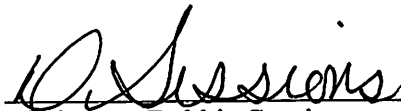
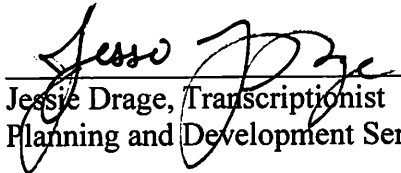


Approved:

 _____ Date: 3-26-26
Chairman, Debbie Sessions
Morgan County Planning Commission

 _____ Date: 3/26/26
Jessie Drage, Transcriptionist
Planning and Development Services

12. Approval of February 26th 2026 Planning Commission Minutes

Chair Sessions -Suggested they move on to the approval of minutes.

Member Watt moved to approve the February 26th meeting minutes. Member King seconds the motion. Motion carried unanimously.

13. Adjourn Meeting

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

Tina Kelley - Expressed appreciation for the discussion but voiced concerns about modifying slope regulations. She stated that, as a member of the public, it was difficult to track changes made since the previous July discussion and to understand how revisions had evolved. She requested that the public hearing remain open to allow for additional input, noting that the proposed changes could significantly impact public perception and understanding.

Member Sessions moved to go out of public hearing. Member King seconds. Motion carried unanimously.

Member King motioned to continue this topic to the second meeting in May, May 28th. Second by Member Taylor. Motion carried unanimously.

11. Business/Staff Questions:

- Training moved to April 9th due to late nature of current meeting.

Planning Director Cook - Stated that a planned training session would be postponed due to the length of the meeting and would instead be held on April 9. He noted that the next item on the agenda was the election of Planning Commission officers.

Member Taylor - Requested to review the list of priority items for future consideration.

Planning Director Cook - Acknowledged the request and indicated that staff could provide that information.

Member Sessions moves to dedicate right of way for a subdivision and make it clear in our code as a requirement, perhaps at the next meeting. Second by Member Taylor. Motion carried unanimously.

- Election of Planning Commission Officers (Chair and Vice Chair)

Member Maloney – Nominates Debbie Sessions as chair of the Planning Commission.

All in Favor; The Commission voted unanimously to appoint Debbie Sessions as Chair.

Chair Sessions – Requests nominations for the Vice Chair.

Member King – Nominates Chans McMillan for Vice Chair.

All in Favor; The Commission voted unanimously to appoint Chans McMillan as Vice Chair.

Planning Director Cook - Described the current geologic review process, including submission of a geoscoping application, review by County engineers and geologists, on-site evaluation, and required mitigation measures. He noted that the County relies on professional recommendations to avoid liability and referenced a recent project requiring geotechnical oversight during construction.

Member Taylor – Expressed concern that unclear slope definitions could be inconsistently applied and potentially misused. He questioned whether broadening the language might create unintended consequences.

Planning Director Cook - Stated that minimum buildable area requirements, such as a 5,000-square-foot standard, would still apply and that the average slope calculation would include both the building site and access area.

Member Maloney - Suggested that the topic may warrant a work session due to its complexity and impact on code interpretation.

County Attorney - Referenced applicable code sections related to lot standards.

Member Maloney - Reiterated support for holding a work session to further review and refine the proposed changes.

Planning Director Cook – Agreed and offered to schedule a work session in the near future to further develop and clarify the language.

Member Taylor - Asked whether a comprehensive revision could be prepared for review during the work session.

Planning Director Cook – Confirmed that the slope definition could be refined and potentially relocated within the code for clarity as part of that process.

Member Sessions – Suggested clarifying that areas exceeding 25% slope should not be included within buildable areas.

Planning Director Cook – Agreed that prior language should be revised or removed and stated that staff could prepare an updated draft for further review.

Member Sessions - Asked whether recreational dwellings would be subject to the same slope limitations.

Planning Director Cook - Acknowledged that some language carried over from prior drafts may be inconsistent and would need to be updated if the average slope approach were adopted.

Member Sessions moved to open the public hearing. Member King seconded the motion. Motion carried unanimously.

intervals and area calculations. He noted that this method better represents overall site conditions, though the formula is more complex.

Planning Director Cook – Clarified that the existing code included an average slope standard of 20% and that the 25% slope prohibition would remain in place, meaning areas exceeding 25% slope would still not be considered buildable.

Member Taylor - Expressed concern that the language, as written, could allow flatter areas within a parcel to offset steeper slopes, potentially permitting development in ways not originally intended.

Planning Director Cook – Responded that the intent was to allow a defined buildable area within a parcel, where the average slope would not exceed 25%, rather than applying the calculation to the entire parcel. He indicated willingness to revise the language for clarity before forwarding it to the County Commission.

Member Sessions – Asked whether the average slope standard applied specifically to the buildable portion of the parcel.

Member Maloney - Sought confirmation that the average slope of the designated building area would need to remain below 25%.

Planning Director Cook – Confirmed that the intent was to allow engineers to identify a buildable area within a parcel using an average slope calculation, providing more flexibility while still addressing safety. He explained that geologists and geotechnical engineers would evaluate conditions and recommend mitigation measures to address public health and safety concerns.

Member Maloney – Noted that the proposal appeared to move away from a strict 25% slope prohibition.

Planning Director Cook - Acknowledged that the code language had been unclear and explained that, under current practices, developers could work around slope restrictions by designing winding access routes. He stated that the proposed revision aimed to clarify expectations and provide more reasonable flexibility while still maintaining safety standards.

Member Taylor - Asked how the proposed changes would impact road construction and access to building sites.

Planning Director Cook - Explained that the change would allow limited grading to create access and a buildable area, even if portions of the parcel exceeded 25% slope, whereas such grading had not previously been permitted.

Member Taylor – Raised a hypothetical scenario involving a large parcel with limited steep access and expressed concern that current restrictions could be overly limiting. He suggested that property owners should have the opportunity to present mitigation plans.

County Attorney Janet Christofferson -Stated that formal abandonment would require an official resolution and documented action, indicating that such a process had not occurred.

Planning Director Cook - Added that road abandonment typically involves formal processes, including potential disposition of property interests.

County Attorney Janet Christofferson – Noted that some adjacent property owners may hold underlying property rights extending into the roadway.

Member Sessions- Commented that the zoning map appeared inconsistent or irregular.

Planning Director Cook - Acknowledged that the area had experienced fragmented parcelization over time, which contributed to irregular zoning patterns.

Member Maloney - Stated that additional clarification regarding the road’s status would be beneficial.

Planning Director Cook – Agreed and emphasized the need for a comprehensive transportation master plan, including implementation of impact fees to support infrastructure improvements.

County Attorney Janet Christofferson - Noted that official maps exist classifying County roads (e.g., Class A, B, or C), which are used in part to determine eligibility for state funding.

Member King moved we forward a positive recommendation to the County Commission for the Howard and Kelly Rezone, application #26.002, changing 26 acres from A-20 to RR-5, and reflect that change on the Future Land Use Map from Agricultural to Ranch Residential completely, based on the findings listed in the staff report on March 12th 2026. Second by Member Sessions. Motion passed unanimously.

10. Public Hearing/Discussion/Decision – Geohazards Code Text Amendment: Request for approval of a text amendment to the Morgan County Code (MCC) to update slope requirements generally.

Planning Director Cook – Explained that the item was first brought forward in July of the previous year, though he had been unable to attend that meeting and was initially unclear on the direction provided. He stated that staff had since been directed to clarify and revise the code language, with Mark Miller and Bill Black assisting in the updates. He noted that while the code previously referenced “average slope,” it had not been clearly defined. He then turned the discussion over to John Bjerregaard to explain the technical implications of redefining slope calculations.

John Bjerregaard- Explained that average slope could be calculated in multiple ways, with the simplest being a high-to-low point method. However, he stated that a more accurate approach involved contour mapping, which accounts for slope variation across the entire site using contour

Mark Walker – identified as a neighboring landowner to the south, described the area as a quiet, low-traffic, dead-end road. He expressed concern that the proposed five-acre zoning would increase density without resolving access issues. He stated that access to the property crossed privately owned land and questioned the appropriateness of rezoning without established access. He urged that access and infrastructure concerns be resolved prior to approving the zone change.

Howard Thurston - Stated that he had lived on the road his entire life and that his family had used it as a right-of-way since 1928. He noted that the County had historically maintained the road, including paving, plowing, grading, and gravel work. He expressed his belief that the road functioned as a public road and did not present a barrier to development. He stated that he wished to allow his children the opportunity to build homes in the area and asked that the rezone not restrict that possibility.

Alvin Jensen - Stated that he also lived on the road and believed it to be privately owned by Kevin Thurston, historically used as an easement for access and agricultural purposes. He referenced prior disputes regarding road alignment and access. He expressed concerns about additional development, including floodplain impacts and increased growth in the area, and questioned whether adequate right-of-way access existed.

John Patterson - Stated that the proposed rezone was unrelated to any trust matters. He noted that several existing homes predated current zoning regulations and suggested that a future “bubble rezone” may be necessary. He also acknowledged that road access issues would affect those properties as well.

Kevin Thurston - Reiterated that while the County had paved the road in the past, he believed it had been abandoned approximately ten years prior and was no longer maintained as a County road. He stated that a fishing access agreement existed with Fish and Game but could be terminated, which would affect access rights.

Member King moved to close the public hearing. Member Sessions seconded the motion. Motion carried unanimously.

Planning Director Cook – Responded to public comments, stating that the proposal did not constitute spot zoning. He clarified that access requirements would be addressed during the subdivision process, where frontage for proposed lots would be evaluated.

Howard Thurston - Stated that neighboring property owners had placed signage indicating the road was private, which he believed was not authorized by the County. He reiterated that the County had maintained the road in recent years and disputed claims that it had been abandoned.

Member King - Asked whether the County had formally abandoned the road.

Member Sessions - Confirmed that the driveway relocation was reflected in the construction drawings.

Member King - Noted that, based on the discussion, the frontage dedication appeared to be addressed and suggested that it may not need to be included as a formal condition of approval.

Member Taylor moved to approve the *Hidden Hills Estates Small Subdivision Preliminary and Final Plat application #25.048* allowing for a one lot subdivision of land approximately located at 1815 West Deep Creek Road based on findings and conditions listed in the staff report on March 12th 2026. Second by member Watt. Motion carried unanimously.

Legislative

- 9. Public Hearing/Discussion/Decision – Howard & Kelly Rezone:** Request to rezone property from A-20 (Agriculture) to RR-5 (Rural Residential five acre minimum) and reflect that change on the Future Land Use Map from Agriculture to Ranch Residential 5 completely. The property is identified by parcel number 00-0085-3971 and serial number 01-004-414-01 and is approximately located at 1300 W Island Road in unincorporated Morgan County.

Planner Lance – Introduced the Howard and Kelly rezone application. He stated that the current zoning was A-20, requiring a 20-acre minimum, and that the General Plan supported similar agricultural uses. He explained that the request was to rezone the property to RR-5, a rural residential zone with a five-acre minimum, and to update the Future Land Use Map accordingly. He noted that staff findings indicated the amendment was appropriate, as it aligned with adjacent RR-5 zoning and was near existing RR-1 zoning to the south. He stated that the proposed rezone was unlikely to adversely affect surrounding properties and would maintain an orderly development pattern. He offered to answer any questions.

Member Sessions moved to open the public hearing. **Member King** seconded the motion. Motion passed unanimously.

Kelly Shulberg - Expressed concerns regarding road safety, particularly the narrow roadway and a problematic bend. She stated that increased traffic from additional development could worsen conditions and recommended that road improvements be considered alongside any approval.

Kevin Thurston – Stated that the road was approximately 25 feet wide and noted that existing A-20 zoning already allowed two homes on a 26-acre parcel. He expressed concern that road issues should be resolved prior to further development. He stated that the County had previously required a 66-foot right-of-way and road improvements when he built his home in 1990 and questioned why similar standards were not being applied. He also asserted that the road had been abandoned by the County and was no longer maintained, and he compared its condition to Deep Creek Road, noting increasing density.

Planning Director Cook – Added that such requirements were not clearly defined in County code and clarified that this situation involved an existing road with established frontage, not a new subdivision roadway. He noted that requirements for improvements would typically be determined by the County Engineer based on the type and scale of development.

Member Sessions – Recalled that frontage requirements had been applied to subdivisions in the past, though she noted uncertainty regarding the current standard.

Planner Lance - Introduced the application, identifying Kyle Brown as the property owner and Jeremy Draper as the engineer. He stated that the property included RR-10, A-20, and MU-160 zoning across approximately 94.81 acres. He explained that the request was for preliminary and final plat approval for a one-lot subdivision, which could be combined for subdivisions of ten lots or fewer

He reported that staff had reviewed the application and found it compliant with zoning requirements, including acreage and frontage. He noted that access, water supply, fire protection, and geologic hazards had all been reviewed and approved by the appropriate agencies. He stated that staff recommended approval, with the only outstanding item being final review of the title report. He also noted that the application had undergone multiple review cycles with revisions made accordingly.

Member Sessions - Asked whether the current plans reflect all required revisions.

Member Taylor - Raised concerns about a bend in the road that had been frequently discussed and asked for clarification on its location and impact.

Planning Director Cook - Acknowledged that the bend had been a key concern, particularly regarding driveway placement. He explained that the driveway location had been adjusted to provide approximately 250 feet of sight distance prior to approval. He added that drainage issues had been reviewed multiple times and could be further addressed if needed.

Jeremy Draper - Clarified that the referenced bend was not located on the applicant's property but to the south. He stated that the driveway had been relocated to improve safety and visibility. He also noted that a request had been made to a neighboring property owner to allow grading improvements to improve safety and vision around the bend, but permission was denied. He stated that the applicant was offering to dedicate frontage to the County to allow for road widening, proposing a width of approximately 33 feet.

Member Sessions - Noted that she did not see ten-foot utility easements reflected on the plans.

Jeremy Draper - Responded that the easements were included but were difficult to see due to the scale of the nearly 100 acre large parcel. He added that coordination was ongoing to relocate and reroute an irrigation ditch.

Member King - Confirmed that the ten-foot easement referenced was for irrigation purposes.

- 8. Public Meeting/Discussion/Decision – *Hidden Hills Estates Small Subdivision Preliminary & Final Plat:*** A request for preliminary and final plat approval of a small one (1) lot subdivision, identified by parcel number 00-0094-0301 and serial number 01-003-066-04, and is located at approximately 1815 Deep Creek Road in unincorporated Morgan County.

Planning Director Cook – Stated prior to the applicant’s presentation, that Deep Creek Road was a public road, noting that the County had maintained and plowed it for many years. He explained that the applicant’s A-20 zoning entitled him to develop the property accordingly and clarified that the request was administrative in nature. He noted that while some design elements still required refinement, the applicant had met the necessary requirements.

County Attorney Janet Christofferson – Stated that it had long been understood that the road had been dedicated to public use through continuous use over a period exceeding ten years. She explained that ongoing public use, combined with County maintenance, established it as a public thoroughfare. She further clarified that both the public and the County could assert rights to the road, and that while the County could petition to abandon it, public rights would still exist. She referenced applicable statute (Section 72-105) supporting this interpretation and confirmed that, due to maintenance and paving, the road qualified as a county road.

Member Taylor- Asked whether this designation differed from private roads and whether it functioned similarly to prescriptive use by private individuals. He also inquired whether the County assumed any obligation to maintain or improve the road once it began maintenance, including potential widening.

County Attorney Janet Christofferson -Confirmed that public dedication differed from private prescriptive use but noted similarities in how rights could be established. She stated that while the County could acquire additional right-of-way through dedication or condemnation, it had not originally received the road built to county standards.

Planning Director Cook – Explained that road improvements are typically funded through impact fees collected during development but noted that such funding is limited. He emphasized that road improvement discussions were outside the scope of the current application, which focused solely on the applicant’s right to develop the property.

Member Taylor - Asked whether frontage dedication or improvements could be required as a condition of development and questioned where thresholds for such requirements might apply.

County Attorney Janet Christofferson - Responded that it may not be permissible to require land dedication as a condition of development without clear authority.

Jeremy Draper – Identified as the project engineer, expressed appreciation for the introduction and requested clarification regarding the ability to display vehicles along the freeway frontage.

Planning Director Cook -Stated that vehicle display would be addressed during the site plan and photometric plan review. He explained that if such displays were determined to have a detrimental impact, they could be mitigated through measures such as screening or landscaping. He also noted that the site plan would need to include design details and elevations for display areas.

Member Sessions - Asked whether the proposal involved automobiles or recreational vehicles.

Planning Director Cook - Clarified that recreational vehicles, in this context, referred to smaller recreational units such as off-road vehicles, rather than large, inhabitable vehicles.

Jeremy Draper - Confirmed that the proposal involved ATVs, UTVs, and similar recreational vehicles.

Member Taylor - Asked about the origin and purpose of the “panhandle” portion of the property.

Planning Director Cook -Explained that the area was intended for drainage and indicated that it would typically be required to be placed underground during site plan review.

Jeremy Draper - Clarified that the drainage would remain above ground, as the property serves as a collection point for stormwater, with the panhandle functioning as the outlet.

Planning Director -Noted that the current plan was conceptual and that the applicant would need to demonstrate how drainage and layout would function during the site plan review.

Member Taylor -Commented that existing Dark Sky regulations already provided sufficient limitations on lighting.

Planning Director Cook – Responded that the Commission had discretion but noted that commercial lighting is typically required to be turned off within one hour after closing or by 10pm, whichever is later.

Member Sessions moved to approve the Young Powersports Commercial CUP application #CUP26.001 to allow for a recreational vehicle dealership at the property located at 5759 West Canyon View Circle in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 12th, 2026. Member King seconded the motion. Motion carried unanimously.

Planning Director Cook - Explained that such concerns would be addressed through code enforcement. He noted that approvals could be revoked or modified if necessary and that the Commission could impose time limits requiring future review or renewal, although this was rarely done.

Member Taylor - Noted that the County already had a Dark Sky ordinance referenced in the conditions.

Planning Director Cook - Stated that restating existing requirements in the conditions was beneficial to avoid ambiguity or confusion in the future.

Dalynn Patterson - Noted that the property was currently zoned Commercial Highway.

Planning Director Cook - Clarified that the property was split-zoned, with Commercial Highway zoning in the front and A-20 zoning in the rear. He explained that the A-20 portion required the Conditional Use Permit, while the Commercial Highway zone already allowed the proposed use.

Member Taylor – Noted that he had a note which stated to remove uses that are incompatible to uses to the zone including removing storage parking and mobilization area.

Motion by Member Taylor to approve with the Patterson Place Commercial CUP application #CUP26.002, to allow for a private ‘public’ resort with dwelling complexes and associated commercial sales at property located approximately at 4215 North 3800 West in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 12, 2026. Member Sessions seconds the motion. Motion carries unanimously.

- 7. Public Meeting/Discussion/Decision:** *Young Powersports Mountain Green Sales & Service CUP:* A request for approval of a Conditional Use Permit (C2) that is required for an auto sales and service center, which is identified by parcel number 00-0090-5054 and serial number 03-CANVCOMW-0009 and is located at 5759 W Canyon View Circle Mountain Green, UT in unincorporated Morgan County.

Planner Lance - Introduced the application, identifying Steve Peterson as the applicant and Jeremy Draper as the engineer. He stated that the property was zoned Highway Commercial (CH) and that the proposal included two Conditional Use Permit (C2) designations: a new automobile dealership and automobile repair services. He noted that staff recommended approval. He outlined suggested conditions, including compliance with Dark Sky ordinances with lighting extinguished after business hours, conducting all repairs within enclosed service bays, limiting hours of operation from 6:00 a.m. to 10:00 p.m., ensuring all service activities occur in designated on-site areas, maintaining clear access to public streets, and complying with all applicable local, state, and federal laws.

Gary Patterson - Expressed appreciation for the Commission and staff, noting that the Planning and Zoning Department had been helpful throughout the process. He stated that their intention was to follow all applicable laws and procedures. He requested that staff provide guidance early in the process to help them meet requirements correctly the first time. He acknowledged that the process was new to them but expressed willingness to work collaboratively.

Member King - Asked what hours of operation the applicants anticipated.

Gary Patterson - Responded that it was difficult to predict future needs but stated that they would comply with established regulations, including typical hours of 6:00 a.m. to 10:00 p.m. He indicated that extended hours would be rare, possibly limited to special occasions such as New Year's Eve.

Dalynn Patterson- Added that typical events, such as weddings and reunions, would generally conclude by around 9:00 p.m.

Member King – Stated that the proposed staff conditions appeared reasonable and expressed no concerns.

Planning Director Cook – Suggested that the Commission could require events to conclude by 9:00 p.m., allowing an additional hour for cleanup if desired.

Gary Patterson- Stated that he was comfortable with general operating hours of 6:00 a.m. to 10:00 p.m. and agreed to ensure lighting was directed downward. However, he expressed hesitation about overly restrictive conditions before fully understanding operational needs and asked whether some items could be deferred to the site plan stage.

Planning Director Cook – Advised against tabling conditions, noting that reasonable stipulations should be established at this stage. He stated that standard hours of 6:00 a.m. to 10:00 p.m. were typical and that allowing cleanup until 10:00 p.m. was reasonable. He also recommended requiring lights to be turned off after closing or by 10:00 p.m., whichever occurred later.

Member Watt - Referenced an existing list of conditions and questioned whether additional stipulations were necessary, suggesting that many concerns may already be addressed.

Planning Director Cook - Explained that any stipulation must be tied to a clearly identified detrimental impact and must be reasonably justified.

County Attorney - Clarified that conditions must address “detrimental” impacts, rather than simply “negative” ones.

Member Taylor- Raised concerns about potential unintended consequences of approving a broad range of uses and questioned how impacts to neighboring properties would be managed over time.

Member Taylor – Asked for clarification on whether identifying non-compliant uses would restrict the applicant’s ability to utilize the property for construction-related purposes.

Planning Director Josh Cook -Explained that construction-related activities would be addressed through the building permit and pre-construction process, where staging and logistics are coordinated. He stated that such issues should be resolved prior to issuance of a Certificate of Occupancy.

Member Sessions -Noted that parking had not been specifically addressed in the proposed conditions and asked whether it was assumed or would need to be explicitly included.

Planning Director Josh Cook - Clarified that design elements such as parking would be addressed during the site plan review, and that the current application was limited to approval of the use.

Member Taylor -Asked whether the Commission had the authority to approve a use that may be incompatible with the zoning.

Planning Director Josh Cook - Responded that incompatible uses could not be approved and emphasized the importance of clearly identifying any uses that were not permitted as part of the approval.

Member Taylor -Suggested adding a condition stating that all uses must be compatible with the zone.

Planning Director Josh Cook – Agreed and recommended including that requirement as a stipulation of approval.

Member Wilson -Asked whether there was a formal definition of a “resort” that could be referenced.

Planning Director Cook – Stated that there was no separate definition for a resort within the code.

Member Wilson – Offered the applicants a chance to speak.

Gaylene Patterson -Expressed appreciation for the Commission’s due diligence in reviewing the application. She disputed statements made by Ron Whittier and clarified that no litigation was currently in court. She stated that the property had been purchased properly and that their intent was to comply fully with the law. She emphasized that the purpose of the Conditional Use Permit was to support community-focused events and services and expressed a desire to create a gathering space that maintains a hometown feel as the community grows.

Administrative

- 6. Public Meeting/Discussion/Decision – *The Patterson Place CUP*:** A request for approval of a Conditional Use Permit (C2) that is required for a private/public resort with dwelling complexes and associated Commercial Sales, which is identified by parcel numbers 00-0001-3712 & 00-0001-3704 and serial numbers 01-004-119-01 & 01-004-119 located approximately at 4215 N 3800 W, Peterson UT in unincorporated Morgan County.

Planning Director Josh Cook - The Department Head stated that the ongoing litigation was unrelated to the current request and should not impact consideration of the application.

County Attorney Janet Chrisofferson - Confirmed that while a temporary restraining order existed, it involved private parties and did not affect the subject property. He stated that the applicants held title to the land and were entitled to proceed with the application.

Planner Lance – Introduced the Patterson Place application and noted that the applicant was present. He explained the approximate location and clarified that the item was part of a group of administrative applications designated as C2, which the Planning Commission had authority to approve. He described the Conditional Use Permit (CUP) process as a review intended to identify potential impacts and apply reasonable conditions. He outlined staff-recommended conditions, including compliance with Dark Sky ordinances, adherence to public health and safety standards, limiting hours of operation from 6:00 a.m. to 10:00 p.m., minimizing noise and lighting impacts for outdoor areas, and compliance with all applicable local, state, and federal laws. He explained that the proposed use aligned with private recreational or resort-type uses and stated that staff recommended approval.

Commissioner Member Taylor – Asked for clarification on how impacts such as traffic and increased visitation would be addressed during the recreation use process.

Planner Lance - Responded that the current application was limited to approval of the use itself. He explained that more detailed considerations—such as traffic and site-specific impacts—would be evaluated during the site plan review process.

Planning Director Josh Cook - Added that future applications would include engineered drawings and more detailed plans. He noted that most elements of the proposal aligned with private or public resort uses but raised concern about certain aspects, such as construction storage and temporary parking, which may not align with the intended use.

Member Sessions – Asked whether those concerns would be addressed during the current review or deferred to the site plan stage.

Planning Director Josh Cook - Responded that potential negative impacts should be identified and addressed during the current stage, with reasonable conditions applied. He noted that the County Attorney could assist in determining whether proposed conditions were reasonable.

Ron Whittier - Spoke regarding Item #6, Patterson Place. He stated that he did not believe the matter needed to be addressed at that time, as it was currently under court order. He recommended tabling the discussion until litigation had been resolved. He also noted that the funds used to purchase Patterson Place originated from the store and suggested the matter would be more appropriately addressed later.

Ty Eldridge - Spoke regarding Item #8 and stated that the applicant was entitled to approval if the project met all applicable requirements at the time of application. He explained that the only way Deep Creek Road could become a public road would be through action in the Second District Court, where evidence would be reviewed. He expressed skepticism about the success of such a claim but acknowledged it as the proper legal avenue. He used an analogy to explain property rights, emphasizing that right-of-way cannot be taken without due process and cannot be granted by the County Attorney, Planner, or Commission. He raised concerns about potential liability, referencing past situations where improper approvals resulted in legal consequences, including the possibility of court-ordered demolition and County liability. He stated that Deep Creek Road issues should be resolved prior to further development. He also noted that one potential option could involve designating the road as private, with proper recorded rights-of-way from landowners, though he emphasized that even prescriptive rights would require court involvement. He concluded by reiterating that only a landowner or a judge could grant such rights.

Darrel "Row" Howard - Indicated he goes by "Row," spoke regarding Item #8. He stated that he had lived in the Deep Creek area for approximately seven years and understood the desire to develop land. However, he expressed concern that the road had become more dangerous after being narrowed by the County. He referenced a prior accident on the corner and noted ongoing water issues and hazardous winter conditions. He also shared that the local school bus driver had concerns about safely navigating the road. He stated that road safety improvements should be addressed before any additional development occurs.

Doug Brown - Questioned why public hearings were still being held for rezoning applications, noting that such practices had previously been discontinued. He stated that Deep Creek Road was a Class B County road and that safety concerns had been mitigated by implementing a 20 mph speed limit. He also commented on the timing of opposition, referencing a recent approval of an eight-lot development and expressing skepticism about objections to a single-lot proposal.

Dean Howes - Spoke regarding Item #8 and stated that concerns about Deep Creek Road had been ongoing and remained unresolved. He noted that significant financial investment would be required to address the issues. He emphasized concerns related to density, safety, and road conditions, stating that allowing development for one property could set a precedent for many more. He expressed concern about emergency access, including the ability for ambulances, fire engines, and law enforcement to safely travel the road. He stated that he opposed further development until these issues were adequately addressed.

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

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

Member Sessions moved to approve the agenda for Thursday March 12th 2026. Motion seconded by Member Taylor. Motions carried unanimous.

4. **Declaration of Conflicts of Interest - None**

5. **Public Comment**

Brandon Andersen -Spoke regarding Item #8. He stated that he understood the zoning was already in place and that the request was for final plat approval. He recalled meeting with Lance Crowther several years prior to discuss safety concerns on Deep Creek Road, noting that issues had been acknowledged and discussed multiple times, including during the Thurston Rezone. While he acknowledged that paving the road last summer had helped, he expressed concern that it narrowed the roadway by approximately one foot on each side, increasing hazards. He shared that a school bus driver who regularly travels the road had expressed concerns about navigating the corners. He also described a recent incident in which he had to drive off the paved surface to avoid colliding with a bus on a blind corner. He stated that he did not support any approvals that would increase traffic until safety concerns were addressed. He also questioned whether the County had authority over the road, noting prior statements that it may not be a County road. He emphasized that he had been raising these concerns since he was 18 years old and urged consideration of the ongoing safety risks.

Lance Crowther - Stated that he had purchased several lots along Deep Creek Road and had attended multiple meetings on the topic. He noted that there had been conflicting statements from the County Attorney regarding whether the road was a County road. He explained that certain required steps had not been completed to formally designate it as such. He also described physical constraints, including ditches and water lines, which would complicate efforts to widen the road. He referenced recent accidents as evidence of safety concerns and stated that he had not observed another County road in similar condition. He expressed that the road was unsafe and reiterated opposition to additional development without first addressing these issues and following proper procedures.



PLANNING COMMISSION AGENDA
Thursday, March 12th, 2026
Morgan County Commission
Room
6:30 p.m.

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

Present PC Members:

Member Sessions
Member Watt
Member Taylor
Vice Chair Wilson
Chair Maloney (remote)
Member King

Absent PC Members

Member McMillan

Public Attendance:

Tina Kelley
Ron Whitear
Gary Patterson
Allison Apedale
Michelle Hansen
Robert Howard
Stephanie Howard
Ken Nye
Tracy Thurston
Mike Gibson
Dean House
Ty Cheng
Mark Walker
Alvin Jensen
Doug Brown
Julie Brown
Caleb Richins
John Dale
Perry Clark
Reeni Crowther
Jay Clark
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