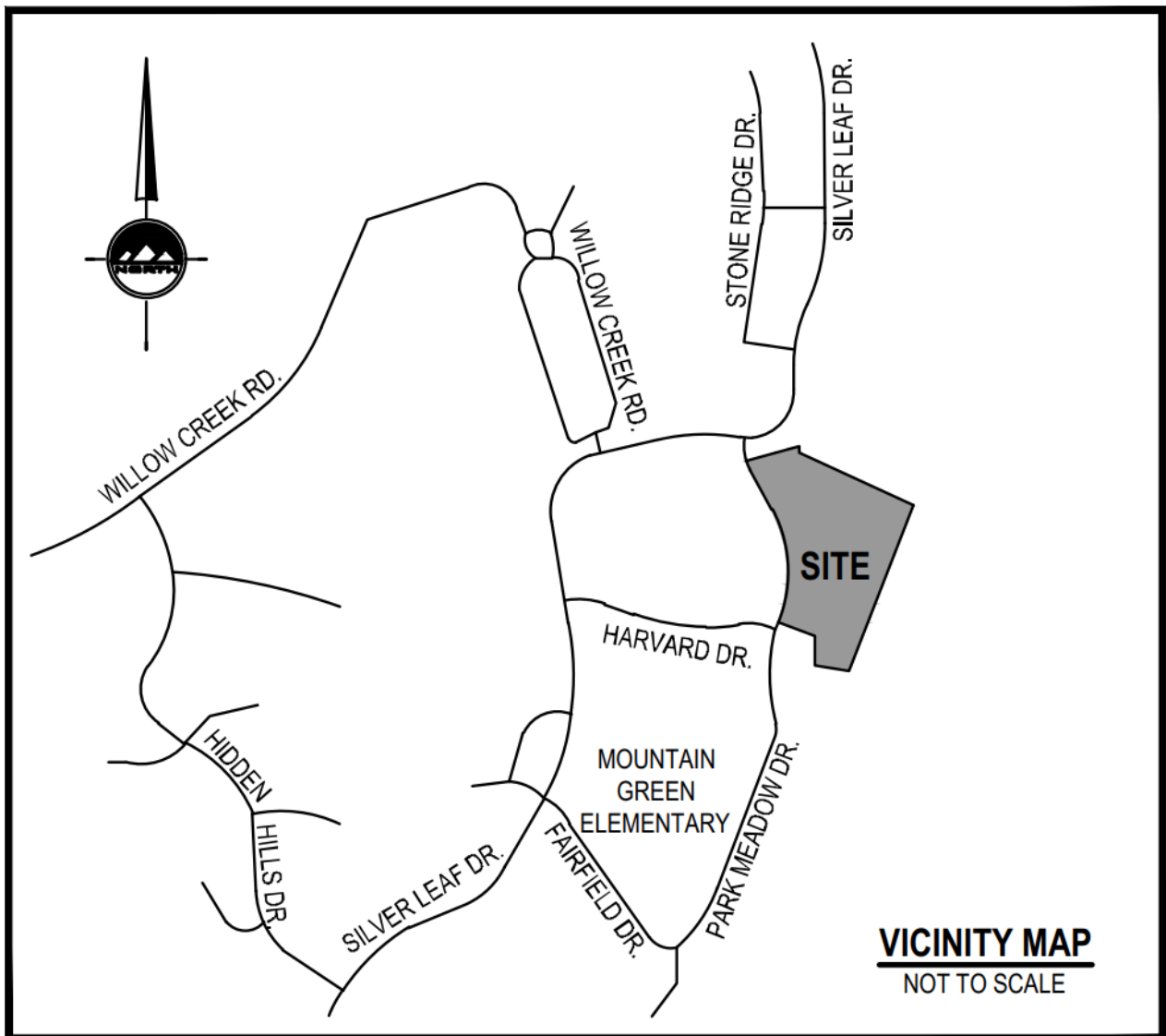
Attachment B: Proposed Preliminary Plat

Attachment C: Basis For Determination of Minimum Finish Floor Elevations - Cottonwood Phase 5E

Attachment D: Revised Flood Inundation Evaluation of Cobble Creek Dam

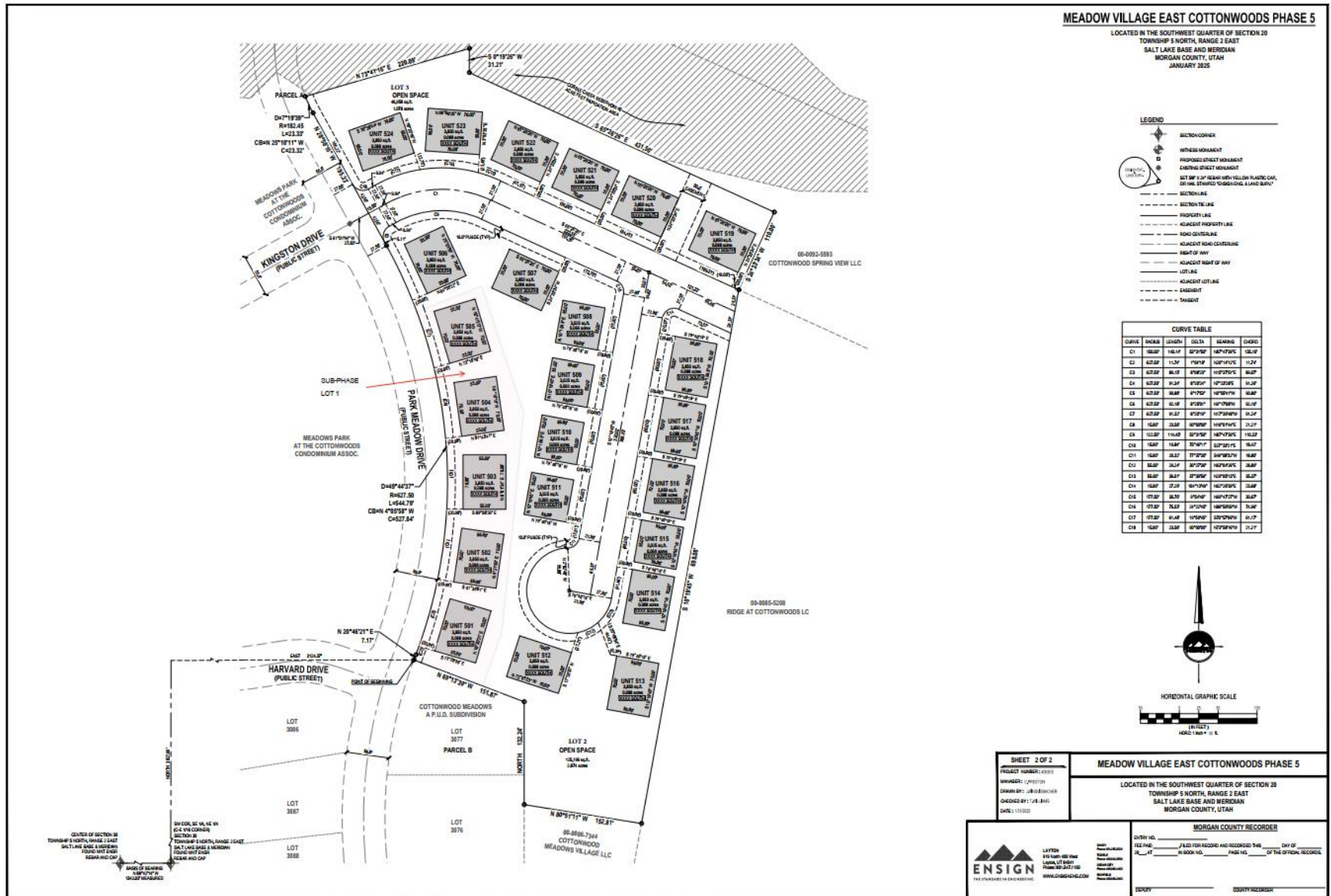
Attachment E: Application

Attachment A: Vicinity Map



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

Attachment B: Proposed Preliminary Plat



Attachment C: Basis For Determination of Minimum Finish Floor Elevations - Cottonwood Phase 5E



Date: Wednesday, July 9, 2025

To: Skyler Gardner

From: Cam Preston, PE

Subject: Basis for Determination of Minimum Finish Floor Elevations – Cottonwood Phase 5E

An evaluation was conducted to assess flood protection measures along the rear property lines of Units 519 through 524 in Cottonwood Phase 5E, in response to recent geotechnical review findings and in support of regulatory requirements related to downstream inundation risk. These units, originally designed as part of a planned residential unit development (PRUD), are currently being platted into a site condominium project. The objective of this evaluation was to demonstrate that future development along these rear lot lines will be protected from dam breach or probable maximum flood (PMF) inundation associated with the Cobble Creek Reservoir.

The evaluation was based on the previously completed inundation report for the Cobble Creek Dam, which modeled PMF and breach conditions for the 40 acre-foot configuration using HEC-RAS. Modeled water surface elevations were extracted at representative cross sections along the downstream drainage corridor.

Using these elevations, a continuous reference line was established by grading linearly from upstream to downstream along the reported water surface elevations. This line represents the projected inundation level. An elevation buffer of one foot was added to the reported values to account for conversion between datums, ensuring consistency with Ensign's surface model and incorporating a conservative design factor. Thus, the reference grading line shown represents a water surface elevation two feet higher than the original modeled elevations from the inundation report.

A berm is proposed along the rear, shared lot line of Units 519 through 524. The berm is designed such that its crest meets or exceeds the conservative reference line. The purpose of the berm is to provide a continuous barrier above the inundation elevation, thereby preventing encroachment into the rear yards of these units. The configuration of the berm allows for rear yard drainage to flow away from the shared lot line toward the units.

The berm is designed with a 6-foot width on the interior (lot-facing) side and a 12-foot width on the creek-facing side. The increased width on the downslope side is required to achieve stable daylighting into the existing terrain, which presents geometric challenges due to limited vertical relief. The expanded footprint provides sufficient horizontal distance to tie into existing grade without exceeding acceptable slope gradients. Intermediate elevation control points are provided near projected future lot corners to validate grading continuity.

This berming solution satisfies applicable regulatory flood protection requirements and offers a practical approach to safeguarding pad areas within the reconfigured lots. The accompanying exhibit illustrates the modeled inundation surface, conservative grading reference, and berm geometry as proposed. The affected Grading Plan Sheets have also been updated and are attached as well.

Please contact this office with any further questions or if additional coordination is required to support the geotechnical evaluation or future submittals.

SANDY
45 W 10000 S, STE 500
Sandy, UT 84070
P: 801.255.0529

LAYTON
919 N 400 W
Layton, UT 84041
P: 801.547.1100

CEDAR CITY
88 E Fiddler's Canyon Rd, STE 210
Cedar City, UT 84721
P: 435.865.1453

TOOELE
3950 N Tealby Way, STE 200
Erda, UT 84074
P: 435.843.3590

RICHFIELD
225 N 100 E
Richfield, UT 84701
P: 435.896.2983

www.ensigneng.com





LAYTON
919 North 400 West
Layton, UT 84041
Phone: 801.541.1100

SANDY
Phone: 801.555.0529

TODDLE
Phone: 435.843.3990

CEGAR CITY
Phone: 435.865.1453

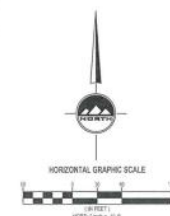
RICHFIELD
Phone: 435.856.2993

WWW.ENSGNENG.COM

FROM:
COTTONWOODS MEMORIAL PARK LLC
211 SOUTH MAIN
SALT LAKE CITY, UT 84101

CONTRACT:
SALT LAKE CITY, UT 84101

PROJECT:
SALT LAKE CITY, UT 84101



MEADOW VILLAGE EAST
COTTONWOODS PHASE 5
PARK MEADOW DRIVE AND KINGSTON DRIVE
MOUNTAIN GREEN, UTAH

INUNDATION EXHIBIT

PROJECT NO. 2024-03

DATE: 10/09/2024

SCALE: 1"=100'

C-100

Attachment D: Revised Flood Inundation Evaluation of Cobble Creek Dam

NORTHSIDE CREEK SUBDIVISION

Mountain Green, UTAH

**Revised Flood Inundation Evaluation of
Cobble Creek Dam**

Prepared For:

RC Gardner Development

The Gateway
90 400 W #330
Salt Lake City, UT 84101

and

GSH Geotechnical Consultants, Inc.

4426 South Century Drive
Salt Lake City, Utah 84123
801-685-9190 Tel

Prepared by:

HydroPlot

10969 Topview Road
South Jordan, UT 84095
801-608-2414 Tel

Contact:

Thomas J. Suchoski

December 19, 2015

X:\Shared Data\HP-ProjectBackup\RC Gardner\CobbleCreek2015B\Revision2\Report-CobbleCreekRevision2.doc

Attachment D: Basis For Determination of Minimum Finish Floor Elevations - Cottonwood Phase 5E



Date: Wednesday, July 9, 2025

To: Skyler Gardner

From: Cam Preston, PE

Subject: Basis for Determination of Minimum Finish Floor Elevations – Cottonwood Phase 5E

An evaluation was conducted to assess flood protection measures along the rear property lines of Units 519 through 524 in Cottonwood Phase 5E, in response to recent geotechnical review findings and in support of regulatory requirements related to downstream inundation risk. These units, originally designed as part of a planned residential unit development (PRUD), are currently being platted into a site condominium project. The objective of this evaluation was to demonstrate that future development along these rear lot lines will be protected from dam breach or probable maximum flood (PMF) inundation associated with the Cobble Creek Reservoir.

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Using these elevations, a continuous reference line was established by grading linearly from upstream to downstream along the reported water surface elevations. This line represents the projected inundation level. An elevation buffer of one foot was added to the reported values to account for conversion between datums, ensuring consistency with Ensign's surface model and incorporating a conservative design factor. Thus, the reference grading line shown represents a water surface elevation two feet higher than the original modeled elevations from the inundation report.

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The berm is designed with a 6-foot width on the interior (lot-facing) side and a 12-foot width on the creek-facing side. The increased width on the downslope side is required to achieve stable daylighting into the existing terrain, which presents geometric challenges due to limited vertical relief. The expanded footprint provides sufficient horizontal distance to tie into existing grade without exceeding acceptable slope gradients. Intermediate elevation control points are provided near projected future lot corners to validate grading continuity.

This berming solution satisfies applicable regulatory flood protection requirements and offers a practical approach to safeguarding pad areas within the reconfigured lots. The accompanying exhibit illustrates the modeled inundation surface, conservative grading reference, and berm geometry as proposed. The affected Grading Plan Sheets have also been updated and are attached as well.

Please contact this office with any further questions or if additional coordination is required to support the geotechnical evaluation or future submittals.

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RICHFIELD
225 N 100 E
Richfield, UT 84701
P: 435.896.2983

www.ensigneng.com

Attachment E: ApplicationMorgan County - Planning & Development
Services

Printed: 09/16/2025

**25.009 Meadow Park East
Cottonwoods Phase 5A-5
Preliminary Plat**

25.009

03/13/2025 - 03/12/2124

1d04bd50-ea5e-11ef-8cdb-4181a69705e2

Subdivision

Active

General

Under Review

Application Review Status

Pre-Review

Approved

02/13/2025

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

Mountain Green Fire
Department Not Reviewed

Planner I Not Reviewed

Mountain Green Sewer Not Reviewed
Improvement District
(MGSID)Cottonwood Mutual Not Reviewed
Water Company

GIS Personnel Not Reviewed

Secondary County Not Reviewed
Engineer

County Geologist Not Reviewed



PLANNING COMMISSION

STAFF REPORT

Preliminary Plat

October 9, 2025

Ponderosa Subdivision Preliminary Plat
October 9, 2025
Public Meeting
File #22.044

Applicant:	Durbano Properties
Owner:	Fernwood LC
Project Location:	Approx. 6113 N Hidden Valley Rd
Parcel Numbers:	00-0083-4593, 00-0083-4595, 00-0063-3521
Serial Numbers:	03-POND1-0101, 03-POND1-0103, 03-005-029
Current Zoning:	Residential (R1-20) and Rural Residential (RR-1)
Acreage:	14.41 acres combined

REQUEST:

Request for preliminary plat approval of a subdivision of 24 lots.

**** Staff requests for this item to be continued to the Planning Commission Meeting on October 23rd, 2025 ****



PLANNING COMMISSION
STAFF REPORT
Preliminary Plat

Northside Creek P.R.U.D, No. 2 Plat Amendment
October 9, 2025
Public Meeting
File #25.008

Applicant:	Skyler Gardner
Owner:	North Side Creek LLC
Project Location:	Approx. 0.22 Miles northeast of the intersection of N Cottonwood Canyon Rd and N Lakeside Dr
Parcel Numbers:	00-0089-1772
Serial Numbers:	03-NSCRK-K-A1
Current Zoning:	Rural Residential (RR-5) w/ DA
Acreage:	2.5 acres

REQUEST:

A request for an amendment to the Northside Creek P.R.U.D. Subdivision plat to create three (3) additional lots.

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 Northside Creek P.R.U.D, No. 2 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

Request for approval of an amendment to the Northside Creek Subdivision P.R.U.D. plat for the creation of three (3) lots. The Cottonwood Mutual Water Company (CMWC) is expected to provide will-serve letters for the water utilities for the three (3) properties. Mountain Green Sewer Improvement District (MGSID) runs the existing sewer system in the area and is expected to serve the new lots.

DISCUSSION:

This request is for an amendment to the Northside Creek P.R.U.D. Subdivision. This amendment proposes the creation of three (3) additional lots. The 1st Amendment to the Northside Creek Subdivision Development Agreement (Application #24.024) finalized the allocation of bonus density, allowing for three additional residential lots within the project. It also addressed the amenities constructed by the Developer as part of the original development commitments. The amendment ensured alignment with County requirements for density bonuses and amenity provisions. It was approved by the County Commission on August 20, 2024, and codified as Ordinance No. CO-24-19.

Lot sizes range from 0.80 to 0.86 acres. Each lot includes a non-buildable slope easement located along the rear (southeast) property line. All lots have the required frontage along Lakeside Drive, a private road. The lots are depicted in the record of the County as parcel K within the subdivision. This application will have minimal impact on the County and nearby property owners, does not alter the character of the underlying zoning, and formalizes the density awarded to the applicant in the Development Agreement. The applicant submitted a detailed written narrative (see attachment "C").

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	Preliminary plat (all facilities within 200 feet of the plat shall be shown): 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	Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer): 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	Utility plan (may be combined with plat sheet, if approved by the county engineer): 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	The subdivider shall provide the following documents with the application: 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	

	the legal description of the outside boundary of the subdivision. 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

	3. Notary public's acknowledgement for each signature on the plat. 4. A correct metes and bounds description of all property included within the subdivision. 5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county 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. 6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor. 7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. 8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards. 9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.		
O	On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.	Does Not Apply	Does not border an Agricultural Protection Area
P	A note on the plat which states the following: <i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i> (Ord. 10-16, 12-14-2010)	Complies	

DEPARTMENT COMMENTS/RECOMMENDATIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering/Surveyor: Comments received and are being addressed

Recorders: Comments received and are being addressed

Zoning: The zoning is residential (RR-5) with an applicable Development Agreement

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before September 29, 2025; 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 September 29, 2025.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before September 29, 2025.
- ✓ A sign was posted on the site on or before September 29, 2025.

Recommended Motions

Motion for a *Positive Recommendation* – “I move we recommend approval to the County Commission of the Northside Creek P.R.U.D, No. 2 Plat Amendment, application #25.008, allowing for the creation of three (3) lots, located approximately 0.22 Miles northeast of the intersection of North Cottonwood Canyon Road and North Lakeside Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 9, 2025.”

Motion for a *Positive Recommendation with Conditions* – “I move we recommend approval to the County Commission of the Northside Creek P.R.U.D, No. 2 Plat Amendment, application #25.008, allowing for the creation of three (3) lots, located approximately 0.22 Miles northeast of the intersection of North Cottonwood Canyon Road and North Lakeside Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated October 9, 2025, and the following additional conditions:”

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

Motion for a *Negative Recommendation* – “I move we recommend denial to the County Commission of the Northside Creek P.R.U.D, No. 2 Plat Amendment, application #25.008, allowing for the creation of three (3) lots, located approximately 0.22 Miles northeast of the intersection of North Cottonwood Canyon Road and North Lakeside Drive in unincorporated Morgan County, *due to the following findings:*”

Attachments:

Attachment A: Vicinity Map

Attachment B: Proposed Preliminary Plat

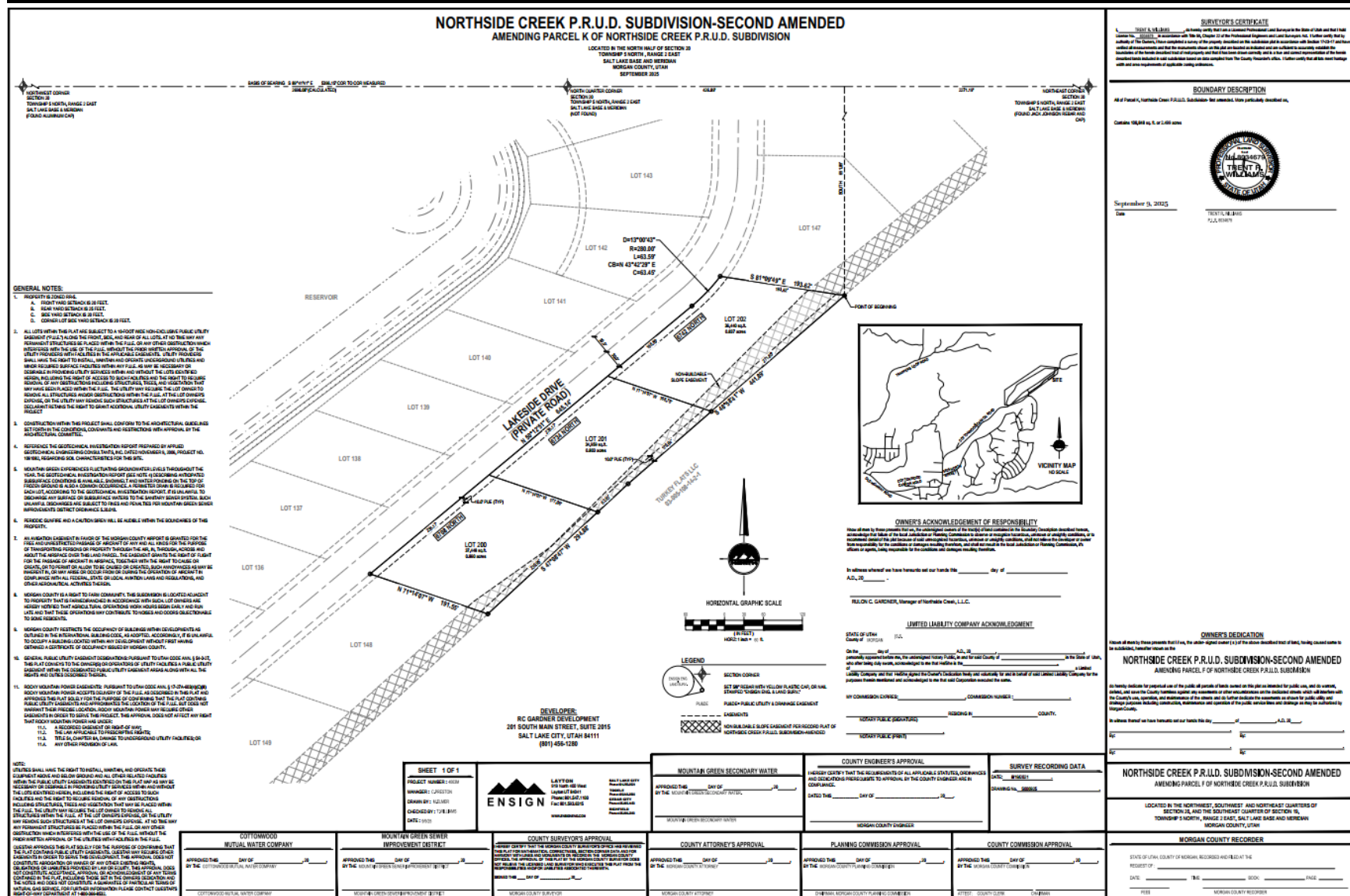
Attachment C: Applicant Narrative

Attachment D: Application

Attachment A: Vicinity Map



Attachment B: Proposed Preliminary Plat



Narrative

To Morgan County

From Skyler Gardner

Date February 11, 2025

Subject: Parcel K Plat Amendment to add three residential lots.

Highlights

- This proposal will add three residential lots to the project, bringing the total to twenty-five total lots.
- Adding three lots is approved within the First Amendment to the Development Agreement paragraph 1.2.
- All improvements within the right-of-way were previously installed and no new construction within the road is required.

The northside Creek PRUD subdivision is currently recorded with twenty-two residential building lots. It is a gated community with private roadways. This application for a plat amendment includes splitting the existing 2.49 acres Parcel K into three separate residential lots.

Because the expansion of 3 lots was anticipated before the roadway improvements were completed the lots have already been improved with the laterals for sewer, culinary and secondary water. There is no planned construction within the road to add these new lots.

The entitlements to add these three additional lots were mentioned in the Development Agreement and then memorialized First Addendum to the Development Agreement.

If there are any questions please feel free to contact me.

Sincerely,

Skyler Gardner

Project Manager

Attachment D: Application

Morgan County - Planning & Development
Services

Printed: 09/25/2025

25.008 North Side Creek
P.R.U.D, No. 2 Plat
Amendment
02/13/2025 - 02/12/2124
Subdivision
General

25.008

939ec080-ea51-11ef-8cdb-4181a69705e2

Active

Under Review

Application Review Status

Pre-Review

Approved

02/13/2025

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
County Surveyor	Not Reviewed
Mountain Green Fire Department	Not Reviewed
Planner I	Not Reviewed
Mountain Green Sewer Improvement District (MGSID)	Not Reviewed
Cottonwood Mutual Water Company	Not Reviewed
GIS Personnel	Not Reviewed
County Recorder	Not Reviewed

PLANNING COMMISSION MINUTES

Thursday, September 11th, 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

Absent PC Members

Member McMillan
Member Telford

Public Attendance:

Tina Kelley Mike Whittier
Jeff Glum Kent Singleton
Steve Bendt Randy Parker
Chad Flowers Angelic Read

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 Sessions to approve the agenda.

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

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

Jeff Glum-Read statement - included in meeting recording
Kent Singleton- Read statement – included in meeting recording
[Planning Commission Meeting September 11, 2025](#)

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.

Planner Lance presented the request for the lot line adjustment.

Applicant Angelic Read explains what they want to do and why they are requesting the lot line adjustment.

Motion by Member Wilson, – “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.”

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

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.

Planning Director Cook presented the request from the property owner for a highway sign text amendment and turned the time over to the applicant to present.

Chad Flowers from Ryse Signs. Explained the intent to allow a single double sided 40 ft. sign along the highway to allow all business owners in the Canyon View Commercial Subdivision to advertise their businesses on one sign. He stated this would eliminate the clutter of a lot of smaller individual signs. They looked at other cities such as Bountiful to mirror what they have done when writing the text for this amendment. He stated the Anchor tenant on the sign would be Young Motor Sports.

Open Public Hearing

Motion by Member King to open Public Hearing

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

Tina Kelley stated people don't want signs taking up space or the view shed of Mountain Green. Expressed concerns with safety. Expressed disapproval for the height. Signs that UDOT put up are sufficient. She doesn't agree with the proposed text amendment.

Close Public Hearing

Motion by Member Watt to close Public Hearing.

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

Member Wilson questioned if the County has offered anything or what the applicant is entitled to. Questioned the existence of state or national laws that would prohibit such signs.

Planning Director Cook stated the County has offered nothing other than what is stipulated in the code and state law prohibits us from regulating content. He then gives options of how they can vote.

Chair Maloney questioned Planning Director Cook's opinion on the 40 ft. height.

Planning Director Cook stated that it is similar to what is already allowed for free standing signs.

Planning Commission Members continue to discuss standards for signs, lighting and if this is going to increase the number of signs along the I84 corridor.

Member Sessions questioned the distance of the I84 corridor. And what determines frontage for the businesses along the highway.

Planning Director Cook further explained what signs and what kind are allowed for businesses.

Applicant Chad Flowers explained how this came about with Wildcat Storage wanting their own sign which would have eliminated the ability for other business to have free standing signs because of the currant code. This will enable all the business to share one free standing sign.

Planning Director Cook clarified what a shopping center is as it pertains to signage and the code.

Planning Commission discussed electronic signage and any lighting it would create. They also discussed the findings they would like to add to the recommendation.

Member Watt suggested that the commission stay on topic and not implicate other codes that are not specific to what they are talking about tonight.

Motion by Member Sessions “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. That the signs be on premises
2. That the width is limited to 12 feet
3. That the height is limited to 35 feet
4. That the setback is 5 feet
5. To clarify that the shopping center shall have frontage on I-84 for the I-84 Corridor
6. That the quotation marks are removed around shopping center
7. That the lights be turned off at 10 p.m.
8. That the proliferation language be taken out

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

8. Business and staff questions

9. Approval of minutes

Motion by Member Wilson

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

10. Adjourn

Motion by Member Sessions

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

Approved: _____ Date: _____
Chairman, Maddie Maloney

Judy Vogel, Transcriptionist
Planning and Development Services