
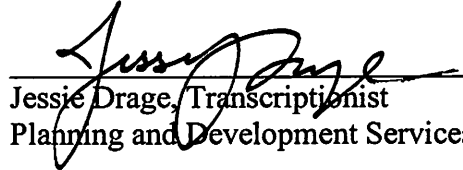


***Motion by Member Taylor to adjourn. Second by Member Wilson. Motion carried unanimously.***

Approved:

  
\_\_\_\_\_ Date: 4-23-26  
Chairman, Debbie Sessions  
Morgan County Planning Commission

  
\_\_\_\_\_ Date: 4/23/26  
Jessie Drage, Transcriptionist  
Planning and Development Services

**County Attorney Christoffersen** -She explained that the language reflected her concern about developers reducing commercial requirements solely to increase density and revenue through additional townhomes. She acknowledged that other attorneys had questioned this language but stated her intent was to discourage reductions made only for that purpose.

**Member Taylor** -He stated that there would be situations where commercial development might not be appropriate at a given time, and he supported the ordinance's flexibility to allow each proposal to be evaluated individually by the Planning Commission and County Council.

**County Attorney Christoffersen** – She acknowledged that commercial development might not always make sense immediately but could become viable later, which justified including flexibility in the ordinance.

**Member Watt** – He expressed support for evaluating proposals on a case-by-case basis.

**Chair Sessions** - She noted that, under the proposed language, commercial requirements could potentially be reduced to zero if the County determined the public benefits were sufficient. She referenced adjacent property owned by Flagship and suggested that rezoning the entire area to Town Center might be a more straightforward approach.

**Member Taylor** – He responded that including the flexibility in the ordinance would not be harmful and would allow for case-specific solutions. He stated his preference to move the amendment forward with the proposed revisions.

*Member Taylor motioned to recommend approval of the code text amendment with the condition that Subsection 4B be revised to state that the County “may request coordinated planning” and that any requirement language be removed. The motion was seconded by Member Watt and passed unanimously.*

9. Business/Staff Questions

- Planning Commission Training – Postponed

10. Approval of March 26th, 2026, Planning Commission Minutes –

*Member King moved to approve the March 26<sup>th</sup> 2026 Planning Commission minutes. Second by Member McMillan. Motion carried unanimously.*

11. Adjourn

submit their original plan but preferred the opportunity to create a plan that better aligned with community expectations. He added that he had personally met with residents to ensure their proposal addressed community concerns.

**Member Wilson** - He asked why the 35% commercial requirement was considered unreasonable.

**Brandon Green**- He responded that the requirement might be reasonable if existing commercial areas were thriving and well-connected but noted that the subject property was geographically removed from the Town Center, requiring travel through residential areas. He added that the percentage seemed high given the location.

**Member McMillan** - He asked whether, in exchange for reducing commercial requirements and coordinating with adjacent land, the developer would be willing to provide public benefits.

**Brandon Green** – He stated that they were considering several concessions, including donating land for fire department expansion, preserving open space, and creating trail corridors. He noted that a natural water corridor on the property provided an opportunity for preservation and that their concept plan already included view corridors, trails, and open space.

**County Attorney Christoffersen** – She added that the developer’s efforts also addressed concerns raised by those who had supported a referendum, including improving access and community satisfaction.

**Brandon Green** – He confirmed that they had met with opposing residents one on one and in group settings and had been able to address their concerns.

**Member Watt** – He asked whether the proposal would be beneficial in the future.

**Brandon Green** – He explained that planned infrastructure improvements, including freeway changes by Utah Department of Transportation, would increase accessibility and bring more people into the area, supporting commercial viability. He noted that successful developments like Farmington Station benefited from strong residential support and freeway access. He emphasized that for success, commercial development needed to remain centrally located rather than dispersed.

**Member Taylor** *motioned to close the public hearing. This was seconded by Member King. The motion carried unanimously.*

**County Attorney Christoffersen** – She advised that if the Planning Commission recommended approval, they should amend Subsection 4B to state that “the County may request coordinated planning,” removing any requirement language. She added that she would refine the wording.

**Chair Sessions** – She asked who would determine whether a reduction was inappropriate if the primary purpose was to increase residential yield.

**County Attorney Christoffersen** – She explained that the original proposal met Town Center requirements, but the County Commission and the public did not favor it and preferred the inclusion of single-family housing. She stated that the amendment was an attempt to address all concerns.

**Chair Sessions** – She then suggested opening the discussion to public comment.

*Member Watt motioned to enter public hearing, which was seconded by Member Taylor. Motion carried unanimously.*

**Tina Kelley**- She stated that she was familiar with the application being discussed, explaining that a single owner had originally obtained the Town Center (TC) zoning and later sold the property. She argued that if the resulting commercial development did not make sense, the County Commission should not have approved the TC rezoning, noting that concerns had been raised to them and that the Planning Commission had rejected it. She added that there had been some expectation of blending into the surrounding residential zone.

She referenced page 4 of 13, section #2 under D, and emphasized that the County Commission had strongly supported maintaining commercial property, pointing out that there were limited areas in the county where commercial development was allowed. She expressed concern that reducing the commercial requirement was unwise unless an alternative solution within the code was provided. She also criticized the use of “substantial evidence” as subjective language, noting similar concerns had arisen in PRUD zone discussions.

She further questioned provisions related to public benefits, stating that they should be evaluated based on development scale and should exceed standard requirements. She expressed concern about language allowing benefits outside the subject property, questioning how a text amendment could apply beyond the Town Center zone. She also noted that allowing commercial allocation across multiple properties could lead all TC-zoned properties to seek similar treatment, despite language stating that approvals would not set precedent.

Finally, she pointed out that a section regarding geohazards and slopes appeared unrelated and likely belonged to a different ordinance. She concluded by stating those were her concerns and questions.

**County Attorney Christoffersen** – She asked whether the geohazard code had been mistakenly included in the packet.

**Planner Lance**- He responded that it likely had been and noted it would be easy to fix.

**Brandon Green** - He expressed appreciation for the opportunity to work with staff. He explained that his team already had a plan that complied with Town Center zoning, but it had not been well received by the community. As a result, they were working to develop a revised plan with more single-family housing and fewer townhomes. He noted that commercial development had been challenging due to a lack of sufficient residential density (“rooftops”) to support it, especially with 80 acres of commercial already approved nearby. He stated they were willing to

**County Attorney Christoffersen** – She stated that the amendment had gone through numerous drafts and that she believed it included sufficient protections for the County.

**Member Watt**- He questioned whether the amendment was necessary.

**County Attorney Christoffersen**- She responded that when addressing spot zoning, it was difficult to predict long-term impacts, so she had attempted to anticipate future issues.

**Member Watt** – He reiterated his preference for clear, consistent standards rather than introducing new subjective criteria.

**County Attorney Christoffersen** – She explained that some developers had rezoned properties to Town Center, but surrounding development had occurred before their development agreements were finalized, resulting in disconnected commercial and residential areas. She noted that isolated commercial development in the middle of residential neighborhoods could become underutilized or ineffective.

**Chair Sessions** - She stated that Town Center zoning had been placed within a predominantly residential area and that the parcel should not have received that designation because it was too far removed from the intended Town Center. She added that the issue was specific to two parcels.

**Member McMillan** – He said he appreciated that the amendment encouraged coordination between the two parcels and allowed for better consideration of requirements.

**County Attorney Christoffersen** – She confirmed that this coordination had been the intent.

**Member Taylor** – He asked whether the County Commission had intended to require the property owners to work together.

**County Attorney Christoffersen** – She responded that the Commission had not explicitly used the word “force,” but had directed the property owners to work together, and that applications had been delayed until a joint conceptual plan was developed.

**Chair Sessions** – She concluded that the Commission still appeared to want to require coordination.

**County Attorney Christoffersen**- She noted that the property owners seemed willing to collaborate and were already working on a joint conceptual plan.

**Member Taylor** – He asked whether the developers had initially proposed something unacceptable.

**Member McMillan** - He commented that the situation felt like trying to improve a fundamentally flawed proposal.

She outlined a two-step approach. First, the developers would create a joint conceptual development plan. Second, the amendment would address potential reductions to the strict 35% commercial requirement in the Town Center zone. She noted that if developers sought to deviate from TC requirements and had adjacent parcels, it would be reasonable to have them coordinate their plans.

Christofferson acknowledged there had been some pushback regarding whether the County Council could require such coordination. She stated that the language could be adjusted to avoid explicitly requiring it while still achieving the intended outcome.

She further explained that if the commercial requirement were reduced, the County should receive something in return. Any such concessions would need to be incorporated into a development agreement, including clear phasing plans. The benefits provided should exceed standard Town Center requirements. She added that, since the Town Center zone typically emphasizes multifamily housing, incorporating single-family housing had been discussed as a potential requirement for one of the properties. Additional considerations included public dedications, infrastructure, trails, parks, and ensuring that commercial development was cohesive and not isolated.

**Chair Sessions** – She stated that she had concerns about property rights, particularly regarding requiring property owners to cooperate with neighboring owners.

**Member Taylor** – He said he supported the concept if it remained voluntary, noting that coordinating plans could be beneficial. However, he expressed concern that reducing the commercial requirement felt like entering a subjective “let’s make a deal” situation rather than maintaining an objective standard.

**County Attorney Christoffersen** - She explained that she had made it clear in the language that the amendment was site-specific and required formal findings. She cautioned that without such flexibility, the County could end up with commercial development that did not make sense.

**Member Taylor** – He responded that developers could either comply with existing requirements or choose to enter into an agreement with the County to adjust the scope of work.

**County Attorney Christoffersen** - Stated that she would revise the language to remove any implication that coordination was required.

**Member McMillan** – He noted that zoning requirements existed regardless and that the amendment aimed to maintain sound planning principles. He added that without enforceable provisions, the process could become unstructured.

**County Attorney Christoffersen** – She emphasized that any reduction in the commercial requirement remained at the County’s discretion, even if all criteria were met.

**Member Taylor** - He added that he appreciated the flexibility in the language, allowing reductions below the 35% commercial requirement when appropriate if the proposal made sense.

**Mike Babcock** – Requested to have the process of changing the code to allow a flag lot off a cul-de-sac be explained it to him.

**County Attorney Christoffersen** – Stated that Planning Staff could circle back to this if directed, she can have it amended as soon as tomorrow.

**Member King** – Don't pass it to CC yet. Let's change the text first.

**County Attorney Christoffersen** – Requested at least six weeks.

**Planner Lance** – Stated that May 28<sup>th</sup> would be a good date.

**Member McMillan** – Mentioned that with the flag lots being so recent, he was surprised we that he doesn't have a reason for it.

**Chair Sessions** – Stated that the Planning Director had worried that it would make the cul-de-sac longer.

**Member Taylor** – Stated that that shouldn't be an issue, the cul-de-sac should end where it ends and then a driveway moves forward from there.

**Member McMillan** – Questioned that if we direct staff to change it, are we overriding the original reason?

**Member Taylor** – Stated that if we do a text amendment they would hear the reasoning.

**County Attorney Christoffersen** – Claimed no hand in writing this ordinance.

**Member Watt** – Let's continue this for six weeks from now.

*Member Watt motioned to continue Silverstone Subdivision Ph. 6 Plat Amendment: A request for the approval of an amendment to the Silver Stone Subdivision No. 1, Amended Plat No. 1 for the creation of a new lot to May 28<sup>th</sup>. Second by Member King. Motion carried unanimously.*

*Member King motioned to direct staff to do a text amendment to allow for flagpole lots to extend off of a cul-de-sac. Second by Member Taylor. Motion carried unanimously.*

### Legislative

1. **Public Hearing/Discussion/Decision** – *Town Center Zone Code Text Amendment: Request for approval of a text amendment to the Morgan County Code (MCC) to update Town Center zoning requirements generally.*

**County Attorney Christoffersen** – She explained that he presented the text amendment because he had drafted it under the direction of the County Council. The amendment was created in response to two adjacent Town Center (TC) zoned properties owned by separate parties, with the intent of encouraging coordination between the owners regarding commercial placement, access, and overall site flow.

**Chair Sessions** – She stated that she had no problem with this but again, the reference code is 155.426 C9

**Member Taylor** – Stated that we needed a code change, text amendment.

**County Attorney Christoffersen** – Stated that it's an easy amendment she could just strike it out.

**Chair Sessions** – Stated they would not do a variance.

**County Attorney Christoffersen** – Confirmed that a variance would not work here it would need to be a text amendment.

**Chair Sessions** – Stated that she thought it would be easier to change the code if you think it's okay to do that.

**Planner Lance** – Stated that it would be inexpensive to the applicant as well.

**Mike Babcock** – He addressed a couple of questions, including frontage, and clarified that both the flag lot and the existing lot had legal frontage. He noted that the application had been in process for over a year and that this was the first time the issue had been raised. He also stated that his understanding was that flag lot ordinances had been removed for a period of time and that he had created several flag lots in the county. He then asked how long the current flag lot ordinance had been in place.

**County Attorney Christoffersen** – Stated that it was passed on March 19<sup>th</sup> of 2024.

**Mike Babcock** – Stated that apparently staff and himself were not aware that this could not come off a cul-de-sac.

**Member Taylor** – Stated that it was just one of those things that once you see it, you can't unsee it so now we have to deal with his.

**Member King** – Raised a question regarding the lot numbering system. Asked if they are swapping Lot 8A for Lot 8B? It was originally lot 8A in the subdivision.

**Planner Page** - Explained the numbering rationale.

**Chair Sessions** – Stated and that the first amendment created 8A and the flag lot should be 8B.

**Mike Babcock** – Asked for clarification on what he should number the lot.

**Chair Sessions** – Asked if the lot was 8A in the first amendment and then we are changing it to 8B or changing it to 31?

**Member McMillan** – He said that it's weird.

**Chair Sessions** – Stated that the lot numbering was an easy fix and the code itself was what needed to be addressed.

***Member Taylor moved to recommend approval to the County Commission of the Canyon View Commons Space Phase 1 Condominium Plat Amendment to allow the condominiumization of the onsite buildings based on the findings and with the conditions listed in the staff report with the additional condition of addressing any recorder comments as well. Second by Member Watt. Motion carries***

- 7. Public Meeting/Discussion/Decision – Silverstone Subdivision Ph. 6 Plat Amendment:** A request for approval of an amendment to the Silver Stone Subdivision No. 1, Amended Plat No. 1 for the creation of a new lot. The properties are identified by parcel numbers 00-0005-3023, 00-0005-5416, and 00-0005-2785 & serial numbers 03-SS1-0008-A1, 03-005-121-08, and 03-005-121-06 to and is located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County.

**Planner Page** – Introduced the Silverstone Subdivision Phase 6 Plat Amendment. This item requested approval to create a new lot. Staff recommended approval with conditions that all County Engineer and County Surveyor comments be addressed, all fees be paid prior to recordation, and all federal and state laws be followed. The amendment combined a smaller parcel lacking frontage with a flag lot and requested to record them as a new lot. A lot line adjustment created Lot 8A, resulting in two separate, conforming lots under county standards. No new structures were proposed, and the existing home remained on its current parcel. Staff and the applicant was available for questions.

**Member Taylor** – Asked if there was a frontage requirement on the cul-de-sac.

**Planner Lance** – Stated that the width of the flag lot needed to be 26 feet. Both lots would still meet current county standards of the frontage and met width requirements.

**Chair Sessions** – Stated that the labeling of the lot was a bit confusing.

**Planner Lance** – Answered that staff had issued that comment in the review and was going to be looking for that specifically. Also, for lot 31 staff would like to see Lot 8A. And Lot 8B will remain current as it is.

**Chair Sessions** – Stated that utility easements needed to be put in, they are missing. She also pointed out that in the code it says a flagpole or pan handle may not extend from a cul-de-sac bulb.

**Planner Lance** – Agreed that it did.

**Chair Sessions** – Stated that unless the code had changed, this wasn't allowed but she didn't personally have an issue with it – just referred to 155.426 C9.

**County Attorney Christoffersen** – Confirmed that she would look through the code.

**Planner Lance** – Stated that the code also says that lots cannot be landlocked, and this lot is so they are attempt to correct the issue.

**Planner Lance** – He read the conditions as follows that all comments must be addressed before recording. After recommendation from the Planning Commission and subsequent approval from the County Commission there is time afterwards.

**Chair Sessions** – Stated that she would be happy to address what the comments were.

**Kelvin Judd** – Offered to address the comments if needed.

**Member McMillan** – Stated that before recording, those comments would be reconciled.

**Planner Lance** – Stated that the zoning administrator decides if the comments are substantive or not.

**County Attorney Janet Christoffersen** – She recommended that under the staff recommendation, County Recorder under number 1 should be added.

**Member King** – Asked about the discussion of the obliteration of that line in unit 2 and 3? It looks like a section will be destroyed by that building. Right through the middle of the building? He questioned how people might recreate property boundaries in the future if they are tied to that line.

**Planner Lance** – Stated that his idea would be to research that question and follow up if you prefer.

**Member King** – Stated that if you lose a monument like that it creates issues down the road.

**Kelvin Judd** – Thanked Member King and said that he was not aware of any property that is encumbered by an easement for a monument. That would be new to me to not be able to build our monument.

**Member Taylor** – He stated that it shouldn't stop anything, but it should be recreated.

**Member King** – He stated that easements could be written off but there may be previous boundaries tied to that monument. If something was created it could be tied back to that location.

**Member Taylor** – Asked Jeremy if he knew what our code says about monuments and recreating them?

**Chair Sessions** – Stated that maybe that is one of the recorder's concerns.

**County Attorney Christoffersen** – Stated that she is working on a monument ordinance.

**Member Watt** – Questioned if it was considered conditionally in the approval?

**Member Taylor** – Questioned if that was possible since the building was already there.

**Chair Sessions** – Requested that they add the recorder name to condition number one.

## Administrative

- 6. Planner Lance Public Meeting/Discussion/Decision – *Canyon View Commons Phase 1 Condominium Plat Amendment*:** A request for approval of an amendment to lot 7 of the Canyon View Commercial West subdivision to allow for condominiumization, identified by parcel number 00-0090-5052 and serial number 03-CANVCOMW-0007, and is located at 5788 West Canyon View Circle in unincorporated Morgan County.

**Planner Lance-** Item 6 was the Canyon View Commons Phase 1 Condominium Plat Amendment. Kelvin Judd was the applicant and arrived during the meeting. The property is located at 5788 West Canyon View Circle in unincorporated Morgan County, zoned Highway Commercial, and totals 1.99 acres.

The request was to amend Lot 7 to allow condominiumization. The buildings had already been approved through a prior site plan and were under construction, with some units nearing completion. The amendment would allow for 14 individual units, consistent with Utah Code requirements.

The proposal was reviewed by the County Engineer, County Surveyor (with conditions), staff, and the County Recorder, all of whom provided minor comments currently being addressed in updated plat drawings. Staff recommended approval, and the Commission's discussion would result in a recommendation of approval or denial to the County Commission. Kent and staff were available for questions, and the applicant was present.

**Chair Sessions –** She asked if there will be another plat brought forward?

**Planner Lance –** Stated that no, the state requires an additional sheet of drawings. We have already been through the plat review, but the condominiumization requires more information by state requirements is requested.

**Chair Sessions –** Asked if there were concerns with the recorder?

**Planner Lance –** He stated that there were a few, minor in nature, but they will be addressed, all minor in nature enough to bring towards the PC tonight for recommendation.

**Chair Sessions –** She stated that she would prefer those changes be made before they come to us.

**Planner Lance –** He stated that he understood but that they are just very minor in nature. This applicant submitted a year and half ago so after that long review, and getting the elevation sheet to comply with state standards and then having done the review the second or third state of review, it trickles down to final comments, we try not to hold applicants up unless comments are substantive in nature.

**Member Taylor –** Stated that he personally liked that approach if they are small things.



PLANNING COMMISSION AGENDA

Thursday, April 9th, 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:**

Chair Sessions  
Member McMillan  
Member Taylor  
Member Wilson  
Member Watt  
Member King

**Absent PC Members**

Member Maloney

**Public Attendance:**

Tina Kelley  
Brandon Green  
Kelvin Judd

**Staff:**

Deputy County Attorney – Janet Christoffersen  
Kent Page – Senior Planner  
Jeremy Lance – Planner I  
Jessie Drage, Transcriptionist/Permit Tech

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

*Motion by Member Wilson to approve the agenda for Thursday April 9th 2026, seconded by Member King. Motion carried unanimously.*

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