



PLANNING COMMISSION AGENDA
Thursday, March 26th, 2026
Morgan County Commission Room
6:30 p.m.

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

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

Administrative

6. **Public Meeting/Discussion/Decision** – *Huerta Small Subdivision Preliminary & Final Plat*: A request for preliminary and final plat approval of a one (1) lot subdivision, identified by parcel number 00-0093-3836 and serial number 01-003-124-01, and is located approximately 0.28 miles east of the intersection of South Morgan Valley Drive and West Richville Lane in unincorporated Morgan County.
7. **Public Meeting/Discussion/Decision** – *WPR Phase 4A.1 Upper Townhomes Residential Site Plan*: A request for site plan approval of six (6) townhome units, within three (3) separate buildings, identified by parcel number 00-0093-1362 and serial number 12-004-014-01-1-1-3, and is located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County.
8. **Public Meeting/Discussion/Decision** – *WPR Phase 4A.1 Upper Townhomes Small Subdivision Preliminary & Final Plat*: A request for preliminary & final plat approval of six (6) townhome units, within three (3) separate buildings, identified by parcel number 00-0093-1362 and serial number 12-004-014-01-1-1-3, and is located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County.
9. **Public Meeting/Discussion/Decision** – *WPR Phase 6C & 6D Preliminary Plat Modification*: A request for preliminary plat approval a subdivision of 18 lots, identified by parcel number 00-0093-1362 and serial number 12-004-014-01-1-1-3, and is located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County.

Legislative

10. **Public Hearing/Discussion/Decision – Morgan County Rezone: ****ITEM IS WITHDRAWN BY APPLICANT AND WILL NOT BE HEARD****** Request to rezone property from Multiple Use (MU-160) to Residential (R1-20), and reflect that change on the Future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.
11. Business/Staff Questions
12. Approval of March 12th, 2026, Planning Commission Minutes
13. Adjourn



PLANNING & DEVELOPMENT

**PLANNING COMMISSION
STAFF REPORT**

Huerta Small Subdivision Preliminary &
Final Plat

March 26, 2026

Huerta Small Subdivision Preliminary & Final Plat
March 26, 2026
Public Meeting
File #25.023

Applicant/Owner: Travis Huerta
Project Location: Approx. 344 W. Richville Ln.
Parcel Number: 00-0093-3836
Serial Number: 01-003-124-01
Current Zoning: Rural Residential (RR-1) & Agriculture (A-20)
Acreage: 3.83 acres

REQUEST: A request for preliminary and final plat approval of a one (1) lot small 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.

RECOMMENDATION

County Staff has reviewed the application for Preliminary and Final Plat for the Huerta Small Subdivision. Staff is hereby recommending approval of the requested Preliminary and Final Plat based on the following findings and with conditions listed below:

Findings:

- 1. That the subdivision is in conformance with the current land uses of the area.*
- 2. That the proposal complies with applicable zoning and subdivision regulations.*
- 3. That the proposal is not detrimental to the health, safety, and welfare of the public.*

Conditions:

- 1. That all outsourced consultant fees are paid current prior to final plat recordation.*
- 2. That all other local, state, and federal laws are adhered to.*
- 3. That the County Engineer, Surveyor and Fire Services comments are addressed.*

PROJECT DESCRIPTION

The applicant is seeking approval for a small subdivision, with preliminary and final plat applications generally combined for subdivisions of ten (10) lots or fewer. The subdivision will consist of one (1) lot. The applicant is proposing to subdivide the property to build a future dwelling unit with potential supporting accessory structures.

Ordinance Evaluation. The property includes land within both the A-20 and RR-1 zoning districts. The future location of the proposed dwelling will determine which zone's setback requirements apply. All development must comply with the standards of the zoning district in which it is located at the time of building permit review.

Property Layout. The subdivision application is required to created developability.

Roads and Access. Access to the property will be derived from West Richville Lane (W. 1550 S.) with approximately 200.20 feet of frontage. The property will feature a driveway.

Water Source. Water service will be provided by a well as approved by the Weber-Morgan Health Department.

Fire Protection. The property is served by Morgan County Fire Department providing for joint fire and emergency services to serve the lot.

Sanitary Sewer Systems. The health department has issued permitting for a wastewater disposal system.

Flood Plain: N/A.

ANALYSIS

The proposal has been reviewed and meets the preliminary and final design standards as required by the Morgan County Code (MCC).

| Item | Zone Regulation | Proposal |
|------------------------------|----------------------------|---|
| Area Regulation | Split-Zone – RR-1 and A-20 | <i>Lot Complies – Approx. 3.83 ac currently</i> |
| Width & Frontage Regulations | RR-1 = 200’ | <i>Lot Complies – Approx. 200.20’ currently</i> |
| Front Yard Regulations | RR-1: 30’ / A-20: 30 feet | <i>Lot Complies</i> |
| Side Yard Regulations | RR-1: 15’ / A-20: 60 feet | <i>Lot Complies</i> |
| Rear Yard Setback | RR-1: 30’ / A-20: 60 feet | <i>Lot Complies</i> |

ANALYSIS OF STANDARDS

| Standards | Findings | Rationale |
|--|--|---------------------------------|
| <p>Ordinance Evaluation. Morgan County Code § 155.438 states the following:</p> <p><i>The subdivider shall submit a complete application for a small subdivision to the planning and development services department, along with a completed application and application fee. The proposed small subdivision application shall include all of the information required for a complete preliminary and final plat application as outlined in sections 155.407, 155.413, 155.414, and 155.415 of this chapter, and other applicable sections of this title, with the exception of the final mylar for signature. Small subdivisions shall meet all the requirements of this title. (Ord. 10-16, 12-14-2010)</i></p> <p><i>Therefore, this application has been reviewed for preliminary and final plat standards.</i></p> | | |
| <p>155.407: PRELIMINARY PLAT SUBMITTAL: <i>The preliminary plat shall be prepared, stamped, and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</i></p> | | |
| A | <p>Vicinity Map</p> <ol style="list-style-type: none"> 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 | Complies |
| | | The applicant has submitted the |

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| | meets state of Utah requirements, which also depicts all easements identified by the title report. | | certified boundary survey. The title report has been submitted as well. |
| C | <p>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</p> <ol style="list-style-type: none"> 1. Drawn at a scale not smaller than one hundred feet (100') to the inch. 2. A north arrow. 3. Subdivision name. 4. The layout and names and widths of existing and future road rights of way. 5. A tie to a permanent survey monument at a section corner. 6. The boundary lines of the subdivision with bearings and distances. 7. The layout and dimensions of proposed lots with lot areas in square feet. 8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces. 9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings. 10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas. 11. Location and ownership of all adjoining tracts of land. 12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010) | Complies | |
| D | <p>Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). 8. A storm drainage plan showing water flow directions, inlets, outlets, catch basins, waterways, culverts, detention basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage. 9. Show any existing wetlands. 10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012) | Will Comply | |
| 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 | N/A | |

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| | <p>water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications.</p> <p>5. Show location and dimensions of all utility easements.</p> | | |
| 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 preservation area, or which contain an agricultural open space conservation easement within the plat. 8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development. 9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply. 10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas. | Complies | |
| G | <p>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.</p> | N/A | |
| H | <p>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.</p> | Complies | |
| I | <p>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.</p> | N/A | |
| J | <p>Electronic copies of all preliminary plat drawings in</p> | N/A | |

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| | AutoCAD (DWG) format. | | |
| K | Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space. | Complies | |
| L | Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010) | N/A | |
| 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 council agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable. | Complies | |
| 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 council, the plat shall be signed by all required and authorized parties, with the exception of the county council 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 Council 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 | Complies | |

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| | 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. | | |
| I | The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown. | Complies | |
| J | All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications. | Complies | |
| K | All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage. | Complies | |
| L | The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. | Complies | 10' PUE is shown |
| 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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, 20 .</i> | Complies | Preliminary Title Report submitted previously; a final title report will be required within 30 days of recordation |

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| | <p><i>(Add appropriate acknowledgments)</i></p> <ol style="list-style-type: none"> 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 council (a signature line for the council chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat. 6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor. 7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. 8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards. 9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county. | | |
| O | <p>On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.</p> | Complies | |
| 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

Public Works: No comments received

Fire/EMS Services: Comments received and recommend approval

Engineering: Comments received and recommend approval

Surveying: Comments received and recommend approval

Recorders: Comments received and recommend approval

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before March 16, 2026; 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 March 16, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before March 16, 2026.
- ✓ A sign was posted on the site on or before March 16, 2026.

Recommended Motions

Recommended Motion for *Approval* – “I move we approve the Huerta Small Subdivision Preliminary and Final Plat, application number 25.023, allowing for a one (1) lot subdivision, located at approximately 344 West Richville Lane in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026.”

Recommended Motion for *Approval with Conditions* – “I move we approve the Huerta Small Subdivision Preliminary and Final Plat, application number 25.023, allowing for a one (1) lot subdivision, located at approximately 344 West Richville Lane in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026, and with the following additional conditions:”

1. List any additional conditions

Recommended Motion for *Denial* – “I move we deny the Huerta Small Subdivision Preliminary & Final Plat, application number 25.023, not allowing for a one (1) lot subdivision, located at approximately 344 West Richville Lane in unincorporated Morgan County, based on the following findings:”

1. List any additional findings

Supporting Information

Exhibit A: Vicinity Map

Exhibit B: Existing Zoning Map

Exhibit C: Proposed Preliminary Plat

Exhibit D: Proposed Final Plat

Exhibit A: Vicinity Map



Exhibit B: Existing Zoning Map

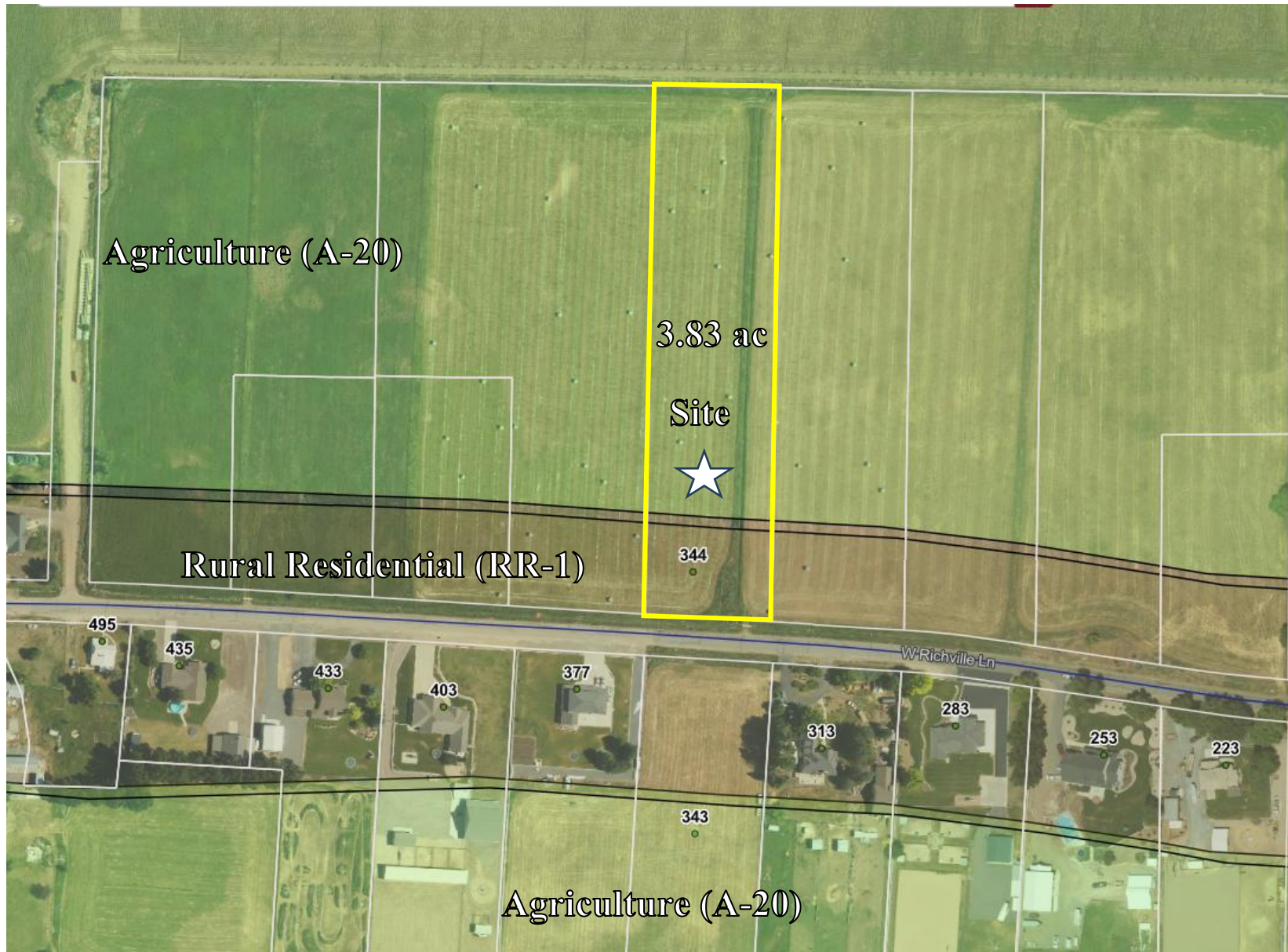


Exhibit D: Proposed Final Plat

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

SHEET 1 OF 1

RECORD OF SURVEY NO. 3000 1182

HUERTA SUBDIVISION

PART OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY

MORGAN COUNTY, UTAH


FEBRUARY, 2026

SURVEYOR'S CERTIFICATE

I, EMILY ALLEN HUERTA, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 26A, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT, AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF SUBDIVISION IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE MORGAN COUNTY RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND. I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF MORGAN COUNTY CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

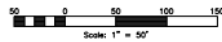
SIGNED THIS _____ DAY OF _____, 20____.

9239283
UTAH LICENSE NUMBER



LEGEND

- SECTION CORNER
- SET 5/8" X 24" REBAR & PLASTIC CAP STAMPED "REVEE & ASSOCIATES"
- — — BOUNDARY LINE
- - - - - ADJOINING PROPERTY
- - - - - EASEMENTS
- - - - - SECTION LINE
- - - - - ROAD CENTER LINE
- - - - - EXISTING FENCELINE
- - - - - PUBLIC UTILITY & WATER LINE EASEMENT



BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE CENTER AND THE EAST QUARTER CORNER OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, SHOWN HEREON AS SOUTH 89°53'31" WEST.

NARRATIVE

THE PURPOSE OF THIS PLAT IS TO DIVIDE THE SUBJECT PROPERTY INTO ONE LOT AS SHOWN HEREON. ALL BOUNDARY AND REBAR LOT CORNERS WERE SET WITH A 5/8" REBAR AND PLASTIC CAP STAMPED "REVEE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

NOTE

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.

BOUNDARY DESCRIPTION


PART OF THE NORTHEAST AND SOUTHEAST QUARTERS OF SECTION 11, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE & MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF RICHVILLE LANE (1550 SOUTH), SAID POINT BEING 1797.16 FEET NORTH 89°53'31" EAST AND 285.28 FEET SOUTH 01°01'58" WEST FROM A FOUND 3/4" REBAR AT THE CENTER OF SAID SECTION 11 (SAID CENTER BEING SOUTH 89°53'31" WEST 284.03 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 11); THENCE NORTH 86°23'28" WEST 200.20 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF RICHVILLE LANE (1550 SOUTH); THENCE NORTH 01°01'58" EAST 830.18 FEET; THENCE SOUTH 89°53'31" EAST 200.20 FEET ALONG AN EXISTING FENCELINE; THENCE SOUTH 01°01'58" WEST 839.18 FEET TO THE POINT OF BEGINNING.

CONTAINING 166,936 SQUARE FEET OR 3.832 ACRES.

VICINITY MAP

NO SCALE



MORGAN COUNTY PLANNING COMMISSION APPROVAL

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

SIGNED THIS _____ DAY OF _____, 20____.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

MORGAN COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIRED PUBLIC IMPROVEMENT STANDARDS AND DRAWINGS FOR THIS SUBDIVISION CONFORM WITH THE COUNTY STANDARDS AND THE AMOUNT OF THE FINANCIAL GUARANTEE IS SUFFICIENT FOR THE INSTALLATION OF THESE IMPROVEMENTS.

SIGNED THIS _____ DAY OF _____, 20____.

MORGAN COUNTY ENGINEER

MORGAN COUNTY COMMISSION ACCEPTANCE

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT, THE DEDICATION OF STREETS AND OTHER PUBLIC WAYS AND FINANCIAL GUARANTEE OF PUBLIC IMPROVEMENTS ASSOCIATED WITH THIS SUBDIVISION, THEREON ARE HEREBY APPROVED AND ACCEPTED BY THE COMMISSIONERS OF MORGAN COUNTY, UTAH.

SIGNED THIS _____ DAY OF _____, 20____.

CHAIR, MORGAN COUNTY COMMISSION

ATTEND: COUNTY CLERK

MORGAN COUNTY SURVEYOR

I 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 LICENSEE LAND SURVEYOR WHO EXECUTED THIS PLAT FROM THE RESPONSIBILITIES AND/OR LIMITATIONS ASSOCIATED THEREWITH.

SIGNED THIS _____ DAY OF _____, 20____.

MORGAN COUNTY SURVEYOR

MORGAN COUNTY ATTORNEY

I HAVE EXAMINED THE FINANCIAL GUARANTEE AND OTHER DOCUMENTS ASSOCIATED WITH THIS SUBDIVISION PLAT, AND IN MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 20____.

MORGAN COUNTY ATTORNEY

WEBER-MORGAN HEALTH DEPARTMENT

I HEREBY CERTIFY THAT THE SOILS, PERCOLATION RATES, AND SITE CONDITIONS FOR THE SUBDIVISION PLAT, AND BY MY OPINION THEY CONFORM WITH THE COUNTY ORDINANCE APPLICABLE THERETO AND NOW IN FORCE AND EFFECT.

SIGNED THIS _____ DAY OF _____, 20____.

WEBER-MORGAN HEALTH DEPARTMENT

OWNERS DEDICATION AND CERTIFICATION

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 SURVAYED INTO LOTS TO BE HEREAFTER KNOWN AS HUERTA SUBDIVISION, AND DO HEREBY DEDICATE TO MORGAN COUNTY A PERPETUAL RIGHT AND EASEMENT OVER UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY AND WATERLINE EASEMENTS TO BE USED FOR THE INSTALLATION, MAINTENANCE, AND OPERATION OF PUBLIC UTILITIES.

SIGNED THIS _____ DAY OF _____, 20____.

EMILY ALLEN HUERTA

TRAVIS MARK HUERTA

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF _____)

ON THE _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, _____ (AND SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME _____ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES _____ NOTARY PUBLIC

Project Info.

Surveyor: EMILY A. HUERTA

Designer: EMILY A. HUERTA

Begin Date: 3-11-2025

Name: HUERTA SUBDIVISION

Number: 8903-01

Revision: 2/2/26 - AM

Scale: 1"=50'

Checked: _____

MORGAN COUNTY RECORDER

Entry No. _____ Fee Paid _____

Recorded, _____ Filed For Record And _____

in Book _____ At _____

of _____

The Official Records, Page _____

Recorded For _____

MORGAN COUNTY RECORDER _____ Deputy



**PLANNING COMMISSION
STAFF REPORT**

Site Plan

March 26, 2026

Wasatch Peaks Ranch Phase 4A.1 Upper Townhomes Residential Site Plan
March 26, 2026
Public Meeting
File #25.054

Applicant: Wasatch Peaks Ranch, LLC
Project Location: Approx. 5233 W. Wasatch Peaks Rd.
Parcel Number: 00-0093-1362
Serial Number: 12-004-014-01-1-1-3
Current Zoning: Resort Special District w/ Development Agreement
Acreage: 3.07 acres

REQUEST:

A request for site plan approval of the Wasatch Peaks Ranch (WPR) Phase 4A.1 Upper Townhomes Residential Site Plan to allow for the construction of six (6) townhomes.

ATTORNEY GUIDANCE:

Administrative Review:

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

Applicable law:

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

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

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

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

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

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

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

STAFF RECOMMENDATION

County Staff has reviewed the application for the WPR Phase 4A.1 Upper Townhomes Residential Site Plan. Staff recommends approval of the requested site plan based on the following findings and with the conditions listed below:

Findings:

- 1. That the proposal complies with applicable zoning regulations as outlined in the entire subchapter of the Morgan County Code (MCC) § 155.045 - § 155.048 regarding Document and Plan Submission.*
- 2. That the proposed landscaping plan complies with the standards as outlined in § 155.335 Landscaping.*
- 3. That the proposed photometrics plan complies with the standards as outlined in § 155.352 Lighting.*
- 4. This proposal is not detrimental to the health, safety, and welfare of the public.*

Conditions:

1. *That all outsourced consultant fees are paid current prior to final plat recordation.*
2. *That all other local, state, and federal laws are adhered to.*
3. *The developer will install any required infrastructure, including roadways, utilities, parking, lighting, and landscape areas.*

PROJECT DESCRIPTION:

Proposal Details

This request is for approval of a six (6) unit small subdivision for a residential townhome development. The proposed subdivision consists of six (6) townhome dwelling units located within three (3) multi-family buildings. The development is designed to provide high-density residential housing consistent with the applicable Resort Special District (RSD), the associated Development Agreement (DA), the underlying zoning, and Morgan County subdivision standards.

The subdivision will be served by a system of private internal roadways designed to support circulation within the development and future connectivity to adjacent properties. Access to the site will be provided via planned roadway connections, including an extension from North Village Lane, shown on the plans as Upper Townhome Lane (a working title). The plans depict an abrupt terminus at the end of this extension.

Sewer and water utilities will be privately owned and maintained by the Wasatch Peaks Ranch Water and Sewer District (WPR-UD). Road and fire protection services will be provided by the Wasatch Peaks Ranch Road & Fire District (WPR-RFD). Will-serve letters have been provided from both districts.

Road, fire protection, water, and sewer services are provided through private improvement districts, and corresponding service letters are included. Electrical service is provided by Rocky Mountain Power, and telephone and internet services are provided by All West; copies of the associated service agreements are included. Gas service will be supplied by individual propane service providers.

Member Services, functioning as the property owners' association and representative of the property owners for the development, is responsible for the coordination and management of shared services and amenities for residents and members of WPR. This includes the centralized administration of solid waste collection, as well as oversight of common infrastructure and community amenities in accordance with the governing DA.

SITE PLAN SUBMITTAL

Site and Building Layout

The WPR Phase 4A.1 Upper Townhomes Residential Site Plan shows three (3) buildings that contain two (2) townhome units each. Total building square footage is 15,007 sq. ft., or 0.34 acres. Staff has reviewed the proposed land use of the future structures to ensure that those structures meet all requirements for setbacks and building height as outlined in the DA.

Concerning parking, the developer proposes two-car garages for each unit. In accordance with § 155.369(D)(2) of the MCC, which requires two parking spaces per dwelling unit, the proposed six-unit townhome development meets the county's minimum off-street parking requirements.

PROJECT DESCRIPTION:

Multi-Family Residential Design Standards

There are design standards for multi-family residential areas in Morgan County outlined in 155.268 (3)(f):

(3) Building materials.

(a) The majority of each facade (51% or more of the wall area excluding windows and doors) shall be constructed of the following hard surface building materials: Brick; stone; treated or split face decorative block (CMU); fiber cement siding; wood; concrete; or other durable building material as approved by the Planning Commission.

(b) Stucco, EIFS or untreated concrete block (CMU) may be allowed by the Planning Commission as an accents or secondary material only.

(c) The Planning Commission may approve metal as an exterior building material and as a primary material on a case-by-case basis if an applicant can show that the type of metal is of a high grade and provides architectural quality to a building.

(d) Vinyl siding and standing seam metal are prohibited for use as exterior building materials.

The materials for this project, as clarified by the applicant, are as follows:

- Roof
 - Sika Ribbed – Lead Grey
 - Metal Standing Seam - Black
- Metal Façade
 - Western State – Slate Grey
 - Western State – Dark Bronze
 - Western State – Black
- Window System
 - Marvin Modern – Ebony
- Terrace Soffit
 - Woodtone – Fineline Canadian Ice Lager (Without Stain)

- Wood Columns
 - Disdero – Port Orford Cedar
- Wood Façade
 - Accoya Barnwood – Creekside
 - Accoya Smooth – Coastline
- Stone Façade
 - Rocky Mountain Granite – Mosaic

Landscaping

The Site Plan displays more than the 15% landscaping requirement per MCC, with the following figures:

| <i>Land Use / Feature</i> | <i>Area (sq. ft.)</i> | <i>Percent of Site (%)</i> |
|---|------------------------------|--|
| <i>Landscape Requirement</i> | 26,846 | 15 |
| <i>Total Landscape Provided</i> | 117,632 | 65 |
| <i>Plant Material</i> | 99,987 | (85% of the 15% landscaping requirement) |
| <i>Total Site Square Footage</i> | 178,975 | 100 |

The Plant Schedule includes a mix of proposed deciduous and coniferous trees, along with a variety of supporting plantings. These include raised and enhanced planting areas designed to add depth and structure to the landscape, as well as native revegetation and seed mixes in select areas. Together, these plantings are intended to create year-round visual interest, reinforce the natural character of the site, and enhance the overall appearance and experience of the surrounding community. Landscaping requirements for commercial development are outlined within § 155.335 of the MCC, and states the following:

“A. Purpose: The purposes of the landscaping requirements of this section are to enhance, conserve and stabilize property values by preventing wind and water erosion, creating an environment which discourages the accumulation of rubbish and litter, and providing an attractive neighborhood. Further, where required, the landscaping is necessary to contribute to the relief of erosion, heat, noise and glare through the proper placement of trees and other vegetation. Landscaping plans are required for all development within commercial zones, two-family or multi-family dwelling development projects, for all institutional uses, and all common areas within residential or condominium projects, in addition to types of development already specified by this title.

B. Approved Plan: Where landscaping is required, it shall be placed and maintained according to the plan approved by the land use authority as a prerequisite to further use of the lot, and consistent with the timing and phasing plan approved for the development.

C. Nonconforming Status: Landscaping shall be deemed a substantive rather than a procedural requirement, such that any use of property on the effective date hereof, which is nonconforming only as to landscaping, may be continued in the same manner as if the landscaping were conforming.

D. Plot Plan: Where landscaping is required, a landscaping plan, drawn to scale, and stamped by a landscape architect, licensed in the state of Utah, shall be submitted as part of the application submittal requirements.

The landscaping plan shall contain at least: the location and common and Latin names of all trees, shrubs, and ground covers; the size in caliper, gallon, or height, as applicable to the particular landscaping type; any nonvegetative landscape features; and all irrigation facilities.

E. Coverage And Screening: ...

2. Coverage of the ground in required landscaped areas shall be at least eighty five percent (85%) by plant materials and waterways, when viewed from above, so that impervious landscaping features such as walkways, rockscapes and statuary do not impair runoff. Where screening or buffering from surrounding properties is required to be in the form of landscaping, a minimum six foot (6') tall or taller row of evergreen trees that are spaced to occlude vision shall constitute sufficient screening, unless a greater height is required by the land use authority to mitigate specific impacts of the development.

3. Where landscaping is required in residential projects, at least seventy percent (70%) of the yard area surrounding the building, for a width at least equal to the minimum front, side and rear setback distances stated for the zone, shall be landscaped and maintained in landscaping. The landscaping shall be composed of irrigated lawn or other fire resistive green plants. Any portion of the setback area that is not proposed to be covered by landscaping (the remaining 30 percent or less setback area) shall have a covering that is hard surfaced, graveled or composed of other suitable material to prevent vegetative growth, and shall be maintained free of weeds, brush and flammable plants and materials. The plot plan shall show how these requirements will be met.

F. Maintenance: Required landscaping shall be maintained in a clean, orderly, healthful condition. Such shall include proper irrigation, pruning, mowing, weed removal, pest control and replacement of dead plantings.”

Lighting

The applicant submitted photometric calculations that meet the intent of Morgan County’s Dark Sky Ordinance. Morgan County has adopted comprehensive Dark Sky lighting requirements and conditions. These are clearly defined within MCC § 155.352. The intent of these sections of the MCC are to make sure that the following occurs:

- “ A. Reducing, eliminating, or preventing light trespass;*
- B. Reducing, eliminating, or preventing unnecessary or inappropriate outdoor lighting;*
- C. Reducing, eliminating, or preventing the effects of outdoor lighting on wildlife;*
- D. Preventing unsightly and unsafe glare;*
- E. Promoting energy conservation;*
- F. Maintaining nighttime safety, utility, and security;*

G. Encouraging a minimal light footprint of land uses in order to reduce light pollution; and

H. Promoting and supporting agrotourism and recreation, including the pursuit or retention of accreditation of local parks by the International Dark-Sky Association.”

DISCUSSION:

This Site Plan is compatible with the design requirements from the applicable Multi-Family Residential Design Standards in MCC. The proposed building materials are consistent with §155.152(f), which requires that the majority of each façade (51% or more of the wall area, excluding windows and doors) be constructed of durable, hard surface materials such as brick, lap siding, fiber cement panels, stucco, or treated wood. Stucco and other approved materials are to be used as secondary or accent elements, and no prohibited materials such as vinyl siding are proposed. Standing seam metal is included in the proposal and may be approved by the Planning Commission on a case-by-case basis, as it is demonstrated to be a high-grade material that contributes architectural quality to the building.

Building elevations and architectural details will be verified at the time of building permit submittal. The application meets minimum requirements for lighting, landscaping, open space, and parking. Grading, drainage, and utility plans have been reviewed as part of this Site Plan application, and all engineering comments will need to be implemented during construction to ensure compliance with MCC standards.

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Engineering: Comments received and recommend approval

Utility Companies: All required will-serve letters are on file

Fire/EMS Services: Comments received and recommend approval

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on March 16, 2026; 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 March 16, 2026.
- ✓ Notices to property owners within 1000’ feet of the proposed use were mailed a Public Notice on March 16, 2026.
- ✓ A sign was posted on the site on March 16, 2026.

Recommended Motions

Motion for a *Positive Recommendation of Approval* – “I move we recommend approval to the County Commission of the WPR Phase 4A.1 Upper Townhomes Residential Site Plan, application number 25.054, allowing for the proposed multi-family development of six (6) townhome units, within three (3) separate buildings, located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026.”

Motion for a *Positive Recommendation of Approval with Conditions* – “I move we recommend approval to the County Commission of the WPR Phase 4A.1 Upper Townhomes Residential Site Plan, application number 25.054, allowing for the proposed multi-family development of six (6) townhome units, within three (3) separate buildings, located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026, and with the following conditions:”

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

Motion for a *Recommendation of Denial* – “I move we recommend denial to the County Commission of the WPR Phase 4A.1 Upper Townhomes Residential Site Plan, application numbers 25.054, not allowing for the proposed multi-family development located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, *due to the following findings:*”

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

SUPPORTING INFORMATION

Attachment A: Vicinity Map

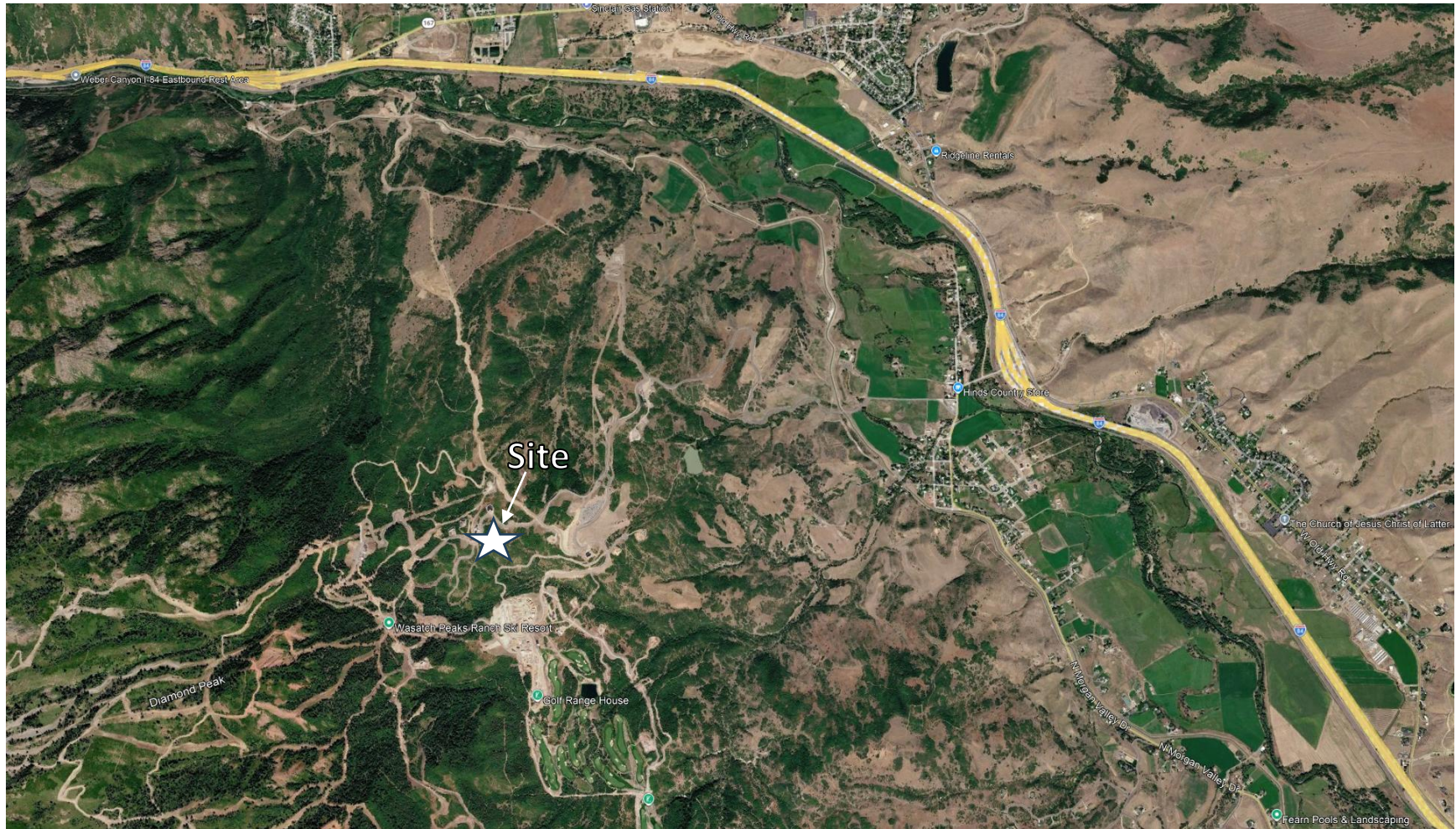
Attachment B: Proposed Site Plan

Attachment C: Landscaping Plan

Attachment D: Photometrics Plan

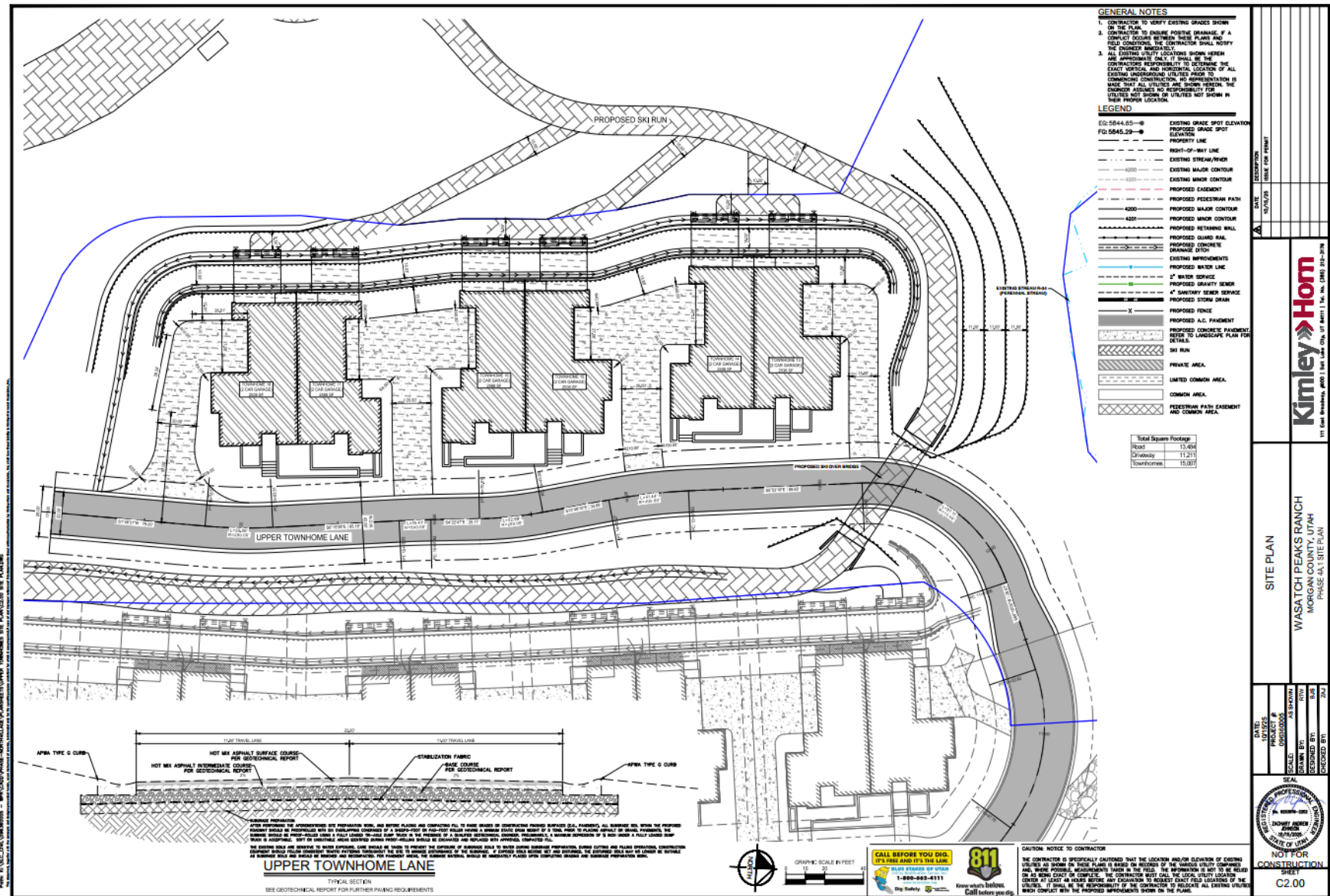
Attachment E: Building Elevations & Materials

Attachment A: Vicinity Map



[Click here to view a full-size pdf version of the Site Plan](#)

Attachment B: Proposed Site Plan



Attachment C: Landscaping Plan

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



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

Attachment D: Photometrics Plan



Owner | Wasatch Peaks Ranch, LLC
 4212 N Morgan Valley Drive
 Peterson, Utah 84050

Architect | Overland Partners, Inc.
 203 E Jones Avenue, Suite 104
 San Antonio, Texas 78219

Landscape Architect | Design Workshop
 132 S Main Street
 Aspen, Colorado 81611

Interior Design | Alder & Tweed Design Co
 4554 N Forecastle Drive, Suite A1
 Park City, Utah 84098

Civil Engineer | Winter/Horn
 111 East Broadway, Suite 600
 Salt Lake City, Utah 84111

Structural Engineer | KPFF
 420 E South Temple, Suite 485
 Salt Lake City, Utah 84111

MEP | BG Building/Works
 251 Linden Street, Suite 200
 Fort Collins, Colorado 80524

Lighting Consultant | LG Group
 625 Basalt Avenue, Unit #300
 Basalt, Colorado 81621

Building Enclosure | WJE
 1344 South Flores Street, Suite 201
 San Antonio, Texas 78204

Life Safety | PRGO
 14425 NW Military Highway, Ste 108 #430
 San Antonio, Texas 78231

General Contractor | Big D Signature
 1389 Center Drive, Suite 360
 Park City, Utah 84098

SITE PLAN APPLICATION 1016/0025

REVISION LOG

No. Date Description

KEYPLAN



PHOTOMETRIC CALCS

Project Name: Loft Townhomes 78/9
 Project Number: 1550.5

A200

[Click here to view a full-size .pdf version of the Building Elevations & Materials](#)

Attachment E: Building Elevations & Materials

The image displays two exterior elevations of a modern multi-story building, labeled 'EXTERIOR ELEVATION - SOUTH' and 'EXTERIOR ELEVATION - NORTH'. The building features a mix of materials including metal, wood, and stone. Various material options are shown in circular swatches with callout lines pointing to their respective locations on the building facade.

- ROOF:** Sika Hybrid Lead Grey
- METAL FACADE:** Western Slate Slate Grey, Western Slate Dark Bronze
- WINDOW SYSTEM:** Marvin Modern Ebony
- TERRACE SOFFIT:** Woodstone Finest Canadian Larch WITHOUT KIDS
- WOOD COLUMNS:** Diadora Port Orford Cedar
- WOOD FACADE:** **PREFERRED:** Accoya Barwood Crestline; **OPTION 2:** Accoya Smooth Crestline
- STONE FACADE:** Rocky Mountain Granite Mosaic

CONDO BUILDING 01
EXTERIOR MATERIAL EXHIBIT
9/29/2024

OVERLAND



**PLANNING COMMISSION
STAFF REPORT**

WPR Phase 4A.1 Upper Townhomes Small
Subdivision Preliminary & Final Plat

PLANNING & DEVELOPMENT

March 26, 2026

WPR Phase 4A.1 Upper Townhomes Small Subdivision Preliminary & Final Plat
March 26, 2026
Public Meeting
File #25.055

Applicant/Owner: Wasatch Peaks Ranch, LLC
Project Location: Approx. 5233 W. Wasatch Peaks Rd.
Parcel Number: 00-0093-1362
Serial Number: 12-004-014-01-1-1-3
Current Zoning: Resort Special District w/ Development Agreement
Acreage: 3.07 acres

REQUEST: A request for site plan approval of six (6) townhome units, within three separate buildings.

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.

RECOMMENDATION

County Staff has reviewed the application for Preliminary and Final Plat for the WPR Phase 4A.1 Upper Townhomes Small Subdivision. Staff is hereby recommending approval of the requested Preliminary and Final Plat based on the following findings and with conditions listed below:

Findings:

- 1. That the proposal complies with the Morgan County zoning and subdivision regulations and the WPR Development Agreement.*
- 2. That the proposal is not detrimental to the health, safety, and welfare of the public.*

Conditions:

- 1. That all outsourced consultant fees are paid current prior to final plat recordation.*
- 2. That all other local, state, and federal laws are adhered to.*
- 3. That the County Engineer, Surveyor and Fire Services comments are addressed.*

PROJECT DESCRIPTION

The applicant is seeking approval for a small subdivision (preliminary and final plat). The subdivision will consist of six (6) multiple-family townhome units, within three separate proposed buildings. The applicant is proposing to subdivide the property to develop multiple townhome units with associated common areas and accessory structures.

Ordinance Evaluation. The development proposes a maximum of 750 ERUs, with the North Village representing the densest area within the Resort Special District, consistent with the overall density limits established for the entire development.

Property Layout. If approved, the property will be subdivided into six (6) townhome units, within three (3) separate buildings

Roads and Access. Access to the property will be derived from North Village Lane (3525 North) with a 42' Right-of-Way (ROW). The property will include a mix of driveway types: individual driveways for some buildings, and shared hammerhead-style driveways serving two units where appropriate.

Fire Protection. Road and fire protection services will be provided by the Wasatch Peaks Ranch Road & Fire District (WPR-RFD). A will-serve letter is on file with the application.

Utilities. Sewer and water utilities will be privately owned and maintained by the Wasatch Peaks Ranch Water and Sewer District (WPR-UD). A will-serve letter is on file with the application. Furthermore, electrical service is provided by Rocky Mountain Power, and telephone and internet services are provided by All West; copies of the associated service agreements are included. Gas service will be supplied by individual propane service providers.

HOA. Member Services, functioning as the property owners' association and representative of the property owners for the development, is responsible for the coordination and management of shared services and amenities for residents and members of WPR. This includes the centralized administration of solid waste collection, as well as oversight of common infrastructure and community amenities in accordance with the governing DA.

Flood Plain. N/A.

ANALYSIS OF STANDARDS

| Standards | Findings | Rationale |
|--|---|-----------|
| <p>Ordinance Evaluation. Morgan County Code § 155.438 states the following:</p> <p><i>The subdivider shall submit a complete application for a small subdivision to the planning and development services department, along with a completed application and application fee. The proposed small subdivision application shall include all of the information required for a complete preliminary and final plat application as outlined in sections 155.407, 155.413, 155.414, and 155.415 of this chapter, and other applicable sections of this title, with the exception of the final mylar for signature. Small subdivisions shall meet all the requirements of this title. (Ord. 10-16, 12-14-2010)</i></p> <p><i>Therefore, this application has been reviewed for preliminary and final plat standards.</i></p> | | |
| <p>155.407: PRELIMINARY PLAT SUBMITTAL: <i>The preliminary plat shall be prepared, stamped, and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:</i></p> | | |
| A | <p>Vicinity Map</p> <ol style="list-style-type: none"> 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 | <p>Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report.</p> | Complies |
| C | <p>Preliminary plat (all facilities within 200 feet of the plat shall be shown):</p> <ol style="list-style-type: none"> 1. Drawn at a scale not smaller than one hundred feet (100') to the inch. | Complies |

| | | | |
|---|---|----------|--|
| | <ol style="list-style-type: none"> 2. A north arrow. 3. Subdivision name. 4. The layout and names and widths of existing and future road rights of way. 5. A tie to a permanent survey monument at a section corner. 6. The boundary lines of the subdivision with bearings and distances. 7. The layout and dimensions of proposed lots with lot areas in square feet. 8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces. 9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings. 10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas. 11. Location and ownership of all adjoining tracts of land. 12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010) | | |
| 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) | Complies | |
| 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. | N/A | |
| F | The subdivider shall provide the following documents with the application: | Complies | |

| | | | |
|----------|---|----------|--|
| | <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 preservation area, or which contain an agricultural open space conservation easement within the plat. 8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development. 9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being served by an existing water utility company, these requirements do not apply. 10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas. | | |
| G | When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title. | N/A | |
| 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. | N/A | |
| J | Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format. | N/A | |
| K | Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space. | Complies | |
| L | Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12- | N/A | |

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| | 14-2010) | | |
| 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 council agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable. | Complies | |
| 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 council, the plat shall be signed by all required and authorized parties, with the exception of the county council 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 Council 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 | Complies | |

| | | | |
|---|--|----------|--|
| | 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. | | |
| J | All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications. | Complies | |
| K | All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage. | Complies | |
| L | The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified. | Complies | 10' PUE is shown |
| 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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 1. Professional land surveyor's "certificate of survey". 2. Owner's dedication certificate in the following form: <p><i>OWNERS DEDICATION</i></p> <p><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, 20 .</i></p> <p><i>(Add appropriate acknowledgments)</i></p> 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. | Complies | Preliminary Title Report submitted previously; a final title report will be required within 30 days of recordation |

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| | <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 council (a signature line for the council chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat.</p> <p>6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor.</p> <p>7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat.</p> <p>8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards.</p> <p>9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain and pay taxes on such lands and common areas and any access easements which may be required by the county.</p> | | |
| O | <p>On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.</p> | Complies | |
| 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

Public Works: No comments received
 Fire/EMS Services: No comments received
 Engineering: Comments received and recommend approval
 Surveying: Outstanding comments are being addressed
 Recorders: No comments received

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before March 16, 2026; 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 March 16, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on or before March 16, 2026.
- ✓ A sign was posted on the site on or before March 16, 2026.

Recommended Motions

Recommended Motion for *Approval* – “I move we approve the WPR Phase 4A.1 Upper Townhomes Small Subdivision Preliminary and Final Plat, application number 25.055, allowing for six (6) townhome units, within three (3) separate buildings, located at approximately 5233 West Wasatch Peaks Road, based on the findings and with the conditions listed in the staff report dated March 26, 2026.”

Recommended Motion for *Approval with Conditions* – “I move we approve the WPR Phase 4A.1 Upper Townhomes Small Subdivision Preliminary and Final Plat, application number 25.055, allowing for six (6) townhome units, within three (3) separate buildings, approximately located at 5233 West Wasatch Peaks Road, based on the findings and with the conditions listed in the staff report dated March 26, 2026, and with the following additional conditions:”

1. List any additional conditions

Recommended Motion for *Denial* – “I move we deny the WPR Phase 4A.1 Upper Townhomes Small Subdivision Preliminary Final Plat, application number 25.055, not allowing for six (6) townhome units, within three (3) separate buildings, located at approximately 5233 West Wasatch Peaks Road, based on the following findings:”

1. List any additional findings

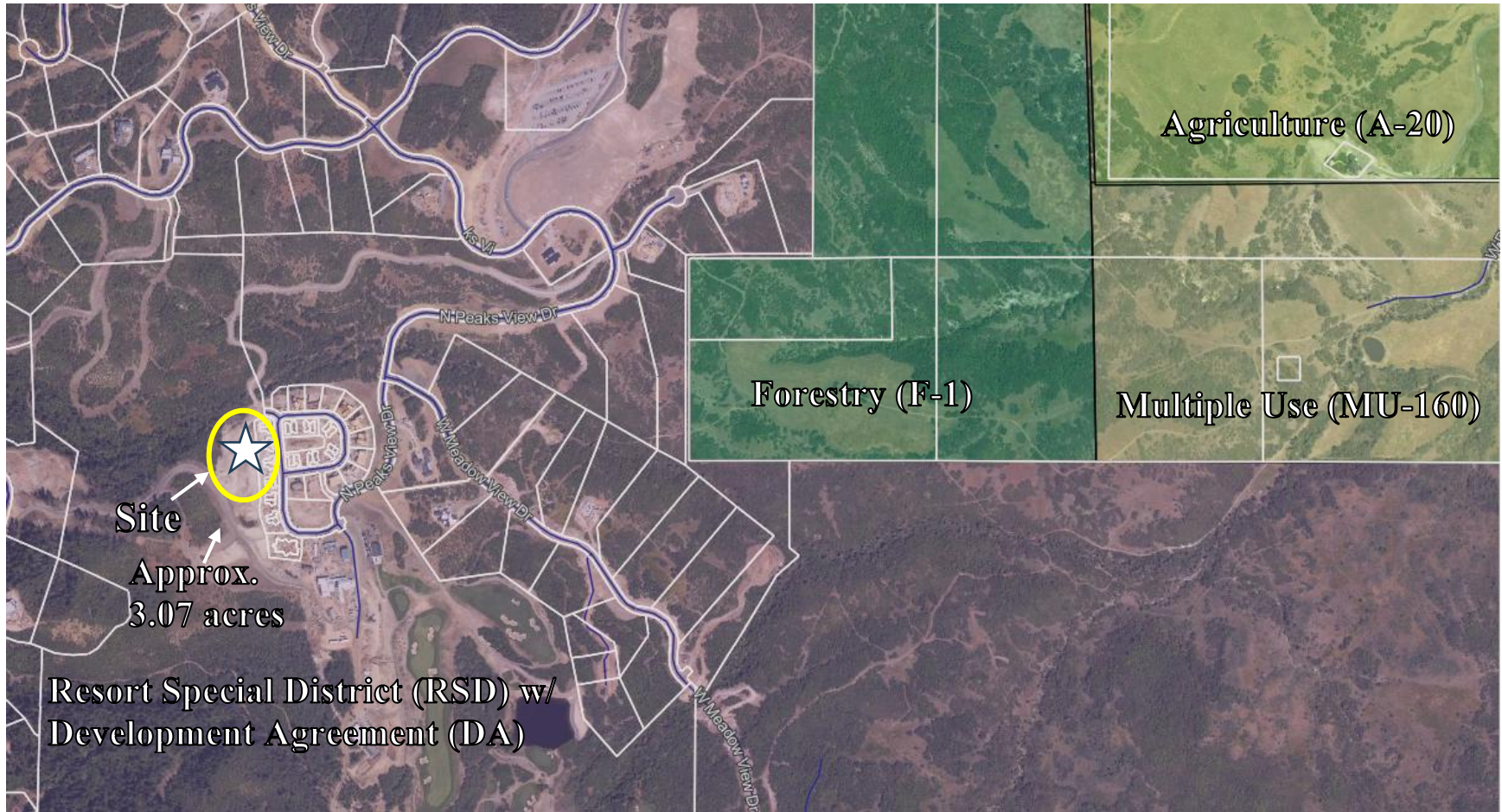
Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Existing Zoning Map
Exhibit C: Proposed Preliminary Plat
Exhibit D: Proposed Final Plat

Exhibit A: Vicinity Map



Exhibit B: Existing Zoning Map





PLANNING COMMISSION

STAFF REPORT

Preliminary Plat

March 26, 2026

Wasatch Peaks Ranch Subdivision Phase 6C & 6D Preliminary Plat Modification
March 26, 2026
Public Meeting
File #25.051

Applicant/Owner: Wasatch Peaks Ranch, LLC
Project Location: Approx. 5233 W. Wasatch Peaks Rd.
Parcel Numbers: 00-0093-1280 & 00-001-1583
Serial Numbers: 12-004-008-01-1-1 & 12-004-009
Current Zoning: Resort Special District w/ Development Agreement
Acreage: Approx. 276.60 acres combined

REQUEST:

A request for preliminary plat approval of an 18-lot divided into two (2) more phases (C & D).

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. § 17-79-803(1)(a)(II).

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

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

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

STAFF RECOMMENDATION:

County Staff has reviewed the plans for the modifications to the respective preliminary plats for the Wasatch Peaks Ranch (WPR) Subdivision 6C & 6D phases. Staff recommends approval of the requested preliminary plat based on the following findings and with the conditions listed below:

Findings:

- 1. That the proposal complies with the Morgan County zoning and subdivision regulations and the WPR Development Agreement.*
- 2. That the proposal is not detrimental to the health, safety, and welfare of the public.*

Conditions:

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

PROJECT DESCRIPTION:

Proposal Details

This request is for an 18-lot subdivision preliminary plat. Each lot will consist of a building activity envelope (BAE) with setbacks and frontage from newly constructed private streets. The homes will all be detached single-family dwellings. All improvements and disturbances will be required to stay within the BAE, excluding private ski access devices. The parcel being subdivided consists of 276.60 acres and will be divided into 18 single-family lots and open space for the subdivisions. The 18 lots largely range in size from 0.74 acres up to 7.23 acres, with an outlying larger 14.00-acre lot. The property is located west of the Peterson area in Morgan County and north and east of Phase 6.

The overall land use for the subdivision encompasses 276.60 acres. The residential lots comprise the majority of the property at 241.10 acres, while roads account for 18.90 acres to support internal circulation via the private street network. An additional 6.00 acres are designated as open space for the subdivision.

Sewer and water utilities will be privately owned and maintained by the Wasatch Peaks Ranch Water and Sewer District (WPR-UD). Road and fire protection services will be provided by the Wasatch Peaks Ranch Road & Fire District (WPR-RFD). Will-serve letters have been provided from both districts.

Road, fire protection, water, and sewer services are provided through private improvement districts, and corresponding service letters are included. Electrical service is provided by Rocky Mountain Power, and telephone and internet services are provided by All West; copies of the associated service agreements are included. Gas service will be supplied by individual propane service providers.

Member Services, functioning as the property owners' association and representative of the property owners for the development, is responsible for the coordination and management of shared services and amenities for residents and members of WPR. This includes the centralized administration of solid waste collection, as well as oversight of common infrastructure and community amenities in accordance with the governing DA.

DISCUSSION:

The Wasatch Peaks Ranch Development Agreement (DA) for this property was approved on October 30, 2019, by the Morgan County Council. This preliminary plat is consistent with the uses and layout as required by the DA and the applicable MCC Subdivision Standards. The preliminary plat requirements come from Morgan County's Land Use Management Code, Title 15, Chapter 155, Sections 407-411. Staff has reviewed the requirements and procedures for a preliminary plat and have found that the application request meets the standards.

§ 155.405: PRELIMINARY PLAT; PURPOSE:

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

§ 155.409: REVIEW OF PRELIMINARY PLAT:

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

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

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

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

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

ANALYSIS OF STANDARDS

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

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

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

§ 155.407: PRELIMINARY PLAT SUBMITTAL: *The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:*

| | | | |
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| A | Vicinity Map 1. Drawn at a maximum scale of one thousand feet (1,000') to the inch. 2. Show all existing and proposed roadways in the vicinity of the proposed development. 3. A north arrow. 4. The nearest section corner tie. 5. Subdivision name. | Complies | |
| B | Certified boundary survey of the subject property, which meets state of Utah requirements, which also depicts all easements identified by the title report. | Complies | |
| C | Preliminary plat (all facilities within 200 feet of the plat shall be shown): 1. Drawn at a scale not smaller than one hundred feet (100') to the inch. 2. A north arrow. 3. Subdivision name. 4. The layout and names and widths of existing and future road rights of way. 5. A tie to a permanent survey monument at a section corner. 6. The boundary lines of the subdivision with bearings and distances. 7. The layout and dimensions of proposed lots with lot areas in square feet. 8. The location and dimensions and labeling of other spaces including open spaces, parks, trails, or public spaces. 9. The location of manmade features including bridges, railroad tracks, fences, ditches, and buildings. 10. Topography at two foot (2') intervals. One foot (1') contours may be required by the county engineer in particularly flat areas. 11. Location and ownership of all adjoining tracts of land. 12. Proposed subdivision phasing plan and relationship to existing phases of development. (Ord. 10-16, 12-14-2010) | Complies | |
| D | Grading and drainage plan (may be combined with plat sheet, if approved by the county engineer): 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. Topography at two foot (2') contour intervals. 3. North arrow. 4. Subdivision name. 5. Areas of substantial earthmoving. 6. Location of existing watercourses, canals, ditches, springs, wells, culverts, and storm drains. 7. Location of any 100-year floodplain as designated by the federal emergency management agency (FEMA). | Complies | |

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| | <p>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.</p> <p>9. Show any existing wetlands.</p> <p>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)</p> | | |
| 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. | Complies | |
| 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. A Will Serve Letter from all utility companies or providers that states: <ol style="list-style-type: none"> a. That their system has capacity to serve the proposed development, documentation of such available capacity and specifying the amount of such capacity that will be utilized for the proposed project. b. Any conditions of required improvements before they can serve the subdivision 5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval. 6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist. 7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat. 8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development. 9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county | Complies | |

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

EXITING CONDITIONS & ZONING

The elevation on the site ranges between 5,780 feet on the eastern portion to 6,200 feet on the southwest side of the site. Slope gradients on the site range from shallow (less than 15%) to moderately steep (15 to 25%). The soil types are Qms, Qgao, and Tn. Due to the slope of the site and soils, a geologic hazards study is required and has been reviewed by planning staff.

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Fire/EMS Services: No comments

Engineering: Comments have been received and addressed

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on or before March 16, 2026; 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 March 16, 2026.
- ✓ Notices to property owners within 1000’ feet of the proposed use were mailed a Public Notice on or before March 16, 2026.
- ✓ A sign was posted on the site on or before March 16, 2026.

Recommended Motions

Motion for a *Positive Recommendation* – “I move we recommend approval to the County Commission the WPR Phase 6C & 6D Preliminary Plat Modification, application #25.051, allowing for an 18-lot subdivision of land located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026.”

Motion for a *Positive Recommendation with Conditions* – “I move we recommend approval to the County Commission the WPR Phase 6C & 6D Preliminary Plat Modification, application #25.051, allowing for an 18-lot subdivision of land located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated March 26, 2026, and the following conditions:”

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

Motion for a *Negative Recommendation* – “I move we recommend denial to the County Commission the WPR Phase 6C & 6D Preliminary Plat Modification, application #25.051, not allowing for an 18-lot subdivision of land located at approximately 5233 West Wasatch Peaks Road in unincorporated Morgan County, *due to the following findings:*”

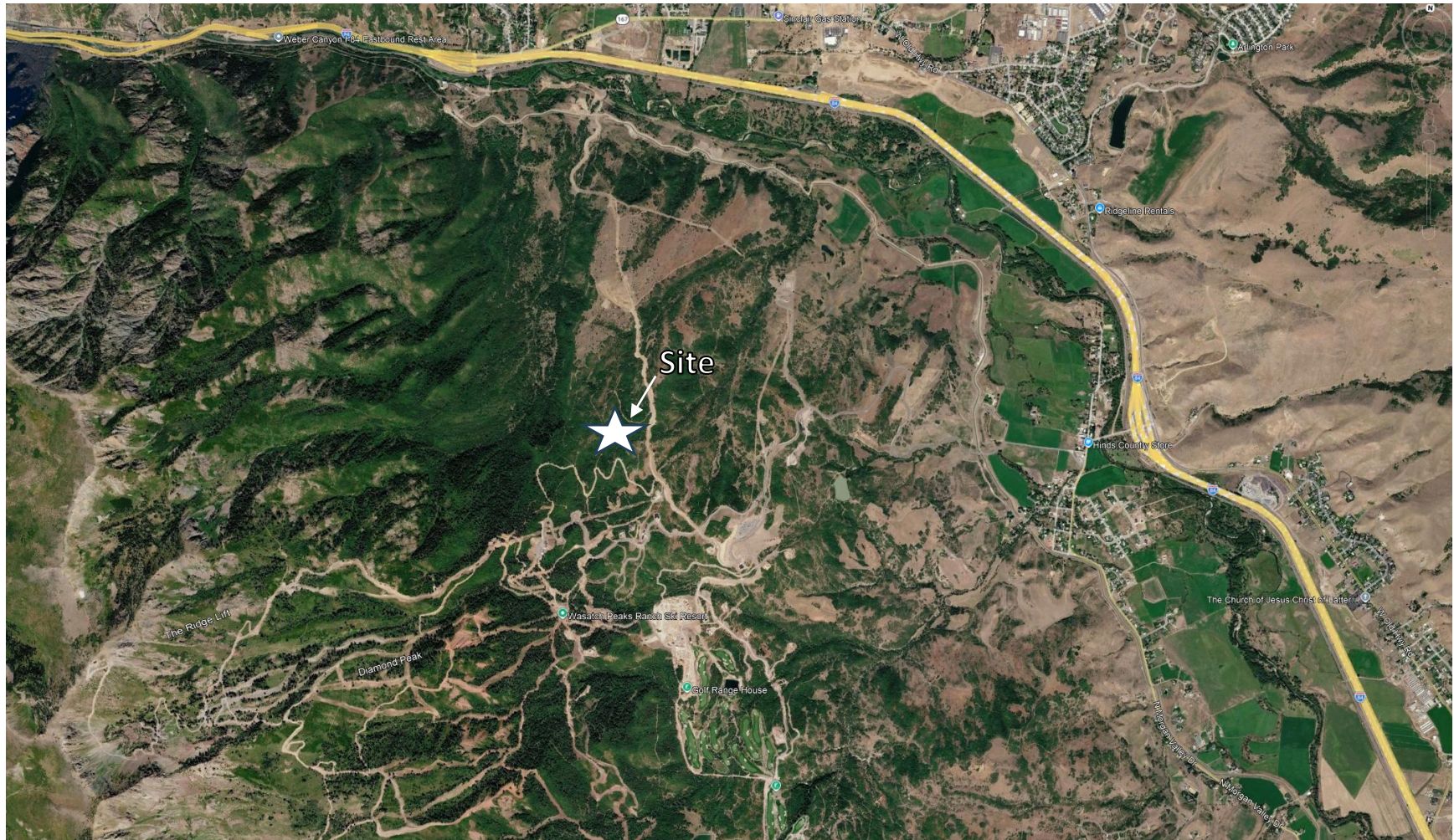
Additional Information

Attachments:

Attachment A: Vicinity Map

Attachment B: Proposed Preliminary Plat

Attachment A: Vicinity Map





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
Member Wilson
Member Maloney (remote)
Member King

Absent PC Members

Member McMillan

Public Attendance:

Tina Kelley
Ron Whittier
Gary Patterson
Allison Apedale
Michelle Hansen
Robert Howard
Stephanie Howard
Ken Nye
Tracy Thurston
Mike Gibson
Dean Hansen
Ty Cheng
Mark Walker
Alvin Jensen
Doug Brown
Julie Brown
Caleb Richins
John Dale
Perry Clark
Reeni Crowther
Jay Clark
Todd Wimpey
Brandon Andersen
Kelly Shuldberg
Daylynn Patterson
Arron Stephens
Pam Jensen

Staff:

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 unanimously.

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.

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.

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.

Debbie 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.

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.

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.

Gaylene 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.

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.

Gaylene 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.

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.

- 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.

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.

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.

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.

Albert 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.

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 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.

Department Head - 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.

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.

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.

Member 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.

12. Approval of February 26th 2026 Planning Commission Minutes

Member 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.