



PLANNING COMMISSION AGENDA

Thursday, December 11th, 2025

Morgan County Commission Room

6:30 p.m.

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young St., Morgan, Utah. The agenda is as follows:

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

Administrative

6. **Public Meeting– *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. ****County staff recommends bringing this item back to the Planning Commission at a later date after re-noticing.****
7. **Public Meeting/Discussion/Decision – *LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended*:** A request for a lot line adjustment to lot 4 of the LDS MTN. Green Cottonwood Canyon Road Subdivision, which is identified by parcel number 00-0084-0774 and serial number 03-LDSMG-0004 and is located at 4210 West Cottonwood Canyon Road in unincorporated Morgan County.
8. **Public Meeting/Discussion/Decision – *Cottonwood Spring View, P.U.D. Third Plat Amendment*:** A request for a lot line adjustment to lots 710 and 711 of the Cottonwood Spring View, A P.U.D. Subdivision, which is identified by parcel numbers 00-0089-1016 & 00-0089-1017 and serial numbers 03-COSPR-0710 & 03-COSPR-0711, and is located at 6348 & 6358 S Wasatchback Drive in unincorporated Morgan County.

Legislative

9. **Public Hearing/Discussion/Decision – *Morgan County Rezone*:** Request to rezone property from Multiple Use (MU-160) to Residential (R1-20), and reflect that change on the Future Land Use Map from Natural Resources and Recreation to Village Low Density Residential. The property is identified by parcel number 00-0001-9024 and serial number 01-004-386-NA1 and is approximately located at 870 E Mahogany Ridge Road in unincorporated Morgan County.

10. Business/Staff Questions: Approval of 2026 Planning Commission Meeting Calendar
11. Approval of November 13th, 2025, Planning Commission Minutes
12. Adjourn

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



PLANNING COMMISSION

STAFF REPORT

Preliminary Plat

December 11, 2025

Ponderosa Subdivision Preliminary Plat
December 11, 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 that this item not be continued at this time. Staff will re-notice and bring the item back to the Planning Commission.****



PLANNING COMMISSION
STAFF REPORT
Plat Amendment

LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended
December 11, 2025
Public Meeting
File #24.067

Applicant:	Samuel Parry of Parry, Kirton McConkie, P.C.
Owner:	Corporation of Presiding Bishop LDS
Project Location:	4210 W Cottonwood Cnyn Rd
Parcel Number:	00-0084-0774
Serial Number:	03-LDSMG-0004
Current Zoning:	Residential (R1-20) & Agriculture (A-20)
Acreage:	28.97 acres

REQUEST:

A request for a lot line adjustment to lot 4 of the LDS MTN. Green Cottonwood Canyon Road 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:

Based on the information in this staff report, staff recommends approval of the LDS MTN. Green Cottonwood Canyon Road Subdivision - First 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 LDS Mtn. Green Cottonwood Canyon Road Subdivision plat for a lot line adjustment. If approved, the acreage for lot 4 will receive approximately 22,816 sq. ft., or approximately 0.5 acres, from a neighboring property owner. The acreage for Lot 4 would increase from 28.97 acres to 29.47 acres. The shared property boundary is moving approximately 42 feet to the north. Lot 4 will continue to meet—and exceed—the minimum lot size requirement of 20 acres, as required by Agricultural (A-20) zoning regulations.

The property falls within the service district of the Cottonwood Mutual Water Company (CMWC) who has historically provided will-serve letters for the water utilities for the subdivision. Furthermore, the Mountain Green Sewer Improvement District (MGSID) continues to run the existing sewer system in the area and has served the subject property previously.

DISCUSSION:

This request is for the first amendment to the LDS Mtn. Green Cottonwood Canyon Road Subdivision. The proposed amendment is a lot line adjustment that slightly alters the approved subdivision layout, but does not alter the roadway configuration or access to any lot. No new lots are being created, and the overall density of the subdivision remains unchanged. The adjustment affects only the boundary between an existing neighboring parcel and a lot within the aforementioned subdivision and does not introduce a significant amount of additional development potential.

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: 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.	Complies	

	<p>7. The layout and dimensions of proposed lots with lot areas in square feet.</p> <p>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</p> <p>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</p> <p>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</p> <p>11. Location and ownership of all adjoining tracts of land.</p> <p>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</p>		
D	<p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). 8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage. 9. Show any existing wetlands. 10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012) 	Does Not Apply	
E	<p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. North arrow. 3. Subdivision name. 4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications. 5. Show location and dimensions of all utility easements. 	Does Not Apply	
F	<p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> 1. Three (3) copies of a geotechnical soils report. 2. A traffic report when required by the planning commission or county engineer. 3. Preliminary title report, which specifically references the boundary survey and exactly matches 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 	Does Not Apply	

	<p>preservation area, or which contain an agricultural open space conservation easement within the plat.</p> <p>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</p> <p>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</p> <p>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</p>		
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	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	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.

	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.		
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 and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.	Complies	
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Complies	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue	Complies	

	consecutively throughout the subdivision with no omissions or duplications.		
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	<p>The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:</p> <p>1. Professional land surveyor's "certificate of survey".</p> <p>2. Owner's dedication certificate in the following form:</p> <p style="text-align: center;"><i>OWNERS DEDICATION</i></p> <p style="text-align: center;"><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have hereunto set out hands this day of, 21.</i></p> <p style="text-align: center;"><i>(Add appropriate acknowledgments)</i></p> <p>3. Notary public's acknowledgement for each signature on the plat.</p> <p>4. A correct metes and bounds description of all property included within the subdivision.</p> <p>5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county commission (a signature line for the commission chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat.</p>	Complies	Owner's Dedication is present, but not signed

	<p>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.</p> <p>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</p> <p>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</p> <p>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</p>		
O	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	<p>A note on the plat which states the following:</p> <p><i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i></p> <p>(Ord. 10-16, 12-14-2010)</p>	Complies	

DEPARTMENT COMMENTS/RECOMMENDATIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering/Surveyor: Comments received and extend conditional approval

Recorders: Comments received and are being addressed

Zoning: The zoning is a split-designation of Residential (R1-20) & Agriculture (A-20)

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before November 3, 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 November 3, 2025.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before November 3, 2025.
- ✓ A sign was posted on the site on or before November 3, 2025.

Recommended Motions

Motion for a *Positive Recommendation* – “I move we recommend approval to the County Commission of the LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended, application #24.067, allowing for a lot line adjustment, located at 4210 West Cottonwood Canyon Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated December 11, 2025.”

Motion for a *Positive Recommendation with Conditions* – “I move we recommend approval to the County Commission of the LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended, application #24.067, allowing for a lot line adjustment, located at 4210 West Cottonwood Canyon Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated December 11, 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 LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended, application #24.067, allowing for a lot line adjustment, located at 4210 West Cottonwood Canyon Road in unincorporated Morgan County, *due to the following findings:*”

Attachments:

Attachment A: Vicinity Map

Attachment B: Zoning Map

Attachment C: Zoning Map (Airport Overlays Disabled)

Attachment D: Original Plat

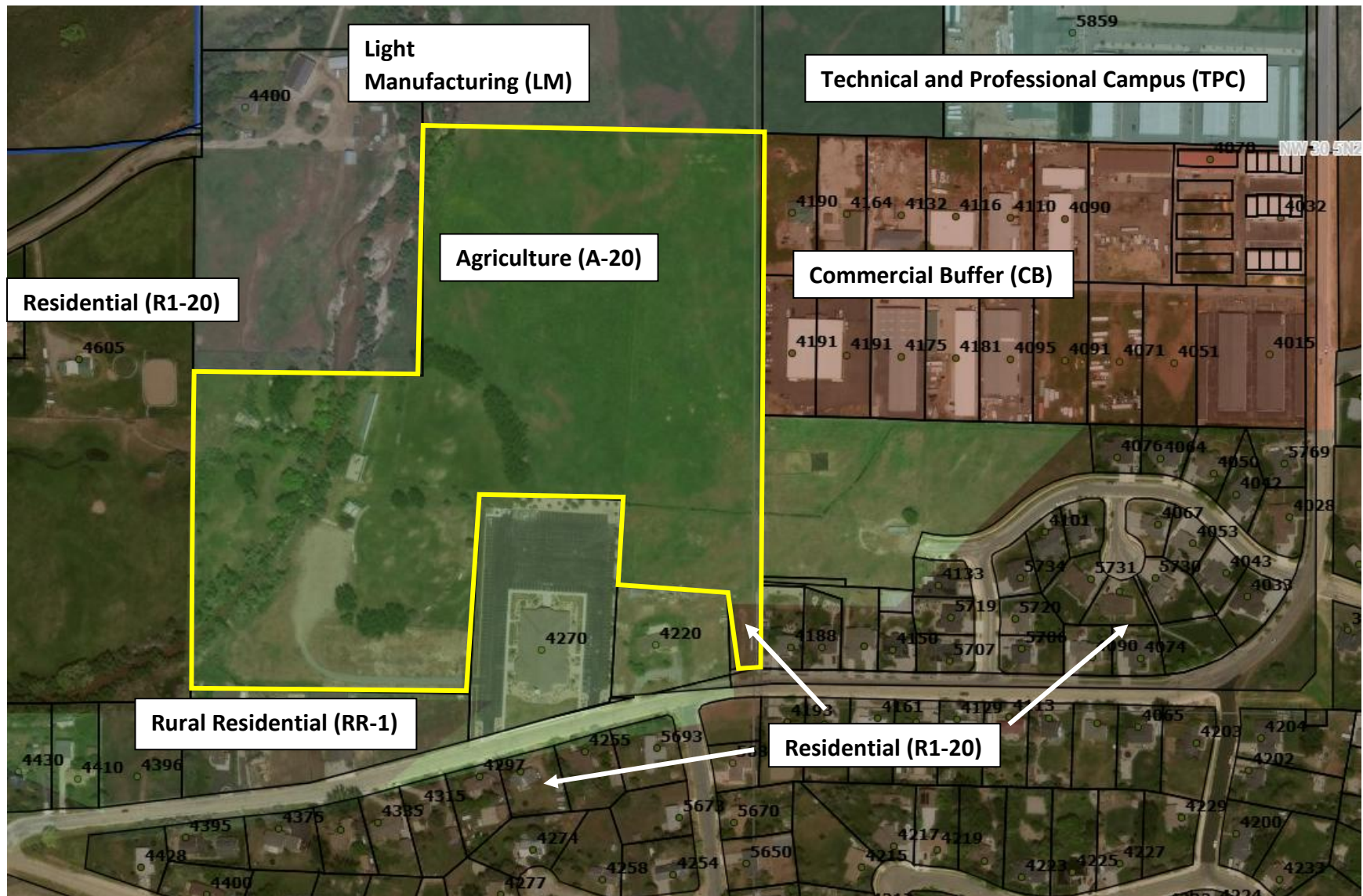
Attachment E: Proposed Preliminary Plat

Attachment A: Vicinity Map



[illegible]

Attachment C: Zoning Map (Airport Overlays Disabled)



Attachment D: Original Plat

[illegible]

Attachment E: Proposed Preliminary Plat

[illegible]

PLANNING COMMISSION
STAFF REPORT
Plat Amendment

Cottonwood Spring View, P.U.D. Third Plat Amendment
December 11, 2025
Public Meeting
File #25.028

Applicant/Owner: Jeff Holden
Project Location: 6348 & 6358 S Wasatchback Dr
Parcel Number: 00-0089-1016 & 00-0089-1017
Serial Number: 03-COSPR-0710 & 03-COSPR-0711
Current Zoning: Rural Residential (RR-1) / Development Agreement (DA)
Acreage: 1.23 acres (combined)

REQUEST:

A request for a lot line adjustment to lots 710 and 711 of the Cottonwood Spring View, A P.U.D. 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:

Based on the information in this staff report, staff recommends approval of the Cottonwood Spring View, P.U.D. Third 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 Cottonwood Spring View P.U.D. Subdivision for a lot line adjustment. If approved, Lot 711, currently 0.59 acres, would gain approximately 13,970.87 sq. ft. (about 0.32 acres) from Lot 710, resulting in a new total of 0.91 acres. Both lots are under the same ownership. Lot 710 would decrease from 0.64 acres to 0.32 acres and would continue to meet the minimum lot size requirement of 0.32 acres as established by the P.U.D. plat, which sets the subdivision's minimum density. The Cottonwoods Development Agreement governs applicable land use and development standards for the lots.

The property falls within the service district of the Cottonwood Mutual Water Company (CMWC) who has historically provided will-serve letters for the water utilities for the subdivision. Furthermore, the Mountain Green Sewer Improvement District (MGSID) continues to run the existing sewer system in the area and has served the subject property previously.

DISCUSSION:

This request is for the third amendment to the Cottonwood Spring View, P.U.D. Subdivision. The proposed amendment is a lot line adjustment that slightly alters the approved subdivision layout, but does not alter the roadway configuration or access to any lot. No new lots are being created, and the overall density of the subdivision remains unchanged. The adjustment affects only the boundary between two (2) lots within the aforementioned subdivision and does not introduce a significant amount of additional development potential.

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: 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.	Complies	

	<p>7. The layout and dimensions of proposed lots with lot areas in square feet.</p> <p>8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces.</p> <p>9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings.</p> <p>10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas.</p> <p>11. Location and ownership of all adjoining tracts of land.</p> <p>12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010)</p>		
D	<p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). 8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage. 9. Show any existing wetlands. 10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012) 	Does Not Apply	
E	<p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. North arrow. 3. Subdivision name. 4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications. 5. Show location and dimensions of all utility easements. 	Does Not Apply	
F	<p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> 1. Three (3) copies of a geotechnical soils report. 2. A traffic report when required by the planning commission or county engineer. 3. Preliminary title report, which specifically references the boundary survey and exactly matches 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 	Does Not Apply	

	<p>preservation area, or which contain an agricultural open space conservation easement within the plat.</p> <p>8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development.</p> <p>9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply.</p> <p>10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.</p>		
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	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	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.

	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.		
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 and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.	Complies	
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Complies	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue	Complies	

	consecutively throughout the subdivision with no omissions or duplications.		
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: OWNERS DEDICATION <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> (Add appropriate acknowledgments) 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.	Complies	Owner's Dedication is present, but not signed

	<p>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.</p> <p>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</p> <p>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</p> <p>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</p>		
O	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	<p>A note on the plat which states the following:</p> <p><i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i></p> <p>(Ord. 10-16, 12-14-2010)</p>	Complies	

DEPARTMENT COMMENTS/RECOMMENDATIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering/Surveyor: Comments received and recommend approval

Recorders: Comments received and are being addressed

Zoning: RR-1 with an applicable DA and P.U.D. Plat

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before December 1, 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 December 1, 2025.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before December 1, 2025.
- ✓ A sign was posted on the site on or before December 1, 2025.

Recommended Motions

Motion for a *Positive Recommendation* – “I move we recommend approval to the County Commission of the Cottonwood Spring View, P.U.D. Third Plat Amendment, application #25.028, allowing for a lot line adjustment, located at 6348 and 6358 South Wasatchback Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated December 11, 2025.”

Motion for a *Positive Recommendation with Conditions* – “I move we recommend approval to the County Commission of the Cottonwood Spring View, P.U.D. Third Plat Amendment, application #25.028, allowing for a lot line adjustment, located at 6348 and 6358 South Wasatchback Drive in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated December 11, 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 Cottonwood Spring View, P.U.D. Third Plat Amendment, application #25.028, allowing for a lot line adjustment, located at 6348 and 6358 South Wasatchback Drive in unincorporated Morgan County, *due to the following findings:*”

Attachments:

Attachment A: Vicinity Map

Attachment B: Zoning Map

Attachment C: Zoning Map (Airport Overlays Disabled)

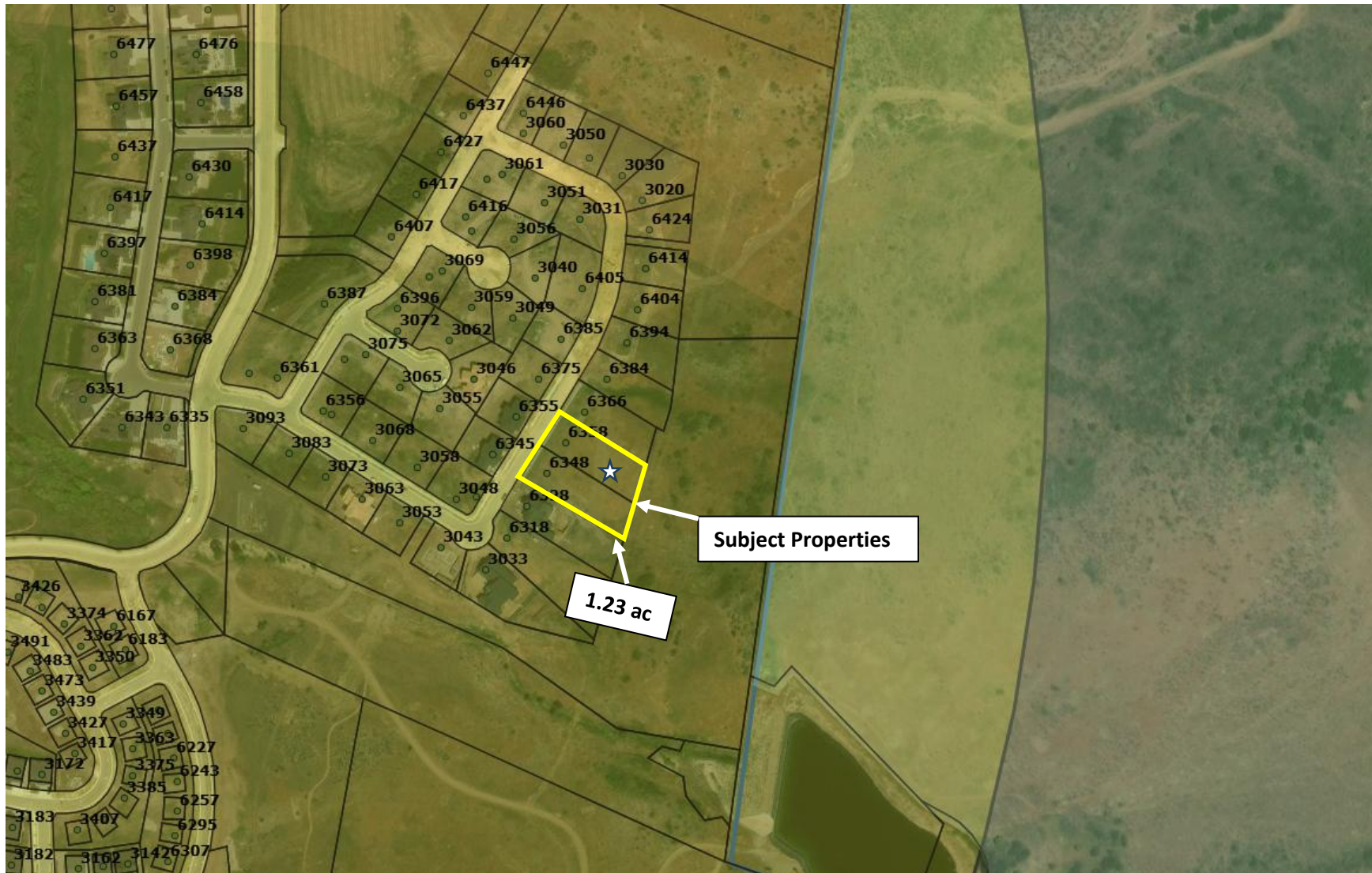
Attachment D: Original Plat

Attachment E: Proposed Preliminary Plat

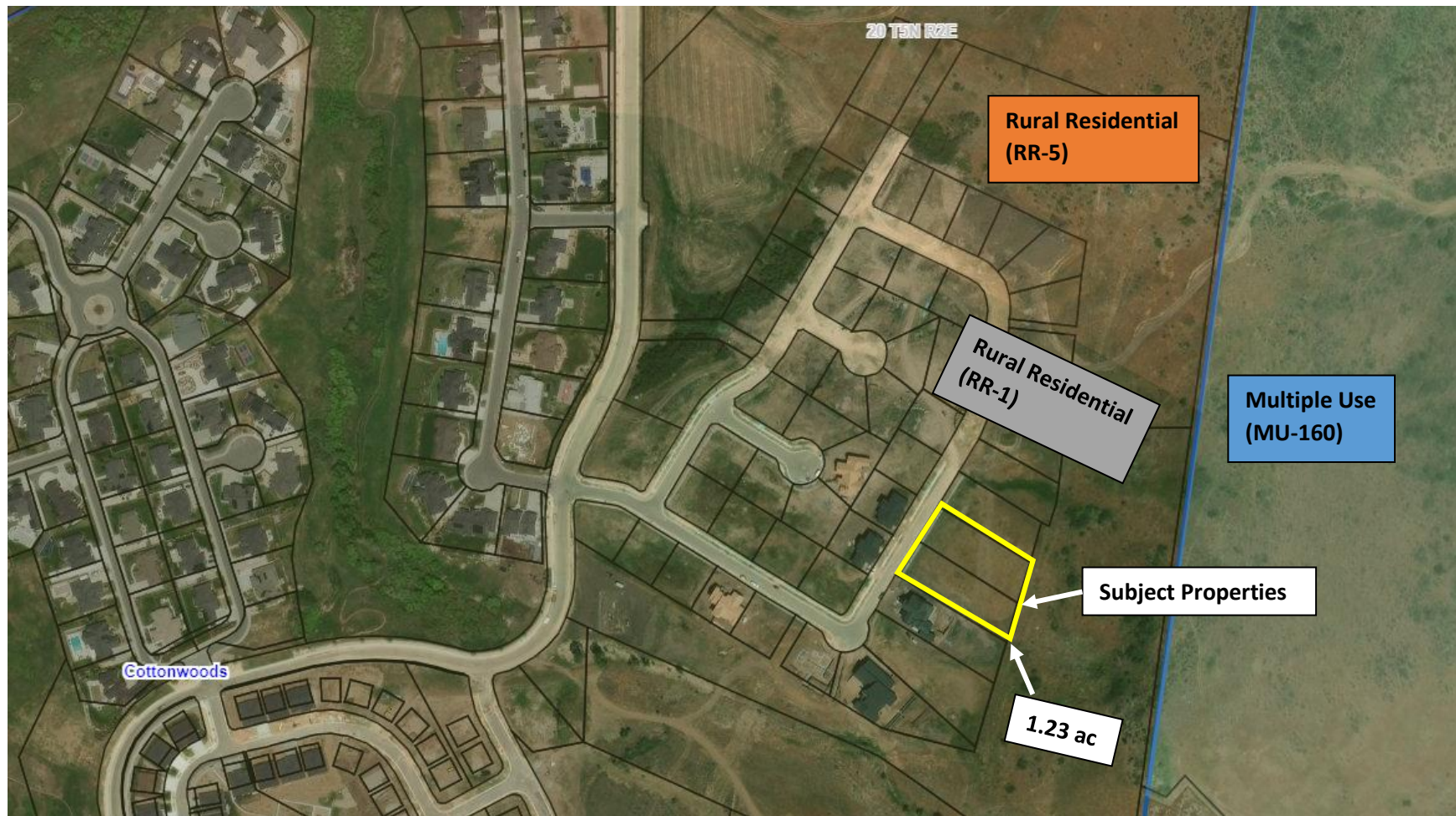
Attachment A: Vicinity Map



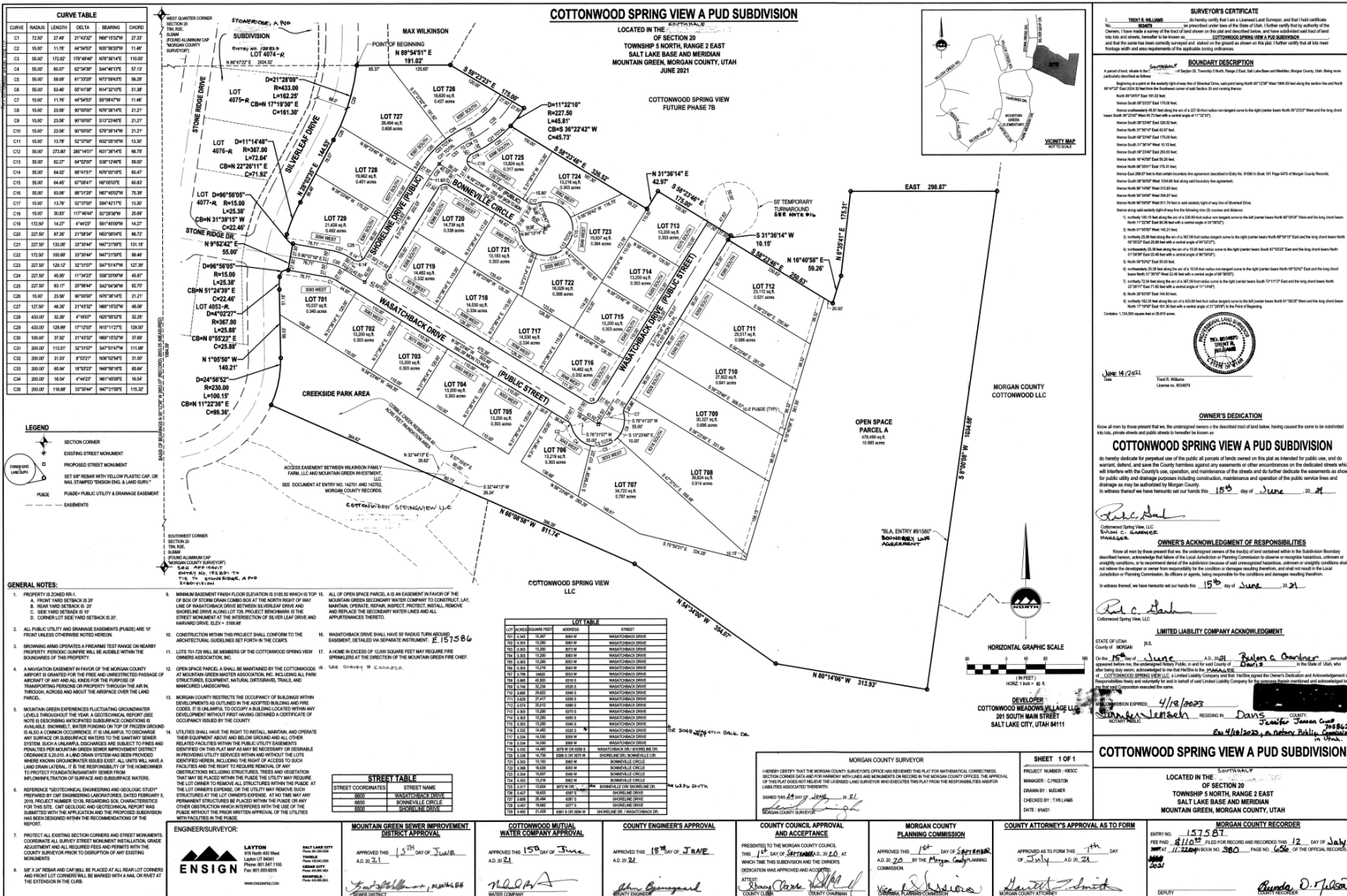
Attachment B: Current Zoning Map



Attachment C: Zoning Map (Airport Overlays Disabled)



Attachment D: Original Plat



Attachment E: Proposed Preliminary Plat

VICINITY MAP

NOT TO SCALE

COTTONWOOD SPRING VIEW PRUD, THIRD AMENDMENT

AMENDING LOTS 710 & 711 OF COTTONWOOD SPRING VIEW PRUD LOCATED IN THE SOUTH HALF OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN MOUNTAIN GREEN, MORGAN COUNTY, UTAH OCTOBER 2025

MORGAN COUNTY SURVEYOR

SECTION 20, TOWNSHIP 5 NORTH,
RANGE 2 EAST, S.L.B. & M.
FOUND ALUMINUM CAP MARKED
"MORGAN COUNTY SURVEYOR"

LEGEND

- COUNTY MONUMENT AS DESCRIBED
- PROPERTY CORNER AS DESCRIBED
- SUBDIVISION BOUNDARY
- NEW LOT LINE
- CURRENT LOT LINE
- ADJACENT PARCEL
- SECTION LINE
- PUE PER ORIGINAL PLAT
- STREET CENTERLINE
- BUILDING ENVELOPE

NARRATIVE

THE PURPOSE OF THE SURVEY WAS TO ADJUST THE BOUNDARY LINES OF LOTS 710 AND 711, COTTONWOOD SPRING VIEW, P.U.D. AS SHOWN HEREON. THE SURVEY WAS ORDERED BY MAY 14, 2025. THE BASE OF BEARING IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN WHICH BEARS NORTH 0°12'38" WEST.

THE WORD "CERTIFY" AND "CERTIFICATE" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS DISCLOSED TO THE SURVEYOR OR INFORMATION IN POSSESSION OF THE SURVEYOR AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF LEGAL OWNERSHIP, EXPRESS OR IMPLIED.

MORGAN COUNTY SURVEYOR

HEREBY CERTIFY THAT THE MORGAN COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE MORGAN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE MORGAN COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTES THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS ____ DAY OF ____, 2025.

MORGAN COUNTY SURVEYOR

OWNER'S DEDICATION

WE, THE UNDERSIGNED OWNERS OF THE HEREON DESCRIBED TRACTS OF LAND, HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS, PARCELS AND STREETS AS SHOWN ON THIS PLAT AND NAME SAID TRACT:

COTTONWOOD CREEK VIEW PRUD, THIRD AMENDMENT

AND HEREBY DEDICATE, GRANT AND CONVEY TO THE PUBLIC THE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS A PERPETUAL EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED ON THE PLAT AS PUBLIC UTILITY, THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITY SERVICE LINES, STORM DRAINAGE FACILITIES OR FOR THE PERPETUAL PRESERVATION OF WATER DRAINAGE CHANNELS IN THEIR NATURAL STATE INWHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERECTED WITHIN SUCH EASEMENTS.

SIGNED THIS ____ DAY OF ____, 2025.

BY: JEFFREY S. HOLDEN
BY TRUSTEES/ TRUST: JEFFREY S. HOLDEN, TRUSTEE
JEFFREY S. HOLDEN LIVING TRUST DATED 03/16/2004

MORGAN COUNTY SURVEYOR

HEREBY CERTIFY THAT THE MORGAN COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE MORGAN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE MORGAN COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR WHO EXECUTES THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH. SIGNED THIS ____ DAY OF ____, 2025.

MORGAN COUNTY SURVEYOR

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF ____ }
On this ____ day of ____ in the year 20____, before me, a notary public, personally appeared Jeffrey S. Holden, the Trustee of JEFFREY S. HOLDEN LIVING TRUST DATED 03/16/2004, proved on the basis of satisfactory evidence to be the person whose name is subscribed in the foregoing Owner's Declaration regarding the Cottonwood Creek View Prud, Third Amendment, and acknowledged that he executed the same.

Commission Number _____
My Commission Expires _____

Notary Public Commissioned in Utah

MORGAN COUNTY SURVEYOR

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December 11, 2025

Morgan County Rezone
Public Hearing
December 11, 2025

Application No.:	25.058
Applicant/Owner:	Morgan County
Project Location:	870 E Mahogany Ridge Rd
Parcel Number:	00-0001-9024
Project Location:	01-004-386-NA1
Date of Application:	November 4, 2025
Current Zoning:	Multiple Use (MU-160)
General Plan Designation:	Natural Resources & Recreation
Acreage:	29.48 acres

REQUEST

Request to rezone property from Multiple Use (MU-160) to Residential (R1-20), and reflect that change on the Future Land Use Map from Natural Resources and Recreation to Village Low Density Residential.

ATTORNEY GUIDANCE

Legislative Review:

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

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

(1)

(a) The purposes of this chapter are to:

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

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

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

Utah Code Ann. § 17-27a-102. While the County Commission still appears to have broad discretion, I would caution that Utah Code Ann. § 17-27a-102 (1)(b)(xiv) causes concern for legal actions if the Commission fails to support its decisions with the above purposes and standards.

STAFF OBSERVATION

County staff believes that the proposed zoning map amendment from MU-160 to R1-20, and an accompanying amendment to the Future Land Use Map from Natural Resources and Recreation Village Low Density Residential, is consistent with good planning principles. County staff believes that the proposed zoning map amendment from MU-160 to R1-20, along with an accompanying amendment to the Future Land Use Map, is consistent with sound planning principles. The R1-20 district supports very low-density single-family development. The property's adjacency to the existing city R-1-8 zoning provides a logical transition between city-level residential density and the County's intended lower-density pattern. The property is already served by the established city Right-Of-Way (ROW) of East Mahogany Ridge Road, which provides access to several County facilities including: the County Rifle Range and the County Search and Rescue building; as well as the privately operated Family Tree Assisted Living of Morgan. This roadway offers an appropriate point of ingress and egress for future development under the proposed zoning designation. Together, the existing infrastructure, compatible neighboring zoning, and inherent buffering provided by a practical density transition, support the conclusion that the rezoning is contextually appropriate and in alignment with current growth patterns. If the Commission finds merit in this rezone, then the following findings could be considered:

Findings:

1. That the amendment is appropriate given adjacency to higher-density city zoning, existing infrastructure, and the low-density character of the proposed R1-20 zoning.
2. That the rezone is unlikely to adversely impact surrounding properties, many of which are 0.30 acres or smaller.
3. That the amendment supports County objectives while maintaining an orderly land-use pattern.
4. That the proposed amendment is in harmony with existing land uses in the area.

ANALYSIS

General Plan and Zoning:

The application requests a rezone of the property from a MU-160 to R1-20, and reflect that change on the Future Land Use Map from Natural Resources and Recreation to Village Low Density Residential. Approval of this rezone would allow development consistent with residential zoning rather than the patterns typical of multiple use mountainside areas.

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

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*

2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*

...

6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The proposed zone change appears to coincide with the stated vision for Morgan County. In changing the zoning district for the applicant's property, the County is reflecting the policies and desires of the General Plan and in accordance with the County Ordinance (See § 155.105). The purpose of the R1-20 zoning district is defined as follows:

(A) Residential District R1-20: To provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character;

Staff anticipates that the proposed zoning map amendment will meet these purposes and generally be in harmony with the General Plan and surrounding development. The overall impact on adjacent properties will be negligible as development in the area already has rural residential development.

ORDINANCE EVALUATION:

Morgan County ordinance anticipates amendments to the zoning map. Section 155.022: *Amendments to Title and Zoning Map* indicates that:

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

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

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

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

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

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

(D) Planning Commission review and recommendation.

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

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

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

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

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

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

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

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

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

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

This meeting is in fulfillment of subsection (D) above. In response to § 155.023(F) above, while the impact of the proposed zone change will be substantial, the proximity of the city utilities system and the surrounding higher-density development should help mitigate potential effects on facilities and services.

Approval Standards

The proposed zoning map change complies with the intent of the Morgan County General Plan policies and Future Land Use Map Designation. The change would maintain the character of the area while allowing for residential development in the unincorporated county area.

RECOMMENDED MOTION

Recommended Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Commission for the Morgan County Rezone, application number 25.058, changing 29.48 acres from MU-160 to R1-20, and reflect that change on the Future Land Use Map from a split designation of Natural Resources and Recreation to Village Low Density Residential, based on the findings listed in the staff report dated December 11, 2025.”

Recommended Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Commission for the Morgan County Rezone, application number 25.058, changing 29.48 acres from MU-160 to R1-20, and reflect that change on the Future Land Use Map from a split designation of Natural Resources and Recreation to Village Low Density Residential, due to the following findings:”

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map

Exhibit B: Future Land Use Map

Exhibit C: Existing Zoning Map

Exhibit D: Boundary Description

Staff Contact

Joshua Cook

801-845-4015

jcook@morgancountyutah.gov

Exhibit A: Vicinity Map



Exhibit B: Future Land Use Map



Exhibit C: Existing County Zoning Map



Exhibit C: Existing City Zoning Map

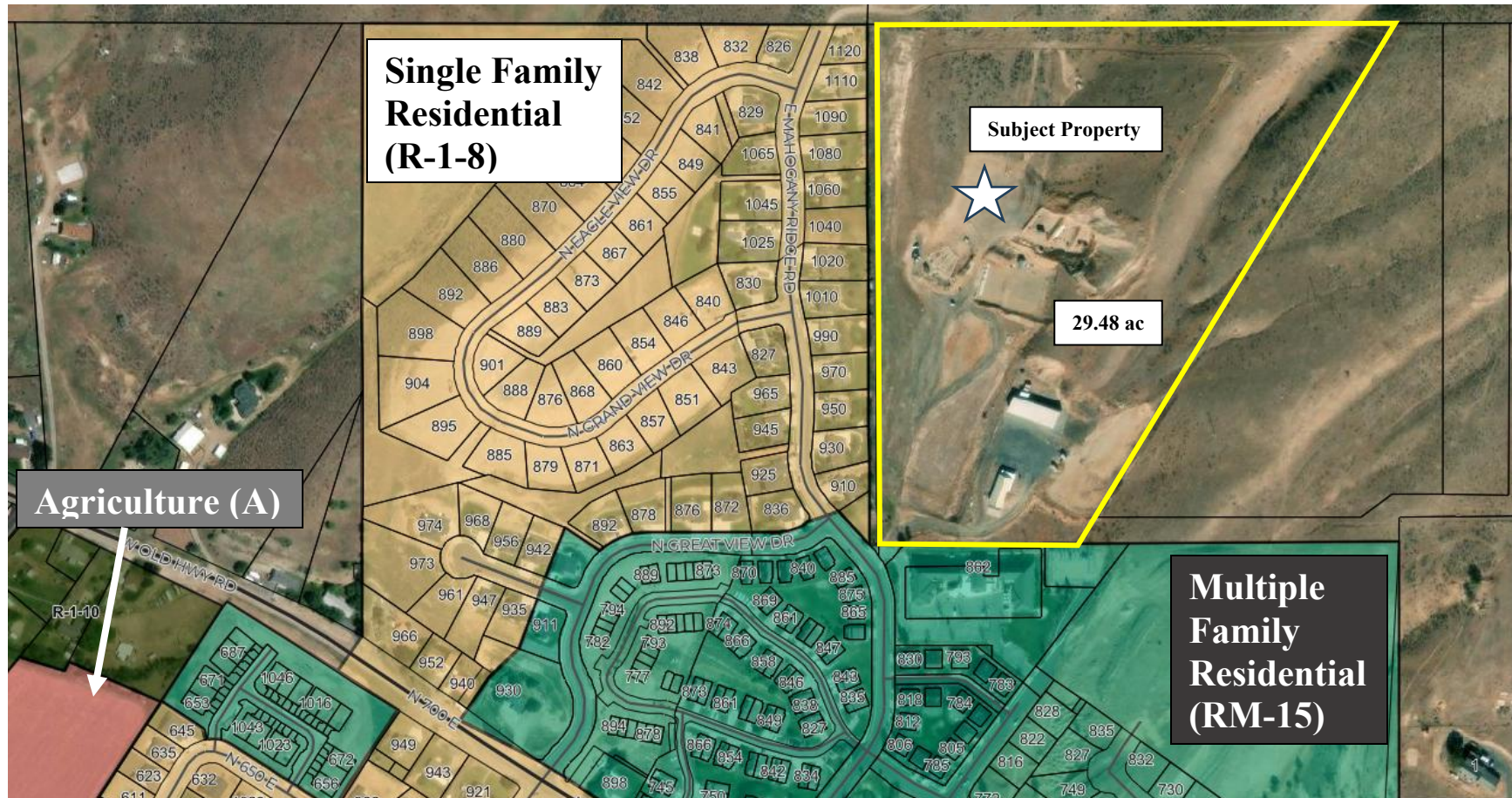


Exhibit D: Property Boundary Description

Legal Description:

A PT OF THE N1/2 NW1/4 OF SEC 25, T4N, R2E, SLB&M. BEG AT THE NW COR OF SD SEC 25, & RUN TH E 1381.1 FT; TH S 32°00' W 1568.3 FT TO 40 AC LN; TH ALG SD LN W 550.0 FT TO THE SEC LN; TH N ON THE SEC LN 1330.0 FT TO POB. CONT 29.48 AC. LESS ANY PORT RECORDED IN Q.C.D. ENTRY NO. 89493, IN BK 184, AT PG 232.

Parcel Text History:

NOTE: 184/232 NO AC CHANGE -PER ALL AC TAKEN FRM 01-004-386-NA3 -PER DESC OVERLAPS EACH OTHER. (B.D.N. 04-08-03) 2003 TAX YR; VESTING REF: #30278 (R/351); OTHER REF: #123814 (292/1596) -AFF OF ADDRESS CHANGE FROM: 810 RIFLE RANGE RD TO: 870 E MAHOGANY RIDGE RD; (ABSTRACT TO: 01-004-387-02/00-0001-9065 SEC 25, T5N, R2E N1/2, APPEARS TO OVERLAP)

MORGAN COUNTY PLANNING COMMISSION

Notice is hereby given that the Annual Meeting schedule of the Morgan County Planning Commission for the 2026 calendar year is as follows:

January 8th and January 22nd 2026

February 12th and February 26th 2026

March 12th and March 26th 2026

April 9th and April 23rd 2026

May 14th and May 28th 2026

June 11th and June 25th 2026

July 9th and July 23rd 2026

August 13th and August 27th 2026

September 10th and September 24th 2026

October 8th and October 22nd 2026

November 12th 2026

December 10th 2026

If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.

DATED this ____ day of _____, _____

MORGAN COUNTY PLANNING COMMISSION

By: _____

1. Morgan County will post written notice of the annual meeting schedule in the offices of the County and provide a copy of such notice to at least one newspaper of general circulation within the geographic jurisdiction of the county, or to a local media correspondent and to all persons who request a copy of such notice.
2. This Resolution shall be effective immediately upon passage and adoption.

PASSED AND ADOPTED THIS 11th DAY OF _____, _____

MORGAN COUNTY PLANNING COMMISSION

By: _____

Morgan County Planning Commission Chairman

PLANNING COMMISSION MINUTES

Thursday, November 13th, 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 McMillian

Absent PC Members

Member Telford
Member Watt

Public Attendance:

Tina Kelley
Simone Rousseau
Joseph Rousseau
Shad Guffey
Valerie Clayssen
Ron Musselman
Nicole Neemz
Catherine Hoover

Staff:

Planning Director Cook – Planning Director
Deputy County Attorney – Janet Christopherson
Jeremy Lance -Planner I
Chris Tremea – Code Compliance Officer
Jessie Drage, Transcriptionist/Permit Tech

1. **Call to order – Prayer by Member McMillian**
2. **Pledge of Allegiance Led by Member Sessions**
3. **Approval of agenda**

Motion by Member King to approve the agenda. Second by Member McMillian. The vote was unanimous. Motion carried.

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

Administrative

6. **Public Meeting/Discussion/Decision – LDS MTN. Green Cottonwood Canyon Road Subdivision - First Amended:** A request for a lot line adjustment to lot 4 of the LDS MTN. Green Cottonwood Canyon Road Subdivision, which is identified by parcel number 00-0084-0774 and serial number 03-LDSMG-0004 and is located at 4210 West Cottonwood Canyon Road in unincorporated Morgan County.

Planner Lance starts by welcoming and acknowledging the new transcriptionist Jessie Drage who will be taking minutes tonight. He then introduces the LDS Mountain Green Cottonwood Canyon Road subdivision, stating that the applicant is not in the audience tonight and requesting

that this topic be addressed at a future date, potentially December 11th due to public notice issues.

Member Maloney no action. Moving on.

7. **Public Meeting/Discussion/Decision** – *East Canyon Retreat Small Subdivision Preliminary & Final Plat*: A request for preliminary and final plat approval for a 2-lot subdivision, which is identified by parcel number 00-0001-1195 and serial number 01-003-410-11 and is located at 4950 & 4964 South Highway 66 in unincorporated Morgan County.

Planner Lance presents the location of the East Canyon Retreat small subdivision of a 10 acre lot exactly into two 5 acre lots. He introduces applicants Tom and Shad Guffey, in the audience and details the project location and size, zoning and the need for preliminary and final plat approval. He states that the Planning Staff has reviewed and finds that this meets all minimum code requirements. Weber Morgan Health Department took initial issue to previous depiction of plat drawings that bisected historic leach field but that has since been reviewed and the drawings corrected to depict that the leach field does not bisect any utilities. Lance states that the Planning Staff received two phone calls both requesting clarification of the subject matter for tonight's meeting. The Planning Staff recommends approval and is available for any questions.

Tom Guffey – Comes forward and states his name for the record.

Member Sessions asks the applicant a question regarding the wells and well sites. She clarifies that there are only two active wells (although three sites are shown on the map).

Tom Guffey – There is a third well site but it was deemed a botched well that is surface water only and is not used at all.

Member Sessions - Points out that there are no well head protection zones shown on the map. She requests that the 100 foot boundary circles be added to the map and properly labeled well head protection zones. She also requests that the utility easements be shown on the plat. Applicant Tom Guffey agrees to comply with updating the map so that it shows the well head protection zones. Member Sessions motions to approve. Motion is seconded by Member Wilson. All in favor. Unanimous. Motion carries.

Legislative

8. **Public Hearing/Discussion/Decision** – *Emergency Adoption of Water Element to Meet State Statutes and Deadlines for County General Plan*: Request for approval of a text amendment to the Morgan County General Plan to clarify provisions and ensure consistency with Utah Code §17-27a-403 requiring inclusion of a water use and preservation element in the County General Plan.

Director Cook introduces the emergency water element stop-gap to be adopted to current general plan. It will be fleshed out and expanded upon for the new general plan He explains its purpose

and the consultation process with water providers. He invites the Morgan County consultant with Outpost Consulting, Valerie Claussen to make comments.

Valerie Claussen provides updates on the plan, including public comments received and involvement of water providers. It was posted on November 5th. The water providers that were included public culinary and secondary with connections to residential. Two written comments were received, one from the Mountain Green rest area and one comment on irrigation companies not being included. The Water providers involved in the plan were mailed notices and invited to attend in-person and virtual meetings with a positive turn-out. It was noted that the Mountain Green water company was in attendance and had more current information than the State had provided, which was useful.

Member Sessions questions the state code references, stated that one looked to be incorrect and requested that they look it up and correct it. She commented on the expected division of land, which led to a conversation on housing and anticipated commercial development. She also raised concerns about implementation of the turf conversion programs and water shed protection overlay zones, the ability to fund projects and replacement of aging infrastructure.

Director Cook and Valerie explain that this is a rough version of what will be brought to life as more time is needed to fine-tune this plan for Morgan County specifically and this can be done over the course of the next year.

Member Maloney opens discussion to public comment but no public comment made. Member King motions to recommend approval of the emergency water element. Member Sessions seconds approval. Unanimously, motion carries.

- 9. Public Hearing/Discussion/Decision – Utah Code Title 17 Update Code Text Amendment:**
Request for approval of a text amendment to the Morgan County Code (MCC) to update references in the county code to reflect recent recodification of Utah Code Title 17 regarding county organization, powers, and land use authority.

Planner Lance introduces the Utah Code Title 17 update, explaining the need to reflect recent recodification of Utah Code Title 17. The update was described as clerical and aims to keep cross-references to state statutes and current and accurate. A statement from a staff member was read “This approval covers the changes currently proposed and also authorizes minor technical errors or references that may be discovered during staff review. Any future notices should not request further county review.”

Deputy Attorney General Janet Christopherson confirms that she has often noticed incorrect references and that she agrees with the importance of making sure all references and hyperlinks are operational and correct.

Member Maloney motions to go into public hearing. Unanimous approval. No public comment. Member McMillian motions to approve and Member King seconds. Unanimous approval. Motion carries.

10. Business/Staff Questions

Member Maloney welcomes Jessie Drage verbally.

Member Maloney asks Director Cook if we should plan on hearing from the Applicant regarding the Ponderosa item on December 11th 2025.

Director Cook answers that he will reach out to the Applicant on Monday but it sounds like the applicant is proposing some changes that may meet the distance and setback requirements. There is a chance that they may withdraw their appeal. If this is the case, we may have a development agreement amendment instead. He recommends not continuing the item on December 11th 2025. It would be safe to plan on hearing from the Applicant most likely in January or February – early next year

11. Approval of October 23rd 2025, Planning Commission Minutes

Member Maloney motions to approve notes from October 23rd 2025 Planning Meeting. Jessie Drage states that she has received corrections from Member Sessions but did not have time to update them before the meeting began and will do so tomorrow. Member Sessions moves to approve notes with corrections. Second by Member King. All in favor unanimous. Motion carries.

12. Adjourn

Motion by Member Sessions. Second by Member Wilson. The vote was unanimous. Meeting adjourned.

Approved:

Chairman, Maddie Maloney
Morgan County Planning Commission

Date: _____

Jessie Drage, Transcriptionist
Planning and Development Services

Date: _____