

MORGAN COUNTY COMMISSION MEETING AGENDA



MORGAN COUNTY COMMISSION MEETING AGENDA
APRIL 1st, 2025

4:00 WORK SESSION & 5:00 PM REGULAR MEETING

PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a regular commission meeting in the Commission Meeting Room at 48 West Young Street, Morgan, Utah.

4:00 WORK SESSION

1. **Connex Box Text Amendment**, Josh Cook Planning Director
2. **Recap of 2025 Legislative Session**, Kerry Gibson Contract Lobbyist

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

3. Welcome
4. Invocation and/or Moment of Reflection
5. Pledge of Allegiance

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from March 18th, 2025.
2. Approval of the Budget Adjustment Policy by Resolution CR 25-18

(C) Commissioner Declarations of Conflict of Interest

(D) Public Comments (please limit comments to 3 minutes)

(E) Presentations

(F) Action Items

1. **Robey Hoyt** – Discussion – Citizen Agenda Request
Three-way stop needed at the intersection of Willow Creek Road and Cottonwood Canyon Road. (Near Morgan County Airport)
2. **Jamie Matthews** – Discussion/Decision – Citizen Agenda Request
CR 25-19 Request to waive Fairground fees for Stake Primary Activity Day Camp
3. **Chamber of Commerce** – Discussion/Decision – Citizen Agenda Request
CR 25-20 Request to waive fees associated with the Fourth of July
4. **Bret Heiner**– Discussion/Decision – Morgan County Public Works Director
Discussion and approval of the 2025 Road Projects List
5. **Bret Heiner**– Discussion/Decision – Morgan County Public Works Director
Discussion and approval of a back up generator for the Public Works building
6. **Bret Heiner**– Discussion/Decision – Morgan County Public Works Director
Discussion and approval of a crosswalk at the corner of 5000 West and Old Hwy (Lees Market) paid for by B & C Road Funds
7. **Bret Heiner**– Discussion/Decision – Morgan County Public Works Director
Discussion and approval of quarter four sales tax projects

MORGAN COUNTY COMMISSION MEETING AGENDA

8. **Hon. Sheriff Corey Stark**– Discussion/Decision – Morgan County Sheriff's Office
Budget Adjustment Request moving monies from Liquor Fund Balance
9. **Josh Cook**– Discussion/Decision – County Planning Director
Gardner Development Rezone: A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04 and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County. // Applicant: Gardner Development // Application No. 24.060
10. **Josh Cook**– Discussion/**PUBLIC HEARING**/Decision – County Planning Director
Deywōs Estate Rezone: Request to rezone approximately 41.94 acres of a 51.94 acre parcel from Rural Residential (RR-5) to Agriculture (A-20), leaving approximately 10 acres of RR-5, and reflect that change on the Future Land Use Map from Ranch Residential 5 completely to a split-designation of Ranch Residential 5 and Agriculture. The property is identified by parcel number 00-0068-1129 and serial number 03-005-011-01-8 and is located at 7533 N Trappers Loop Rd in unincorporated Morgan County. // Applicant: Joshua Hughes // Application No. 25.003
11. **Kate Becker** – Discussion/Decision – Morgan County Administrative Manager
Review of the short-term rental survey draft
12. **Hon. Raelene Blocker** – Discussion/Decision – Morgan County Commission
Discussion on amending the Commission Rules and Procedures in reference to Section VII (b) Invocation and/or Moment of Reflection

(G) Commissioner Comments

- Commissioner Blocker
- Commissioner Newton
- Commissioner Fackrell
- Commission Vice-Chair Nickerson
- Commission Chair Wilson

The undersigned does hereby certify that the above notice and agenda were posted as required by law this the 28th day of March 2025.



Kate Becker – Morgan County Administrative Manager

***Action Item(s) that includes Public Hearing(s) will be held at or after 6:00 PM**

The Commission may vote to discuss certain matters in closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205. In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.

If you want to participate virtually in any public comment listed on this agenda, you need to contact

Jeremy@morgancountyutah.gov at least 24 hours before the scheduled meeting.



TO: Morgan County Commission

CC: Josh Cook, AICP – Planning Director, Garrett Smith – County Attorney, Janet Christofferson – Deputy Attorney

FROM: Jeremy Lance - Planner I, Morgan County Planning & Development Services

SUBJECT: Review of Shipping Container Regulations – Findings from Regional Jurisdictions

SUMMARY: This memorandum addresses the regulations regarding shipping containers (conex boxes) in other jurisdictions, including their use as storage and potential dwellings to provide examples to the Commission as required

The Commission directed staff in 2024 to research how other jurisdictions define standards for shipping containers, which are currently not allowed by the Morgan County Code (MCC).

Given the number of shipping containers already present within the county, establishing a definition could provide clarity as to how the County should handle enforcement and future requests. Below is a summary of how other jurisdictions regulate such structures:

Since this topic has surfaced periodically, this memorandum may be intended to facilitate further discussion on whether the county should update the code accordingly. If there is interest in reviewing this issue, staff can provide additional details or assist in preparing materials for consideration. Please advise on how you would like staff to proceed with this matter.

Supporting Information

Exhibit A: Excerpt from Clearfield, UT Code

Exhibit B: Excerpt from Monticello, UT Code

Exhibit C: Excerpt from Ogden City, UT Code

Exhibit D: Excerpt from Ada County, ID Code



EXHIBIT A: EXCERPT FROM CLEARFIELD, UT CODE

11-13-27: PORTABLE STORAGE CONTAINERS:

A. General Requirements:

1. Site plan approval shall be required for portable storage containers in all nonresidential zones.
2. Except in the M-1 Zone, no container shall be used as a permanent structure or an appendage to a permanent structure.
3. Vertical stacking of portable storage containers or materials on top of containers shall be prohibited unless approved through the site plan review process.
4. Portable storage containers shall not be used as dwellings, or for camping, cooking or recreation purposes, and may not be connected to plumbing or electricity.
5. Portable storage containers not being actively used may not be stored in Clearfield City except by such businesses that are properly licensed to sell or lease containers.
6. Portable storage containers shall be kept in good repair.
7. Portable storage containers shall not be allowed on vacant parcels of real property.

B. Residential Requirements:

1. Portable storage containers shall not be allowed for permanent storage.
2. Only one portable storage container shall be allowed per parcel.
3. Portable storage containers shall only be allowed for moving purposes or during construction or remodeling and shall meet the following requirements:
 - a. Portable storage containers used for moving in or out of a residence shall be allowed for a maximum of fourteen (14) days, and shall only be located on a driveway or other paved area on private property.
 - b. Portable storage containers used during construction shall: (Ord. 2010-13, 7-27-2010)
 - (1) Only be allowed if a valid building permit is currently on file with the city; (Ord. 2016-06, 9-27-2016)
 - (2) Be allowed for a maximum of six (6) months. An extension of up to six (6) months may be granted by the planning and zoning administrator;
 - (3) Not be located in a public right of way; and



(4) Be removed before a certificate of occupancy is issued.

C. Agricultural Requirements: The regulations for portable storage containers in agriculture zones shall be the same as those set forth in subsection B of this section, except as set forth below:

1. Portable storage containers may be allowed for a maximum of three (3) months for storage.
2. Portable storage containers shall be completely screened from streets and residential areas.
3. No more than one portable storage container shall be allowed per acre of land.

D. Commercial Requirements:

1. Containers may not be used for everyday business operations, except for incidental shipping and receiving of materials or products for a period not to exceed thirty (30) consecutive calendar days or ninety (90) calendar days in a calendar year.

2. Portable storage containers shall be located on a concrete or asphalt surface.
3. Portable storage containers shall be completely screened from streets and residential areas.

E. Manufacturing Requirements:

1. The combined footprint of all portable storage containers shall not exceed twenty five percent (25%) of the footprint of the main building.

2. Portable storage containers shall be located on concrete or asphalt surface.

3. Portable storage containers shall be completely screened from public streets and residential areas. (Ord. 2010-13, 7-27-2010)

11-13-28: LANDSCAPE SUPPLY YARDS:

Landscape supply yards shall be subject to all regulations for outdoor storage except as follows:

A. Impermeable Surfaces: An impermeable, all weather surface shall be required for parking areas for employees and customers. All other areas on site shall be kept free of weeds and debris. (Ord. 2010-18, 11-9-2010)



EXHIBIT B: EXCERPT FROM MONTICELLO, UT CODE

10-2-10: PORTABLE STORAGE CONTAINER REGULATIONS:

A. Definition: A "portable storage container" includes any of the following types of buildings, structures, or vehicles:

1. Metal shipping container of the type commonly marketed for storage, and which can be delivered or removed by semitrailer, regardless of whether such structure is located on a foundation or slab.

2. Semitrailer or other trailer whether such vehicle is parked on or off a city street, and which does not have a current Utah license and inspection.

3. Box from a delivery truck when such has been removed from the chassis.

B. Appropriate Use of Portable Storage Containers: No portable storage container may be placed in any zone unless it meets the following criteria:

1. The placement of the portable storage container cannot block traffic or interfere with access for public safety.

2. Used containers must have all prior identifying markings removed.

3. Advertising on such containers will be limited to the promotion of the commercial entity located on the same lot as the container and shall comply with the sign ordinance.

4. The container must be maintained to match the commercial building decor located on the same lot or it must be hidden from view by a fence.

5. Semitrailers or other trailers used as storage containers must also have axles removed.

6. Permanent placement is allowed within residential zones when it is authorized by City permit.

a. Container cannot be placed in a front yard or within the twenty-foot (20') side setback of a side yard that fronts on a street.

b. The placement of the portable storage container cannot block traffic or interfere with access for public safety or utilities.

c. Used containers must have all prior identifying markings removed.

d. The container must be maintained to match the residential building decor located on the same lot. or parcel.

e. Semitrailers or other trailers used as storage containers must also have axles removed.



7. Temporary placement is allowed for storage of tools, materials, and supplies at an active construction site in all zones, for a period not to exceed eight (8) months and when authorized by permit.

a. Placement of the portable storage container cannot block traffic or interfere with access for public safety.

b. Temporary placement is limited to one (1) container per lot or parcel for any twelve (12) month period.

C. Maximum Size:

1. The maximum size for any permitted portable storage container located in R-1, R-2, and C-2 Zones is three hundred sixty (360) square feet and cannot exceed ten feet (10') in height.

2. The maximum size for any permitted portable storage container located in C-1, I-1, and A-1 Zones is four hundred and fifty (450) square feet, with the exception of residences located in C-1 and I-1 Zones; in which case, the maximum size for any permitted portable storage container is three hundred sixty (360) square feet.

3. Portable storage containers can be attached or detached from the main structure, provided that the location of the containers comply with setbacks for the zone in which the portable storage containers are placed.

D. Permit Required: A permit is required for all portable storage containers.

1. Any portable storage container greater than or equal to two hundred (200) square feet is considered an accessory building and requires a separate building permit in addition to a portable storage container permit.

2. Any portable storage container less than two hundred (200) square feet requires only a portable storage container permit, unless electricity is proposed to be installed.

3. The city zoning administrator is the approval authority for this permit.

E. Prohibited Uses:

1. No modular home, house trailer, vehicle, or camp trailer can be used for storage, whether permanent or temporary.

2. All existing portable storage containers that do not meet the appropriate uses (above) will be removed at the owner's expense.

3. No person may dwell in a container, nor shall a container be otherwise used for human occupation. (Ord. 2012-01, 7-10-2012; amd. Ord. 2018-4, 4-10-2018; Ord. passed 11-29-2022; Ord. 2024-02, 2-27-2024)



EXHIBIT C: EXCERPT FROM OGDEN CITY, UT CODE

15-23-9: ARCHITECTURAL BUILDING AND DESIGN REQUIREMENTS IN THE FLEX, M-1 AND M-2 ZONES:

The following building and design requirements apply to new development in the FLEX, M-1, and M-2 zones:

A. All buildings over 400 square feet floor area shall have a base of concrete, concrete block, or brick that extends at least four feet up from the ground.

B. Any building façade visible from and within 100 of a street, excluding open canopies, shall have at least three of the following features:

1. eave overhangs of at least 18 inches;
2. pitched roof of at least two in twelve pitch;
3. brick, stone, or split-face block on at least 20% of the façade;
4. imbedded decorative shapes in brick or concrete;
5. windows on least 20% of the ground floor façade;
6. covered entry feature at least 15 feet wide and five feet deep;
7. no vehicle entrances into the building on the front façade;
8. only landscaping between the building and the street;
9. two or more materials or colors of the same material comprising at least 10% of the wall surface each;
10. art feature on or in front of the building of at least 32 square feet;
11. signs on the building are channel letters or designs without exposed raceways of at least 32 square feet sign area.

All buildings facades that are over 50 feet in length and visible from the street shall have a vertical break at least every 40 feet of building length. The vertical break shall have a minimum depth of 2 feet.

C. Any building façade visible from the street shall have muted earth tones on at least 90% of the facade.

D. Shipping containers: The following apply to placement of intermodal shipping containers:

1. shipping containers shall not be placed in any required parking space, landscape area, or required yard setback;



2. shipping containers shall only be placed within a fenced outdoor storage area meeting the requirements of Subsection [15-23-5.B](#);

3. shipping containers shall be placed on a surface of concrete, asphalt, or gravel.

E. Other than intermodal shipping containers meeting the standards under subsection D, no structure shall be used or occupied for other than its originally designed use. This specifically precludes use of vehicles, recreational vehicles, rail cars, camp tents, tarps, or similar structures for office, storage, processing, and the like.

F. Buffers for adjacent residential zones. A buffer shall be installed where a use in the FLEX, M-1 or M-2 zone is located adjacent to a residential zone. The buffer shall include all the following (See Figure 15-23-9.1):

1. a minimum six foot high solid concrete, concrete block, or masonry wall;

2. a minimum 20 foot wide landscaped area adjacent to residential zone consisting of the following:

a. a row of evergreen shrubs or trees spaced to create a contiguous hedge or canopy at least eight feet high upon maturity;

b. in areas not covered by evergreen shrubs or trees, five gallon shrubs or 24 inch minimum diameter landscape boulders spaced a maximum of five feet on center;

c. for the remaining area, shrubs, living ground cover, or mulch.

3. for any building within 40 feet of the residential zone, no building openings facing the residential zone larger than one pedestrian door 20 square feet maximum or non-opening windows.

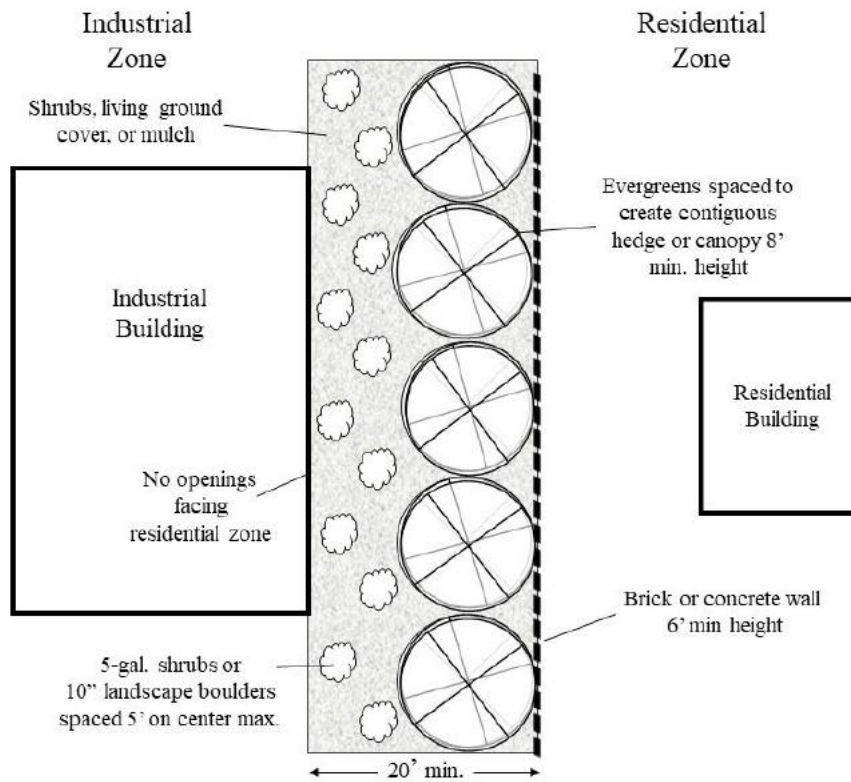


Figure 15-23-9.1: Industrial-Residential Buffer Requirements

Figure 15-23-9.1: Industrial-Residential Buffer Requirements

(Ord. 2023-57, 10-10-2023; amd. Ord. 2024-13, 4-23-2024)



EXHIBIT D: EXCERPT FROM ADA COUNTY, ID CODE



ADA COUNTY DEVELOPMENT SERVICES

200 W. FRONT STREET, BOISE, IDAHO 83702-7300
<https://adacounty.id.gov/developmentservices>

PHONE (208) 287-7900
FAX (208) 287-7909

BUILDING • COMMUNITY PLANNING • ENGINEERING & SURVEYING • PERMITTING

SHIPPING CONTAINER REQUIREMENTS

Shipping Containers, also known as Conex Boxes or Sea Cans, have become popular personal storage structures on residential and rural parcels in Ada County, due to affordability and pre-assembly; however, some storage containers require permitting and special setting instructions.

- **8' by 20'** stand-alone shipping containers fall under the International Residential Code's definition of a one-story detached accessory structure with a floor area not exceeding 200 sq ft (160 sq ft) and are exempted from permitting and setbacks requirements. We ask that you stay clear of easements and drain fields, and that shipping containers are set on a firm, level surface, like concrete slabs or blocks, railroad ties, or compacted gravel pads. Maintain 6' of separation from all other structures.
- **8' by 40'** stand-alone shipping containers (320 sq ft) must meet setbacks per the applicable residential or rural zone and require a permit and one inspection. The cost of the permit is roughly \$275. Shipping containers exceeding 200 sq ft MUST stay clear of easements and drain fields, MUST be set on a firm, level surface, like concrete slabs or blocks, railroad ties, or compacted gravel pads AND have helical anchors embedded into the earth (24" minimum) on opposing corners of the container with straps mechanically attached to the container to resist uplift. (X2) helical anchors minimum. Maintain 6' of separation from all other structures. Follow the checklist below to apply.

Application Submittal Checklist:

- Building permit application, signed and dated, with a detailed description of the project.
- Site plan, depicting existing structures, proposed structures, septic/drainfield/well, and setbacks from property lines.
- E-mail digital submittals to mechanical@adacounty.id.gov

Additional Applications/Submittals May Be Required:

- If set in a Hillside or Floodplain location/overlay.
- For any modifications/attachments made to a stand-alone container.



Know what's below.
Call before you dig.

MORGAN COUNTY COMMISSION MEETING MINUTES



MORGAN COUNTY COMMISSION MEETING MINUTES

March 18th, 2025

4:00 WORK SESSION & 5:00 PM REGULAR MEETING

PUBLIC NOTICE is hereby given that the MORGAN COUNTY COMMISSION will hold a regular commission meeting in the Commission Meeting Room at 48 West Young Street, Morgan, Utah.

COUNTY COMMISSION

Commission Chair Mike Newton
Commission Vice Chair Matt Wilson
Commissioner Raelene Blocker
Commissioner Vaughn Nickerson
Commissioner Blaine Fackrell

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
Logan Taggart

OTHER EMPLOYEES

IT Director Jeremy Archibald
Deputy Clerk/Auditor Katie Lasater
Administrative Manager Kate Becker (CAM)
County Attorney Garrett Smith (CA)
County Recorder Shaun Rose
Deputy Attorney Janet Christoffersen
Deputy Chief James Wagner
Airport Manager Joe Garfield

4:00 WORK SESSION

Short Term Rentals Policy for the County.

- The draft policy, included in the packet, was discussed with the Deputy Attorney and Deputy Clerk Auditor and County Commission. The meeting discussed drafting a new short-term rental (STR) ordinance for Morgan County. Key points included the need to limit STRs to protect residential neighborhoods, with suggestions to zone them in resort areas and limit them in residential zones. The occupancy limit of 16 people was debated, with concerns about enforcement and community impact. The idea of requiring STRs to display business licenses was proposed to aid enforcement. The group also discussed increasing the permitting fee to deter over-proliferation and ensuring compliance with sales tax laws. A follow-up meeting and public input were suggested to finalize the ordinance.

5:00 COMMENCEMENT OF MEETING

(A) Opening Ceremonies –

1. Welcome: Chair Wilson
2. Invocation and/or Moment of Reflection: **Hon. Mike Newton**
3. Pledge of Allegiance: Hon. Mike Newton

(B) Consent Agenda Items

1. Approval of the Morgan County Commission Minutes from February 18th, 2025.
2. Approval of an RFP for the General Plan Update.
3. Approval of the County's internal budget adjustment policy.

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4. Approval of **Resolution CR 25-15** appointing Commissioner Nickerson to the County's Weber Morgan Health Department Board seat.
5. Notice of applications being accepted for Airport Advisory Board members.

Commissioner Newton moved to approve the consent agenda items.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

(C) Commissioner Declarations of Conflict of Interest

- Chair Wilson does with the item regarding 9Line LLC, his company has done work for them.

(D) Public Comments (please limit comments to 3 minutes)

- Joe Garfield addressed the Commission stating he is here for the 9Line LLC item, stating he has concerns about the project and its impact on the airport.

(E) Presentations

1. **Logan Taggart**, CEM Regional Business Manager for **Rocky Mountain Power** Mountain Green Substation Updates.
 - a. Logan discussed a substation upgrade project for Mountain Green, highlighting the current and proposed configurations. The current substation is outdated, with a 10 MVA transformer and single breaker, serving 10 megawatts of capacity. The proposed upgrade includes a 30 MVA transformer, two dedicated circuits (North and South), and a 10-foot high perimeter concrete wall for safety and noise mitigation. The estimated completion date is May 2026, with the current substation nearing capacity and expected to reach it this summer.
2. **Hon. Shaun Rose**, Presentation on the roles and responsibilities of the County Recorder.
 - a. Shaun presented his offices updates since becoming Recorder at the beginning of the year. He highlighted the rebuilt recorder's website, new forms, and the introduction of property watch for parcel notifications. The Recorder's office has implemented digital processes, including online filing of surveys and digitizing old documents. He discussed the ongoing project with Pro West to reparse the entire county, aiming for completion by June 1.

(F) Action Items

1. **Hon. Shaun Rose**– Discussion/Decision – Morgan County Recorder
Resolution CR 25-14: Request to abate the back taxes and delete from County records the erroneous taxes assessed to parcel 00-0084-3741 serial 01-004-164-01-1.
 - a. The Recorder requested approval to delete a small parcel (00-0084-3741) with back taxes due to a boundary line adjustment error. The parcel lies in the road and was missed in the deed, leading to its exclusion from the GIS and ownership plats.

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Commissioner Blocker moved to approve CR-25-14 to waive the erroneous 2023 taxes on parcel 00-0084-3741 and delete the parcel going forward.

Seconded by Commissioner Newton

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

2. Darlene Musselman– Discussion/Decision – Morgan County Citizen

Concerns of blasting at WPR [Requested via phone; No documentation submitted]

a. Item not discussed.

3. Hon. Sheriff Corey Stark– Discussion/Decision – Morgan County Sheriff's Office

Budget Adjustment requests for additional Student Resource Officers

- a.** Chief Deputy James Wagner introduced this stating this is a request to add additional SROs in response to school district requests and community support. The budget adjustment includes hiring two new SROs, with the school district paying half the cost. The total cost for the remainder of the year is \$270,000, including equipment and vehicle leases. The school district will contribute \$90,000 each for a total of \$180,000.
- b.** Commissioner Newton stated that to sustain this initiative long-term, an increase in revenue—whether through sales tax or property tax—will be necessary, as the general fund cannot support this expense on an ongoing basis. However, this increase is not required immediately, nor could it be implemented right away. For the current year, the associated costs would be covered by the fund balance, which has sufficient resources to accommodate this expense.
- c.** Commissioner Newton stated he wanted to highlight this information so we're prepared for discussions in the fall. We will likely need to hold a Truth in Taxation hearing to adjust the budget. While there's potential for new growth and development to increase revenue, which may offset the need for a significant tax rate increase, some budget adjustments may still be required. The school district has followed a practice known as "holding the rate," where they maintain the previous year's rate despite increasing their budget. While this approach technically results in a tax increase, it may appear otherwise if the rate remains unchanged. However, unlike the school district, we operate on a calendar year budget, meaning our total taxable value isn't confirmed until December 31. We'll need to estimate revenue based on prior growth trends, and a tax adjustment may become necessary.
- d.** Commissioner Fackrell mentioned, exploring a sales tax increase to support public emergency services could be a viable option. This approach may be preferable as it distributes the tax burden more broadly, beyond just county residents.

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Commissioner Newton moved to approve the budget adjustment forms allowing for the hiring of two new Student Resource Officers through the Sheriff's Office. The first amount is the amount of \$135,654.68 Moving from the general fund to the fund 10-4211-110-000, which is the wage fund, \$87,574.98 also moving from general fund balance to the 10-4211-130-000, fund for benefits, \$90,000 moving from the general fund balance to 10-4460-250-150 for vehicles. And the last amount is \$17,000 from the general fund, balance to 10-4460-250, which is for equipment to outfit the vehicles and officers.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

4. Buster Delmonte: 9Line Holdings LLC– Discussion/Decision – Morgan County Citizen

Request for approval of airport lease modifications that are on file with Attorney Smith. An update of lease modifications was presented to the Commission on 17 December 2024.

- a. The CA introduced this stating in a December 17th meeting, it was noted that the previous U.S. Forest Service lease included a provision requiring construction on any infrastructure to begin within two years and six months of August 1, 2022, setting a deadline of February 1, 2024. During the meeting, Buster is here to inform the Commission that the Forest Service would no longer be proceeding and proposed an amendment to the lease.
- b. Buster addressed the Commission stating, this includes amending the US Forest Service lease and the nine-line lease to accommodate new building plans. The new plan involves constructing five new hangars and leasing them for various uses, including maintenance, community aero club, and storefronts.

Commissioner Nickerson moved to schedule a work session with Buster Delmonte and the Airport Manager.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Motion withdrawn. A meeting will be held with Commissioner Blocker and Commissioner Nickerson with Buster and the Airport Manager.

5. Josh Cook– Discussion/Decision – County Planning Director

The Heights at Whisper Ridge, Amended Plat No.2: A request for approval of an amendment to the Heights at Whisper Ridge Subdivision P.U.D. for a series of lot line adjustments that will affect four (4) lots. // Applicant: Craig North // Application No. 24.065

- a. Planner 1 introduced this stating the proposed plat amendment for *The Heights at Whisper Ridge* (Amended Plat No. 2, Application No. 24.065) involves lot line adjustments affecting four lots across 4.77 acres. The applicant, Craig North, represents multiple

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property owners at 6253 and 6267 Strawberry Creek Road, and 6315 Robinson Drive. The amendment removes Lot 205, redistributing its acreage to Lots 206A, 207A (newly designated lots), and 208A. Lot 208A will lose some acreage but will remain compliant with zoning requirements. The zoning is split between R1-20 along road frontages, Rural Residential 1, and Forestry. The Planning Commission reviewed this item on February 27, with minimal public comment and limited discussion. They recommended approval with a 5-0 vote. The amendment has been reviewed by county staff, the Planning and Development Department, the Mountain Green Fire Protection District, the County Recorder, Surveyor, and Engineer. All parties provided comments and recommended approval.

Commissioner Newton moved to approve application 24.065 The Heights at Whisper Ridge amended plat No. 2.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

6. Josh Cook– Discussion/Decision – County Planning Director

Gardner Development Rezone: A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04, and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County. // Applicant: Gardner Development // Application No. 24.060

Commissioner Newton moved to postpone to April 1st meeting.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

7. Josh Cook– Discussion/Decision – County Planning Director

Giles Estates Plat Amendment No. 1: A request for approval of an amendment to the Giles Estates Subdivision for a series of lot line adjustments that will affect four (4) lots, which are identified by parcel numbers 00-0061-9013, 00-0061-9278, 00-0061-9435, and 00-0061-9682 & serial numbers 01-GILES-0001, 01-GILES-0002, 01-GILES-0003, and 01-GILES-0004 and are approximately located at 163, 173, 179,

MORGAN COUNTY COMMISSION MEETING MINUTES

and 193 S Morgan Valley Dr in unincorporated Morgan County. // Applicant: R. Matt Slate // Application No. 24.061

- a. Planner 1 introduced this stating The Giles Estate Plat Amendment No. 1 involves lot adjustments affecting four properties at 163, 173, 179, and 193 South Morgan Valley Drive. The applicant, Matt Slate, represents multiple property owners within the subdivision. The amendment formalizes parcel boundary adjustments recorded in July 2024, combining smaller parcels with these four lots. The combined acreage is 6.63 acres, with approximately half an acre added to each affected lot. The Planning Commission reviewed the request on February 27, 2025, with no public comments and minimal discussion. Staff clarified that utility easements can be adjusted if the applicants provide updated drawings. The Commission recommended approval with a 5-0 vote. County staff, including the Planning and Development Office, County Surveyor, Engineer, Recorder, and Morgan County Fire Department, have reviewed the amendment and confirmed it meets all code requirements. Approval is recommended.

Commissioner Newton moved to approve the Giles Estate Plat Amendment No 1, a request for approval of an amendment to the Giles estate subdivision for a series of lot line adjustments that will affect four lots, which are identified by parcels numbers as listed in the staff report and are located approximately at 163, 173, 179 and 193 South Morgan Valley Drive unincorporated Morgan County, application number 24.061.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

8. Josh Cook– Discussion/Decision – County Planning Director

Cottonwoods Phase 7B, Amended Plat No. 3: A request for approval of an amendment to the Cottonwood Spring View A PUD Subdivision Phase 7B for the consolidation of two (2) lots into one (1) lot, which are identified by parcel numbers 00-0092-5446 & 00-0092-5445 and serial numbers 09-COSPR7B-0754 & 09-COSPR7B-0753 and are approximately located at 3049 and 3059 West Summit View Circle in unincorporated Morgan County. // Applicant: Chase Hansen // Application No. 24.063

- a. Planner 1 introduced this stating Application No. 24.063 involves the consolidation of two lots at 3049 and 3059 West Summit View Circle, totaling 0.61 acres. The properties are zoned Rural Residential (RR1) with an applicable development agreement. The Planning Commission reviewed the request on February 27, with no public comments or commission discussion. They recommended approval with a 5-0 vote. The Planning Department, County Engineer, Surveyor, Recorder, and Mountain Green Fire Protection District, have reviewed the amendment and confirm it meets all code requirements. Approval is recommended.

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner Blocker moved to approve the Cottonwood Phase 7B Amended Plat No. 3, application number 24.063, located at 3049, and 3059, West Summit View Circle in unincorporated Morgan County. Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

9. Josh Cook– Discussion/ **Public Hearing**/Decision – County Planning Director

Helsten Rezone: A request to rezone property from Neighborhood Commercial (NC) to Town Center (TC). The property is identified by parcel number 00-0004-8486 and serial number 03-005-050-02 and is approximately located 630 feet northwest of the intersection of West Old Highway Road and North Trappers Loop Road in unincorporated Morgan County. // Applicant: Kelvin Judd // Application No. 24.0079

- a. Planner 1 introduced this stating The Helsten Rezone (Application No. 24.079) proposes rezoning a 4.31-acre property at 4937 West Old Highway Road from Neighborhood Commercial (NC) to Town Center (TC). The applicant, Kelvin Judd, represents the Helsten Family Living Trust. The Planning Commission reviewed the request on February 27, with minimal discussion and no public comments. Concerns were raised about cohesion among Town Center properties, but staff advised that this request could be considered independently. The Commission recommended approval with a 5-0 vote. Staff findings confirm that the amendment aligns with the future land use map and surrounding zoning, which includes adjacent Town Center, multi-family, and commercial designations. The change is consistent with planning principles and is supported by county staff.
- b. The Commissioners expressed concerns about the cohesion of Town Center properties.
- c. The applicant Kelvin Judd addressed the Commission stating they had recognized that the Town Center zoning created a fragmented commercial landscape, with separate commercial parcels scattered throughout. This approach raised concerns about whether it was the most effective way to plan for adjacent properties and the broader Mountain Green area. With that in mind, they sought to approach the zoning more strategically. Controlling an adjacent 11-acre property, they engaged with Derek to discuss a more coordinated development plan. Although the property already had Neighborhood Commercial zoning, which allowed for administrative approval with minimal county oversight, they advocated for a shift to Town Center zoning. This approach allowed for a more cohesive 15-acre development rather than two disconnected projects on separate 11-acre and 4-acre parcels. The intent behind the rezone was to create a unified development rather than risk inconsistent planning and zoning across the area.
- d. Kelvin provided clarification on their vision stating the goal is to create a community gathering space, one that can host local events, whether school-sponsored or community-related. While privately owned, the development would feature an event center for weddings, corporate retreats, and other special occasions. Our goal is to construct a high-quality, lodge-style building that serves as a destination where visitors can appreciate the beauty of *Morgan County*. In addition to the event center, they anticipate incorporating some lodging options—not a traditional hotel, but smaller, integrated residential units that would remain part of the overall commercial development rather than being sold individually. They want to ensure a cohesive project that maintains a unified vision and purpose. Several factors will influence the project, including geotechnical constraints and the property's natural slopes, they will need to address carefully. Given these complexities, the process will take time, but they are

MORGAN COUNTY COMMISSION MEETING MINUTES

committed to getting it right. Due to the land's topography, the development will not be high-density; instead, our focus is on quality over quantity, which they believe aligns well with the community's interests.

Commissioner Newton moved to close public meeting and convene public hearing.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- **No comments.**

Commissioner Newton moved to close public hearing and reconvene public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- Commissioner Nickerson stated he appreciates the applicant's willingness to engage in discussions, particularly regarding the cemetery, as there are clear needs in that area and possibly needing land donated for those purposes. He stated he recently spoke with Commissioner Newton about some of the challenges he sees with our current zoning regulations. Right now, our zoning framework doesn't allow for much direct input from us, aside from the few cases where we have development agreements in place. He stated they had a productive conversation on this topic, and he believes it would be beneficial for us to have more authority and influence over zoning decisions. Currently, we operate within the RSD, Town Center, and PC zoning designations, where the latter is tied to the development agreement. Strengthening our ability to shape zoning policies would provide better oversight and more effective planning for the community.

Commissioner Blocker moved to approve the Helsten Rezone application number 24.079 changing 4.31 acres from neighborhood commercial to town center.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

10. Hon. Raelene Blocker – Discussion/Decision – Morgan County Commission

Resolution CR 25-11 Nomination and appointment of **Tom Telford** as Planning Commissioner to represent the Mountain Green area.

- a. Commissioner Blocker nominated Tom Telford highlighting his community service and business experience.

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner Blocker moved to approve Resolution CR-25-11 a nomination and appointment of Tom Telford as Planning Commissioner to represent the Mountain Green area.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

11. Hon. Mike Newton – Discussion/Decision – Morgan County Commission

Resolution CR 25-06 Nomination and appointment of **Matt King** as Planning Commissioner to represent the Croydon and Round Valley areas.

- a. Commissioner Newton nominated Matt King highlighting his construction experience and community involvement.

Commissioner Newton moved to approve Resolution CR-25-06 to appoint Matt King as Planning Commissioner to represent the Croydon and Round Valley areas.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

12. Kate Becker – Discussion/Public Hearing**/Decision – Administrative Manager**

Ordinance CO 25-05 Discussion and approval of an ordinance providing for the control of Noxious Weeds within the County and the establishment of a County Weed Board.

- a. The CAM introduced this stating the Conservation District assisted in revising this ordinance. At the Commission's request, Section 2B was updated to make the county's appointed weed control supervisor a non-appointed member while maintaining an odd-numbered membership by increasing to three members. Section 5 was modified to clarify property access. There are now two options: one for cases where written permission is granted for nuisance abatement and another for those who prefer to pay a fine without allowing entry. Additionally, while not included in the ordinance, discussions considered using fairgrounds staff to assist property owners facing financial hardships, subject to available funds. These revisions reflect input from the Conservation District.
- b. Commissioner Fackrell suggested using certified or signature requested mail instead of registered mail for notifications.
- c. The CA addressed his concerns regarding due process related to property access and fines. Previously, the ordinance lacked clear language on written permission, raising Fourth Amendment concerns. Additionally, automatically imposing fines without due process was seen as a potential Fifth Amendment issue. To address this, it was suggested to approve Sections 4-8 separately to allow the weed board to begin operations while refining enforcement language. The goal is to align the process with existing code compliance procedures, ensuring clear notice, compliance opportunities, and appeal options. This would create consistency in enforcement and avoid procedural confusion between departments.

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner Fackrell moved to close public meeting and convene public hearing.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

- **No public comments.**

Commissioner Newton moved to close public hearing and reconvene public meeting.

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Fackrell moved to postpone Ordinance CO-25-05 providing control of noxious weeds within Morgan County until the April 1st meeting.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

13. Kate Becker – Discussion/Decision – Administrative Manager

Resolution CR 25-16 modifying Waste Management and Recycling Fees.

- a. Commissioner Newton introduced this stating the city established a fee schedule for additional waste collection, including second cans and commercial recycling. This proposal aligns county fees with the city's rates. The implementation date was adjusted to match the city's schedule, effective July 1, ensuring consistency.

Commissioner Newton moved to approve Resolution CR-25-16 modifying Waste Management and Recycling Fees.

Seconded by Commissioner Blocker

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

MORGAN COUNTY COMMISSION MEETING MINUTES

14. Kate Becker /on behalf of Daughters of Utah Pioneers – Discussion/Decision

Resolution CR 25-17: Request for both permission and funds to connect the Pioneer Building to County internet and security cameras.

- a. Commissioner Nickerson introduced this stating this item concerns security improvements for the Daughters of Utah Pioneers building. Following vandalism and theft at the museum last year, discussions began about installing security cameras. Initial attempts to use existing internet access failed due to a malfunctioning antenna. Jeremy assisted in preparing a proposal, including pricing, to request support from the county. While an in-house solution was attempted, the internet connection remains inadequate. The proposal requests approximately \$1,500 for cameras and necessary materials to install indoor and outdoor security. Protecting the building is essential, as many of its items are irreplaceable.

Commissioner Fackrell moved to approve Resolution CR-25-17, and the expense to come from the non-departmental fund.

Seconded by Commissioner Newton

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

15. Kate Becker – Discussion/Decision – Administrative Manager

- a. Budget Adjustment Request for rollover ARPA funds.
- b. Budget Adjustment Request for rollover Flood Disaster Funds.
 - i. The CAM stated these are two budget adjustments are due to uncertainties in the April fiscal year allocations. The first adjustment is an ARPA fund rollover, and the second is a \$250,000 grant for the floodplain study, scheduled for completion in February. These adjustments ensure the funds are properly allocated for expenditure within the budget.

Commissioner Newton moved to approve the budget adjustment for the rollover ARPA funds and the Flood Disaster Funds.

Seconded by Commissioner Nickerson

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell ABSTAIN

The Vote was 4 AYE, 1 ABSTAIN. The Motion passed.

16. Kate Becker – Discussion/Decision – Administrative Manager

UAC Registration and discussion on Commission conference and travel approval process.

- a. Commissioner Fackrell and Commissioner Blocker will be going and Commissioner Newton is a maybe.

MORGAN COUNTY COMMISSION MEETING MINUTES

Commissioner Newton moved to close public meeting and convene closed session for the purpose of discussing the purchase, exchange or lease of real property, including any form of water right or water shares, and additionally reasonably imminent or pending litigation

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

Commissioner Newton moved to reconvene public meeting and close the executive session where they discussed the purpose of discussing the purchase, exchange or lease of real property, including any form of water right or water shares, and additionally reasonably imminent or pending litigation

Seconded by Commissioner Fackrell

VOTE:

Commission Chair Newton AYE

Commission Vice Chair Wilson AYE

Commissioner Nickerson AYE

Commissioner Blocker AYE

Commissioner Fackrell AYE

The Vote was unanimous. The Motion passed.

CLOSED SESSION: UCA 52-4-205 (1) (d) strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares [...]

(G) Commissioner Comments

- Commissioner Blocker
 - None
- Commissioner Newton
 - None
- Commissioner Fackrell
 - None
- Commission Vice-Chair Nickerson
 - None
- Commission Chair Wilson
 - None

Adjourn – 9:31 p.m.

Note: The Commission may vote to discuss certain matters in Closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205.

APPROVED: _____
Morgan County Commission Chair

DATE:

ATTEST: _____
Morgan County Deputy Clerk/Auditor

DATE

MORGAN COUNTY COMMISSION MEETING AGENDA

***Action Item(s) that includes Public Hearing(s) will be held at or after 6:00 PM**

The Commission may vote to discuss certain matters in closed Session (Executive Session) pursuant to Utah Code Annotated §52-4-205. In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Kate Becker at 435-800-8724 at least 24 hours prior to this meeting. This meeting is streamed live.

If you want to participate virtually in any public comment listed on this agenda, you need to contact Jeremy@morgancountyutah.gov at least 24 hours before the scheduled meeting.

Overview

Department heads should make every reasonable effort to stay within their budget for the year. In the event that a department is over budget, a budget adjustment must be turned into the County Clerk/Auditor's office for review. In the event a department needs money from the Fund Balance, the approval must come from the Morgan County Commission.

Purpose

Each quarter the County Clerk/Auditor must present a resolution to the County Commission to adopt any changes that need to be made to the Operating and Capital Budgets of Morgan County. A public hearing will also take place at this meeting. In an effort to streamline this process, department heads must submit budget change forms and appear before the County Commission prior to this meeting.

Budget Adjustments from Fund Balance

If a department needs funds from the fund balance the department head must appear at the County Commission Meeting on or before the first meeting of the new quarter in order to explain the reason behind the budget adjustment form. The department head will need to appear on or before the first meeting in April for Q1, on or before the first meeting in July for Q2, on or before the first meeting in October for Q3, and on or before the first meeting in December for Q4.

Other Budget Adjustment Forms

If a department head submits a budget adjustment form within their own budget they will not need to appear before the County Commission unless explicitly asked. The department head must make every effort to ensure that moving money from one fund to another will not jeopardize either of the funds to go into a negative fund balance.



Limit of 3 Minutes

- *Please do not repeat previously stated comments**
- *The Commission cannot respond –
This is not a Q & A**
- *Please Be Respectful**

Thank you for being here!



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 435.800.8724

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

Email: kbecker@morgancountyutah.gov

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

commission Meeting Date: 03/18/2025 Time Requested: _____
Name: Hoyt Robey Phone: (206) 679-6120
Address: 3426 Spring Circle
Email: hoyt@personal-economics.com Fax: _____
Associated County Department: Unsure

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

3 way stop needed at the intersection of Willow Creek Road and Cottonwood Canyon Road (near Morgan County airport).

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

<input checked="checked" type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	

Kate Becker

From: Jamie Matthews <jamiec matt@gmail.com>
Sent: Monday, March 17, 2025 11:43 AM
To: Kate Becker
Subject: County fairgrounds rental

CAUTION: This email originated from outside of Morgan County. Do not click links or open attachments unless you recognize the sender and know the content is safe. If you are unsure please contact Jeremy or Brandon.

Hi Kate,

I just spoke with you at the county offices. I can attend the Commissioner meeting on April 1. We would like to reserve the fairgrounds for:

Tuesday, June 10

8am-3pm

Stake Primary Activity Days Camp

We would be using the covered pavilions and the grassy areas surrounding it. Would the bathrooms be available? And will the electricity be on?

We would like to be waived from the following rental fees:

- *Ambulance and EMT services
- *Police officers
- *Barricades
- *Additional grooming of arenas
- *Special lighting or electrical work
- *other goods and services

In addition to having the rental fees waived, we are willing to do service in order to have the deposit waived. You mentioned cleaning up the fairgrounds, trash pickup??

I will fill out the rental agreement and application paper and return it to the office after I have met with the commission. (Or do I need to bring it before?)

Anything else I need to do? Thanks so much for your help today!

Jamie Matthews
801-821-6050
jamiec matt@gmail.com



County Commission Agenda Request Form

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Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013
Email kbecker@morgancountyutah.gov

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

commission Meeting Date: 04-01-2025 Time Requested: 20:00 Min
Name: Bret Heiner Phone: 801-821-1475
Address: 380 No Industrial Dr Morgan Ut 84050
Email: bheiner@morgancountyutah.gov Fax: 801-845-4046
Associated County Department: Public Works

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

2025 County road projects .

025 Road projects

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH ☒
INFORMATION ONLY

**Morgan County
2025 Street Maintenance
Construction Cost Estimate**

February 19, 2025

	Description	Length	Width	Quantity	Units	Unit Price	Amount
2" Thick Overlay with Minor Leveling Course							
1	Woodland Drive	1720	28	5351	Sq. Yds.	\$14.50	\$77,591.11
2	Meadow Circle	300	28	933	Sq. Yds.	\$14.50	\$13,533.33
3	Woods Creek Rd	1550	20	3444	Sq. Yds.	\$15.00	\$51,666.67
4	Stoddard Lane (Newer Pavement to Old Hwy)	3270	24	8720	Sq. Yds.	\$15.00	\$130,800.00
5	Wasatch Drive Part 1	550	36	2200	Sq. Yds.	\$14.50	\$31,900.00
6	6900 E/7000 E (Croydon Park to Lost Creek Rd)	7500	22	18333	Sq. Yds.	\$14.50	\$265,833.33
7	Lost Creek Road (7000 East to Newer Pavement)	6650	22	16256	Sq. Yds.	\$14.50	\$235,705.56
8	Deep Creek Rd	8690	24	23173	Sq. Yds.	\$14.50	\$336,013.33
	Reconstruct Manhole			15	Each	\$1,100.00	\$16,500.00
	Reconstruct Valve Box			12	Each	\$870.00	\$10,440.00
	Reconstruct Monument			1	Each	\$1,300.00	\$1,300.00
Subtotal =							\$1,171,283.33
Chip Seal w/ Fog Coat							
1	Richville Lane	3977	24	10605	Sq. Yds.	\$4.00	\$42,421.33
2	Kilbourne Lane	2950	16	5244	Sq. Yds.	\$4.00	\$20,977.78
3	Norwood Dr	3031	22	7409	Sq. Yds.	\$4.00	\$29,636.44
4	Patterson Drive	3270	36	13080	Sq. Yds.	\$4.00	\$52,320.00
5	Orchard Dr (new section - excluding slide area)	2700	36	10800	Sq. Yds.	\$4.00	\$43,200.00
6	Orchard Dr (old section)	1140	24	3040	Sq. Yds.	\$4.00	\$12,160.00
7	Hardscrabble Road	8807	24	23485	Sq. Yds.	\$4.00	\$93,941.33
8	Round Valley Road	7696	24	20523	Sq. Yds.	\$4.00	\$82,090.67
9	Creekside Drive	4020	32	14293	Sq. Yds.	\$4.00	\$57,173.33
Subtotal =							\$433,920.89
TOTAL =							\$1,605,204.22

Highlighted Total = \$628,388.00



County Commission Agenda Request Form

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Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013
Email kbecker@morgancountyutah.gov

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This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

commission Meeting Date: 04-01-2025 Time Requested: 20:00 Min
Name: Bret Heiner Morgan County public works director Phone: 801-821-1475
Address: 380 No Industrial Dr Morgan Ut 84050
Email: bheiner@morgancountyutah.gov Fax: 801-845-4046
Associated County Department: Public Works

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Install a back up generator at our public works facility .

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH ☒
INFORMATION ONLY

x

J and J Electric, Inc.

Ogden, UT 84401

Quotation

Phone #	8016220270
Fax #	801-622-0271

Date	Estimate #
11/21/2024	9138

Name / Address
MORGAN COUNTY ROAD DEPT. 380 N. INDUSTRIAL ROAD MORGAN, UTAH 84050

PROJECT

Generator for shop

Description	Qty	Cost	Total
Provide and install 60kw generator with automatic transfer switch and cold weather package. -This will have a 200amp 3 phase main breaker. -Cement pad for generator -Gas line included -Start up included -Training included	1	43,250.00	43,250.00

Terms: Past due accounts will be charged a 1.75% monthly service charge on the unpaid balance (21% annual rate). The undersigned specifically agrees to pay all reasonable attorney's fees and court costs in the event legal action is taken to collect on the account. The undersigned further agrees to pay an additional amount representing fifty percent (50%) of the principle balance if the account is referred to a collection agency or attorney for collection. This additional amount is in recognition of the costs associated with said collection action processing.

Total

\$43,250.00

Signed: _____

Date: _____

Knight Electric, Inc.

1150 N HWY 89, Suite K
Ogden, UT 84404
801-782-8219
801-782-8310 FAX

January 6, 2025

MORGAN COUNTY GENERATOR FOR SHOP

Provide and install 60kw generator with automatic transfer switch and cold weather package.

Addendum:

Base Bid: \$48,500

Includes:

200 Amp 3 Phase main breaker
Cement pad for generator
Gas line
Start-up
Training

Excludes: Permits, Taxes

BID PRICING IS VALID FOR 30 DAYS

KNIGHT ELECTRIC IS NOT RESPONSIBLE FOR TARIFF INCREASE ON MATERIALS

Jay Knight
Knight Electric, Inc.
801-782-8219

State of Utah License #237290-5501

801 Electric LLC

Estimate #

947

21285 East County Road Department

Date

01/07/2025

3804 N. I-78 Rd.

Morgan (801) 510-7817 (tel:(801) 510-7817)

Business / Tax #

Email: 801electrical@gmail.com (mailto:801electrical@gmail.com)

10901840-5501

Web: 801electric.com (//801electric.com)

Description	Rate	Quantity	Total
Supply and install new 3 phase, 60kw generator with 200 amp main breaker.	\$45,889.00	1	\$45,889.00
Includes: Cold weather package. Automatic transfer switch. Cement generator pad. Gas line. Start up, commissioning and training.			
Subtotal			\$45,889.00
Total			\$45,889.00

By signing this document, the customer acknowledges that customer has fully reviewed and agreed to these terms and conditions and accepts this estimate and agrees that it constitutes a binding contract between customer and 801Electric.

801 Electric reserves the right to cancel an agreement to perform work before work is started under certain conditions. Conditions being: agreed upon appointment dates not met, misrepresentation of any kind, misinformation, miscommunication, failure to notify of appointment cancellation and unsafe/hazardous working conditions.

801 Electric reserves the right to cancel an agreement after work has started under certain conditions. Conditions being: Misrepresentation/miscommunication of the scope of work, dangerous/hazardous working environment/conditions and over due payment, and/or 801Electric's work is unreasonably delayed as a result of Customer's failure to provide access or repeated cancellations of appointments. Finally, Customer understands and agrees that in the event Customer cancels a scheduled appointment with 801Electric,



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013
Email kbecker@morgancountyutah.gov

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

commission Meeting Date: 04-01-2025 Time Requested: 20:00 Min
Name: Bret Heiner Phone: 801-821-1475
Address: 380 No Industrial Dr Morgan Ut 84050
Email: bheiner@morgancountyutah.gov Fax: 801-845-4046
Associated County Department: Public Works

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Crosswalk at the corner of 5000 west and old HWY lees market

Funding source B and C funds Road Projects

20-4400-300-000

Bret Heiner

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH ☒
INFORMATION ONLY

SCHEDULE OF VALES - January 31, 2025

5000 West Old Hwy Rd Crosswalk

Morgan County

Proposal Due Date: February 18, 2025 Time: 2:00 p.m. Place: Morgan County Public Works



To: Morgan County

The undersigned agrees to furnish all labor, equipment, and materials and perform all operations necessary to complete work as described in the proposal and on the Project Design Drawings for the sums stipulated below:

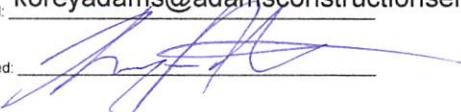
	Description	Quantity	Units	Unit Price	Amount
1	Mobilization and Traffic Control	1	L.S.	\$3,250	\$3,250
2	Pedestrian Ramp Widening	2	EA	\$3,750	\$7,500
3	RRFB Crosswalk Assembly	1	L.S.	17,820	\$17,820
4	Advanced Warning Signs	2	EA	\$2,673	\$ 5,346
5	Crosswalk Pavement Marking	1	L.S.	\$1,865	\$1,865
	TOTAL OF ALL ITEMS				\$ 35,781

Contractor Name: Adams Construction

Business Address: 488 N Industrial Rd

Phone Number: 801-694-3262 Fax Number: _____

Email: koreyadams@adamsconstructionservicesut.com

Signed: 

SCHEDULE OF VALES - January 31, 2025

5000 West Old Hwy Rd Crosswalk

Morgan County

Proposal Due Date: February 18, 2025 Time: 2:00 p.m. Place: Morgan County Public Works



To: Morgan County

The undersigned agrees to furnish all labor, equipment, and materials and perform all operations necessary to complete work as described in the proposal and on the Project Design Drawings for the sums stipulated below:

	Description	Quantity	Units	Unit Price	Amount
1	Mobilization and Traffic Control	1	L.S.	2500 ⁰⁰	2500 ⁰⁰
2	Pedestrian Ramp Widening	2	EA	2500 ⁰⁰	5000 ⁰⁰
3	RRFB Crosswalk Assembly	1	L.S.	16,200 ⁰⁰	16,200 ⁰⁰
4	Advanced Warning Signs	2	EA	2,325 ⁰⁰	4,650 ⁰⁰
5	Crosswalk Pavement Marking	1	L.S.	1,600 ⁰⁰	1,600 ⁰⁰
TOTAL OF ALL ITEMS					29,950 ⁰⁰

Contractor Name: J. Wilkinson & Sons

Business Address: P.O. Box 880 Morgan, UT 84050

Phone Number: 504-829-2012 Fax Number: _____

Email: jwilkinsonandsons@gmail.com

Signed: [Signature]



Morgan County // Local Highway and Corridor Preservation Fund

CORRIDOR PRESERVATION PRIORITIZATION PROCESS

Project Application

1	Project name:	Croydon 7000 East to new pavement
2	Project location (attach map):	
3	Applicant:	Morgan County
4	Phase funds being requested (property acquisition, interest payment, property maintenance, countywide planning, corridor planning, road/transit construction, road/transit operation, road/transit maintenance):	Road Construction
5	Roadway classification or transit facility:	Roadway
6	Phase cost (attach cost estimate):	232,454.44
7	Requested funding (include percent match):	232,454.44
8	Does the project have a federal, state, or other grant (please explain):	no
9	Has preliminary engineering been completed for project:	yes
10	If property acquisition, property location (include map):	n/a
11	If property acquisition, is the owner willing to sell:	n/a
12	If property acquisition, is there an anticipated near-term increase in acquisition costs (please explain):	n/a

13 Does the project have a revenue stream to cover maintenance and operation expenses (attach maintenance and operation plan):

yes B and C funds

14 How does the project facilitate future connectivity:

Safer Road

15 How does the project accommodate active transportation?

Safer Road

16 Anticipated project schedule:

2025

17 Is project on a county or municipal master plan and/or the statewide long-range plan:

Yes

n/a



Morgan County // Local Highway and Corridor Preservation Fund

CORRIDOR PRESERVATION PRIORITIZATION PROCESS

Project Application

1	Project name:	Croydon 6900 East
2	Project location (attach map):	
3	Applicant:	Morgan County
4	Phase funds being requested (property acquisition, interest payment, property maintenance, countywide planning, corridor planning, road/transit construction, road/transit operation, road/transit maintenance):	Road Construction
5	Roadway classification or transit facility:	Roadway
6	Phase cost (attach cost estimate):	262,166.67
7	Requested funding (include percent match):	262,166.67
8	Does the project have a federal, state, or other grant (please explain):	no
9	Has preliminary engineering been completed for project:	yes
10	If property acquisition, property location (include map):	n/a
11	If property acquisition, is the owner willing to sell:	n/a
12	If property acquisition, is there an anticipated near-term increase in acquisition costs (please explain):	n/a

13 Does the project have a revenue stream to cover maintenance and operation expenses (attach maintenance and operation plan):

yes B and C funds

14 How does the project facilitate future connectivity:

Safer Road

15 How does the project accommodate active transportation?

Safer Road

16 Anticipated project schedule:

2025

17 Is project on a county or municipal master plan and/or the statewide long-range plan:

Yes

n/a



Morgan County // Local Highway and Corridor Preservation Fund

CORRIDOR PRESERVATION PRIORITIZATION PROCESS

Project Application

- | | | |
|----|--|-------------------|
| 1 | Project name: | Deep Creek Road |
| 2 | Project location (attach map): | |
| 3 | Applicant: | Morgan County |
| 4 | Phase funds being requested (property acquisition, interest payment, property maintenance, countywide planning, corridor planning, road/transit construction, road/transit operation, road/transit maintenance): | Road Construction |
| 5 | Roadway classification or transit facility: | Roadway |
| 6 | Phase cost (attach cost estimate): | 328,328.00 |
| 7 | Requested funding (include percent match): | 328,328.00 |
| 8 | Does the project have a federal, state, or other grant (please explain): | no |
| 9 | Has preliminary engineering been completed for project: | yes |
| 10 | If property acquisition, property location (include map): | n/a |
| 11 | If property acquisition, is the owner willing to sell: | n/a |
| 12 | If property acquisition, is there an anticipated near-term increase in acquisition costs (please explain): | n/a |

- 13** Does the project have a revenue stream to cover maintenance and operation expenses (attach maintenance and operation plan):
- 14** How does the project facilitate future connectivity:
- 15** How does the project accommodate active transportation?
- 16** Anticipated project schedule:
- 17** Is project on a county or municipal master plan and/or the statewide long-range plan:

yes B and C funds

Safer Road

Safer Road

2025

Yes

n/a



2025 BUDGET CHANGE FORM

Date 02/11/2025

Department Sheriff's Office

Department Head Signature 

Amount \$20,0000

Move from GL Account# 10-3358-000-000

Move to GL Account # 10-4218-250-000

Brief Description

The Sheriff's Office is asking to move \$20,000.00 from our Liquor Law Enforcement Fund Balance # 10-3358-000-000 to our Budget Line Item # 10-4218-250-000. This fund is primarily used to assist in enforcing Alcohol violations within our County. By increasing this line item, we can provide additional shifts for the Deputies to focus solely on alcohol enforcement during peak times to continue making our County a safer place for the residents and visitors. This money is also used to assist in Drug and Alcohol Education Programs that are taught by the Sheriff's Office through DARE at the Schools.

Clerk/Auditor Use Only

Date Entered



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: (435) 800.8724

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

Email: kbecker@morgancountyutah.gov

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

Commission Meeting Date: 4/1/25 Time Requested: 15 min
Name: Joshua Cook Phone: (801) 845-4015
Address: 48 W. Young Street
Email: jcook@morgancountyutah.gov Fax: _____
Associated County Department: Planning and Development Department

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Meeting/Discussion/Decision - Gardner Development Rezone

A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to a RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely. The properties are identified by parcel numbers 00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926 and serial numbers 03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041-04, and 03-005-041-03 and are approximately located near 4815 W Old Hwy Rd in unincorporated Morgan County.

Application No.: 24.060

Applicant: Gardner Development

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

PUBLIC HEARING
PUBLIC MEETING

<input type="checkbox"/>
<input checked="" type="checkbox"/>

April 1, 2025

Gardner Development Rezone
Public Hearing

April 1, 2025

Application No.:	24.060
Applicant/owner:	Gardner Development
Project Location:	Approx. 4815 W Old Hwy Rd
Date of Application:	October 24, 2024
Current Zoning:	CH/RM-15/A-20/RR-1
General Plan Designation:	Town Center & Rural Residential 1
Acreage:	4.43 acres
Parcel Numbers:	00-0004-9153, 00-0003-3975, 00-0004-7595, 00-0003-3934, and 00-0003-3926
Serial Numbers:	03-005-042-01, 03-005-042-04, 03-005-041-05, 03-005-041- 04, and 03-005-041-03

REQUEST

A request to rezone property from a split-designation of Rural Residential (RR-1), Agriculture (A-20), Highway Commercial (CH), and Multiple Residential District (RM-15) to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely.

COUNTY COMMISSION SUMMARY: The County Commission heard this item at their regularly scheduled meetings on January 7 and February 18, 2025, as well as work sessions held February 4 and February 18, 2025. Work sessions concentrated on the creation of a master plan, bringing together nearby property owners with Town Center-zoned properties to explore the best way to create a cohesive plan. The discussions also included balancing the needs for commercial development with necessary infrastructure improvements, such as roadways and utilities, to avoid disjointed or haphazard growth. The question is whether the property should be zoned Town Center or RM-15.

PLANNING COMMISSION SUMMARY:

The Planning Commission heard this item at their regularly scheduled meeting on December 19, 2024. There were comments during the public hearing regarding the appropriateness of the RM-15 zone for this development, with concerns raised about its alignment with the rural character of Mountain Green and the lack of a development agreement that could incorporate mixed uses. A neighboring property owner raised concerns about potential impacts to historical access to their backyard due to the proposed development, to which the applicant indicated willingness to accommodate access, while staff advised the neighbor to consult with the applicant regarding the possibility of securing an easement.

The Planning Commission discussed the impacts of a rezoning, with some members expressing concerns about the potential for overdevelopment and the loss of commercial zoning in an already densely developed area. Clarifying questions were asked about the potential density of the development. Staff clarified that, based on the zoning and height requirements, the development would likely accommodate approximately between 40 to 60 townhomes; any overall possible unit count projection would likely be reduced after accounting for infrastructure requirements during the subdivision process. The Commission also discussed the challenges of balancing residential growth with the need for commercial spaces in the area. The Commission voted to recommend denial of the application with a 3-2 vote; Chair Sessions and Vice Chair Little voted against the negative recommendation, while members Bishop and Murray were absent from the meeting.

STAFF RECOMMENDATION

County Staff recommends approval of the requested zoning map amendment from CH, RM-15, RR-1, and A-20 to RM-15 completely, along with a Future Land Use Map Amendment from Town Center and Rural Residential 1 to Town Center completely. The approval recommendation is based on the following findings listed below:

Findings:

1. That the proposed amendment is in harmony with future land use goals and objectives.
2. That the proposed amendment is in harmony with existing land uses in the area.
3. That the rezone will not adversely impact the adjacent properties many of which are approximately one (1) acre in size or larger.
4. That the property amendment is consistent with surrounding property sizes and zoning.

ANALYSIS

General Plan and Zoning:

The properties are currently zoned as CH, A-20, RR-1, and RM-15. The A-20 zoned parcels are non-conforming, as they are smaller than the 20-acre minimum required in the A-20 zone. The parcels are all split-zoned. The applicant's request for RM-15 zoning aligns with adjacent zoning to the south, where a neighboring property shares the same zoning designation. Staff notes that approval of the rezone request would create development potential consistent with surrounding properties. A rezone to RM-15 would enable multiple-family residential development, addressing current zoning limitations. Future access concerns would be addressed by the development of properties to the north, including the installation and improvement of county streets.

For reference, the zoning designations for the subject parcels are as follows (please see the attached graph, which will depict the parcels from west to east for clarity):

00-0004-9153	CH/RR-1
00-0003-3975	RM-15/CH/RR-1/A-20
00-0004-7595	RM-15/CH/RR-1/A-20
00-0003-3934	RM-15/CH/RR-1/A-20
00-0003-3926	RM-15/RR-1/A-20

The applicant has provided the following narrative:

“Current zoning is Commercial Highway and A-20. We would like to amend the zoning to match the 9 acre parcel to the south with an RM-15 zoning with a small section adjacent to Old Highway at Highway Commercial.”

“Currently, the property is agricultural in use with a single-family home. Because the adjacent parcel is already zoned RM-15 and with it's close proximity to the Mountain Green Central District this rezone will be a good compliment to the future uses.”

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

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*
2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*
- ...
6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

The proposed zone change appears to coincide with the stated vision for Morgan County. In changing the zoning district for the applicant's property, the County is reflecting the policies and desires of the General Plan and in accordance with the County Ordinance (See § 155.105). The purpose of the RM-15 multiple-family residential zoning district is defined as follows:

Multiple Residential District RM-15: To provide areas for medium high residential density with the opportunity for varied housing styles and character.

Staff anticipates that the proposed zoning map amendment and future land use map amendment will align with the purposes of the General Plan and complement surrounding development. While some impact on adjacent properties is expected, the introduction of multiple-family development is consistent with the area's existing character and provides a balanced approach to future growth that supports the county's long-term needs.

ORDINANCE EVALUATION:

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

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

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

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

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

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

Section 155.023: *Procedures for Amendments and Rezoning*s states:

(D) Planning Commission review and recommendation.

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

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

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

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

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

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

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

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

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

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

This meeting is being held in accordance with subsection (D) above. In response to § 155.023(F), given the scope of the proposed zone change, the impact on facilities and services is expected to be manageable.

Approval Standards

The proposed zoning map change complies with the intent of the Morgan County General Plan policies and Future Land Use Designation. The change would maintain the character of the area while allowing for multiple-family residential development in the Mountain Green area.

RECOMMENDED MOTION

Recommended Motion for *Approval* – “I move we approve the Gardner Development Rezone, application number 24.060, changing 4.43 acres from a split-designation of RR-1, A-20, CH, and RM-15 to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely, based on the findings listed in the staff report dated April 1, 2025.”

Recommended Motion for *Denial* – “I move we deny the Gardner Development Rezone, application number 24.060, changing 4.43 acres from a split-designation of RR-1, A-20, CH, and RM-15 to RM-15 to RM-15 completely, and reflect that change on the Future Land Use Map from a split-designation of Rural Residential 1 and Town Center to Town Center completely, due to the following findings:”

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Future Land Use Map
Exhibit C: Existing Zoning Map
Exhibit D: Rezone Concept
Exhibit E: Boundary Description
Exhibit F: Applicant’s Narrative

Staff Contact

Joshua Cook
801-845-4015
jcook@morgancountyutah.gov

Exhibit A: Vicinity Map

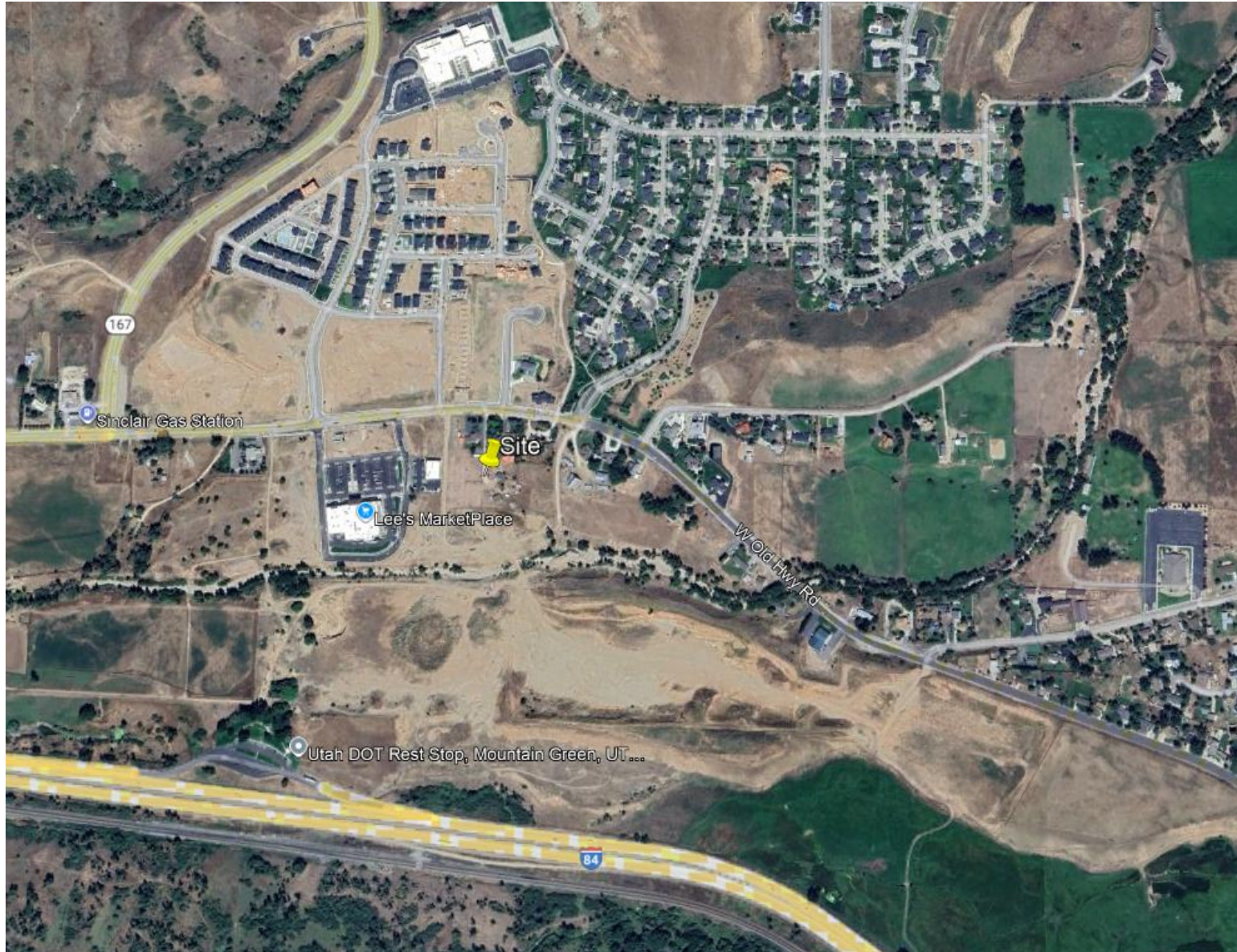


Exhibit B: Future Land Use Map

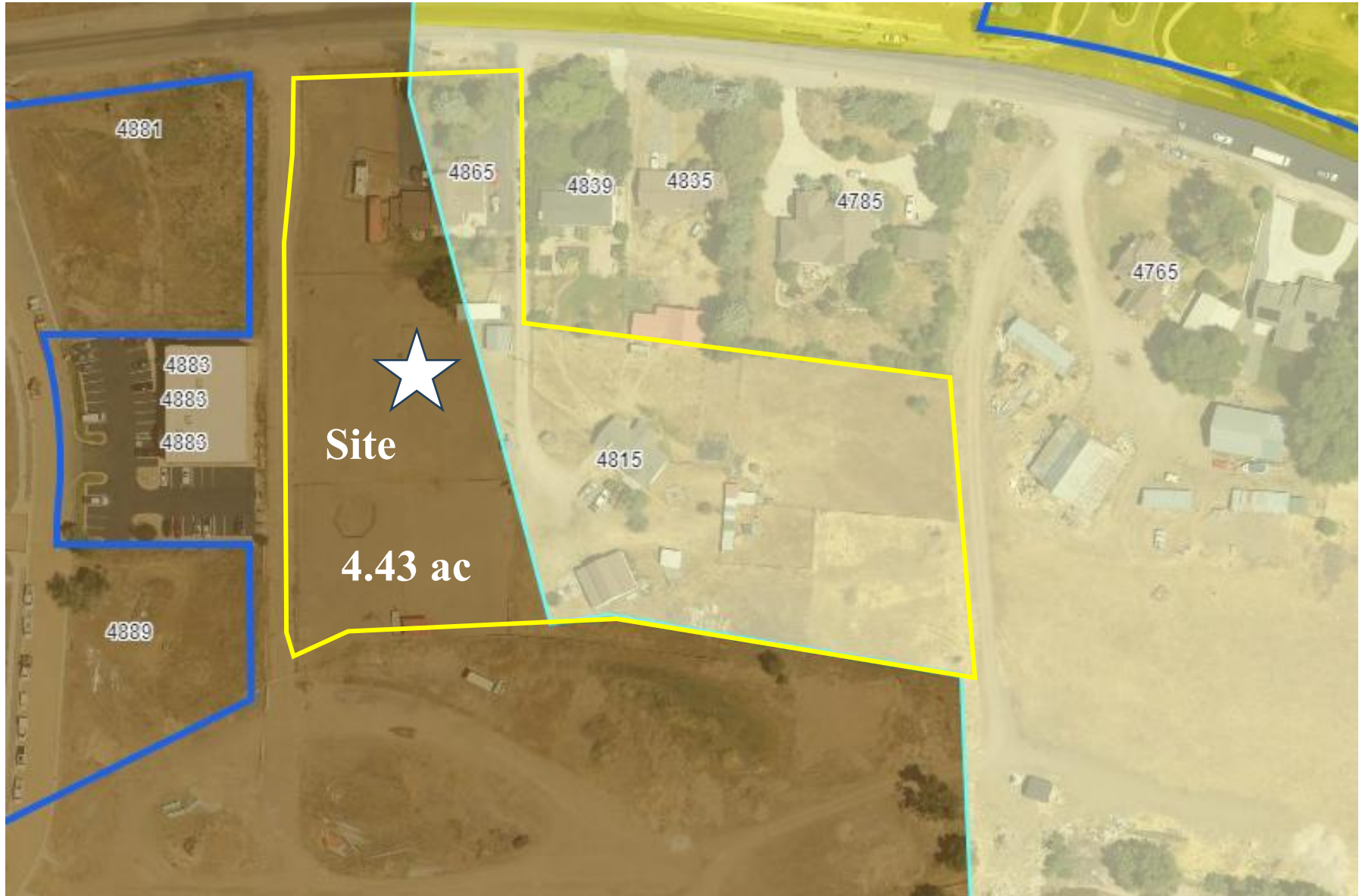
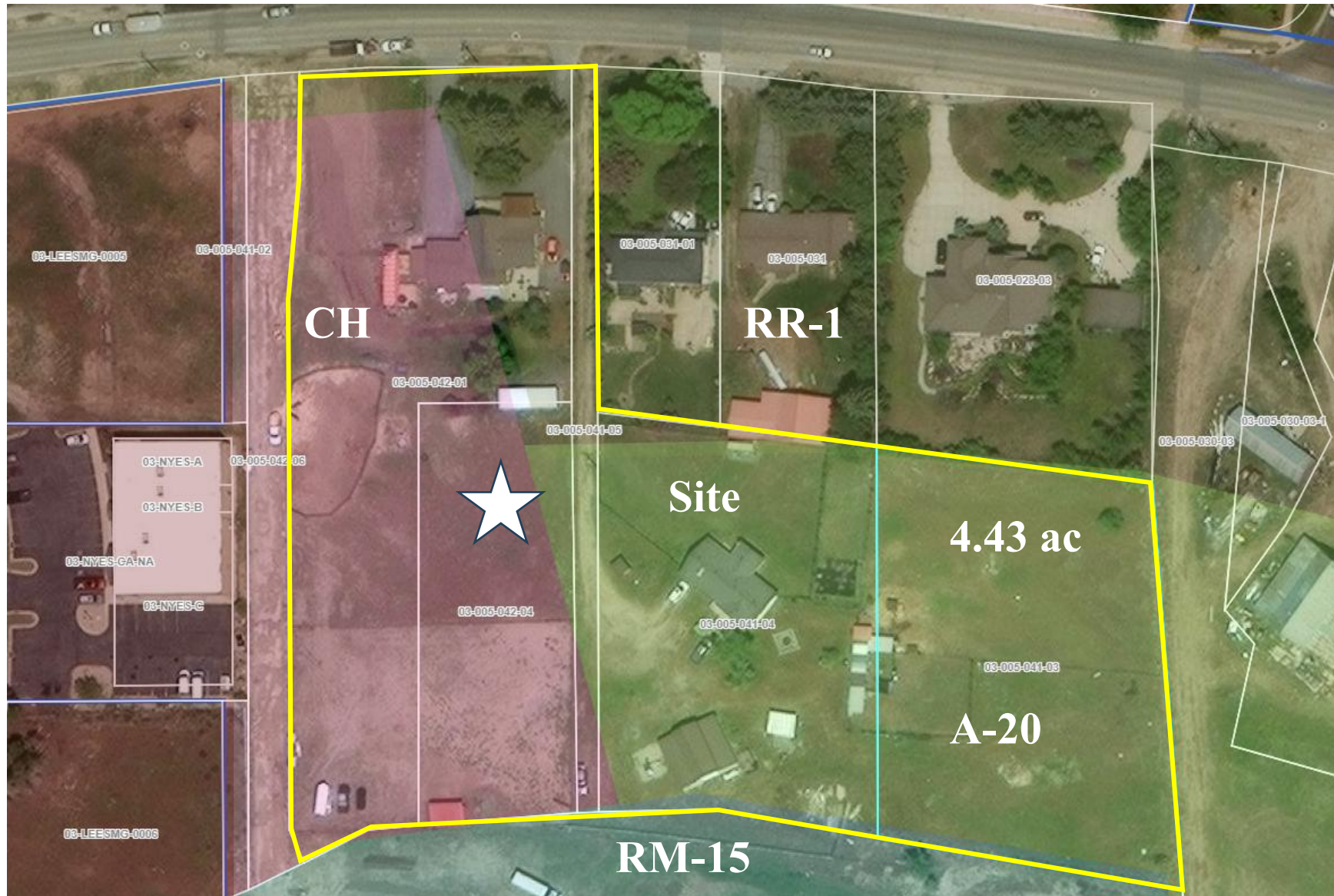


Exhibit C: Existing Zoning



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

Exhibit D: Rezone Concept

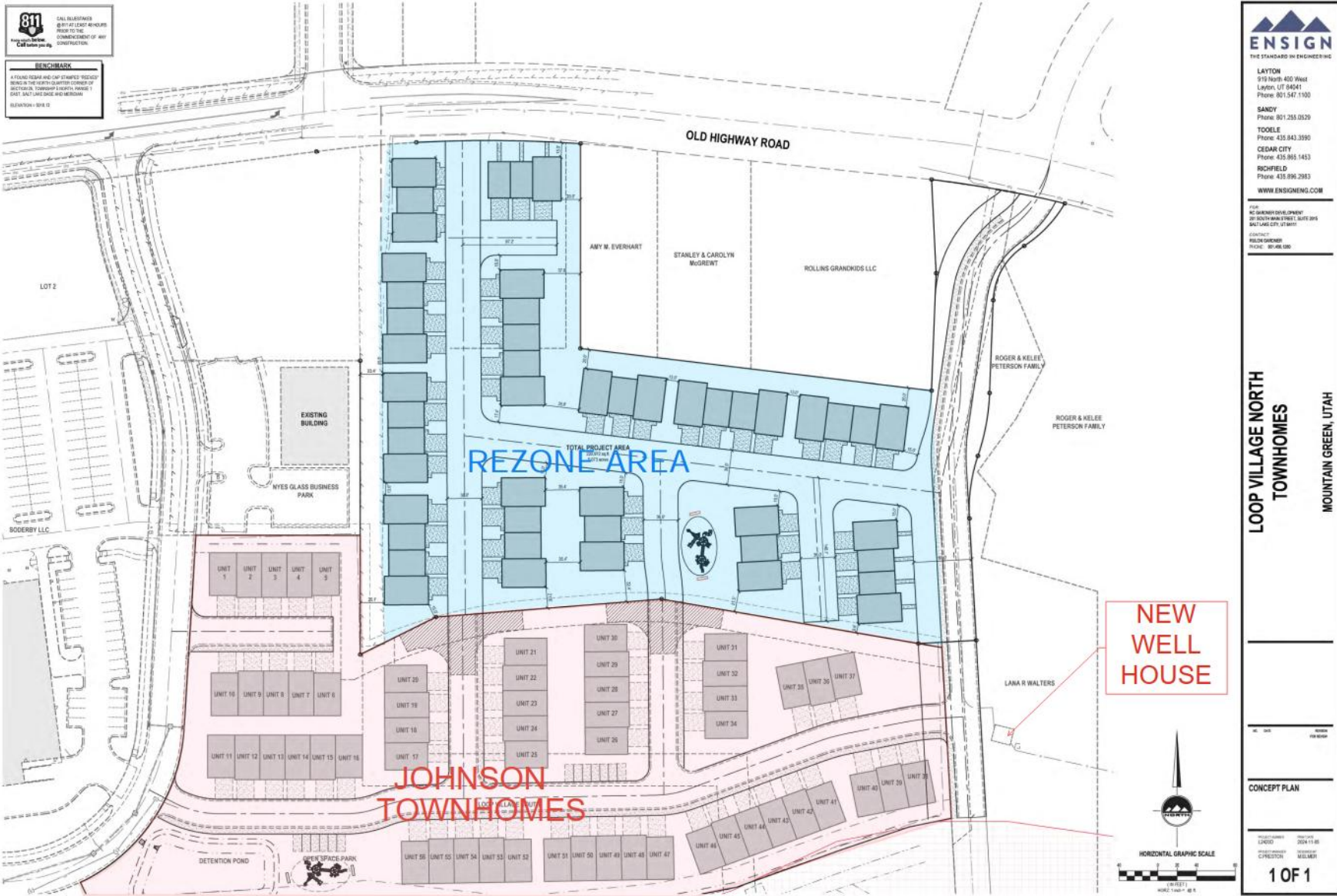


Exhibit E: Property Boundary Description

4865 W OLD HWY RD

03-005-042-01

A PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M, U.S. SUR: BEG AT A PT WH BEARS E 1167.8 FT & N 430.3 FT; & (CONTINUED) S 82*25' W 103.33 FT FRM THE W1/4 COR OF SD SEC 25, & RUN TH S 82*25' W 32.67 FT; TH S 63*45' W 87.6 FT; TH N 528.06 FT TO THE STATE RD (U.S. 30); TH ALG THE S BDY LN OF SD RD, N 86*50' E 83.46 FT; TH E 130.8 FT M. OR L, TO A RD ONE ROD WIDE; TH ALG SD RD S 218.4 FT; TH W 100 FT; TH S 274.56 FT TO THE POB. LESS & EXCEPT THEREFROM THE FOL: A PT OF THE NW1/4 OF SEC 25, T5N, R1E, SLB&M, U.S. SUR: BEG AT A PT LOC E 1167.8 FT & N 430.3 FT & S 85*25' W 136.0 FT & S 63*45' W 87.6 FT FRM THE W1/4 COR OF SD SEC 25, & RUN TH N 528.06 FT TO THE S R. OF W. LN OF THE STATE ROAD; TH N 85*50'00" E 35.00 FT ALG SD S R. OF W. LN; TH S 69.00 FT; TH S 5*40'28" W 80.00 FT; TH S 343.00 FT; TH S 22*37'20" E 23.08 FT; TH S 63*45'00" W 40.00 FT TO THE POB. LEAV 1.46 AC, M, OR L.

4815 W OLD HWY RD

03-005-041-04

A PT OF SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEARS E 1184.3 FT & N 431.6 FT FRM THE W1/4 SEC COR OF SD SEC 25; RUN TH N 265.0 FT ALG THE E SIDE OF A ONE ROD WIDE RD; TH S 83* E 189.5 FT; TH S 254.0 FT TO THE N'LY BANK OF AN OLD CHANNEL OF COTTONWOOD CREEK; TH ALG SD BANK 2 COUR AS FOLS: N 89*10' W 109.0 FT; S 85*25' W 81.0 FT TO POB. CONT 1.07 AC, M. OR L.

Approx 4815 W OLD HWY RD

03-005-041-03

A PT OF SE1/4NW1/4 SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEAR E 1372.44 FT & N 419.46 FT FRM THE W1/4 SEC OF THE SD SEC 25, & RUN TH N 254.0 FT; TH S 83*00' E 183.7 FT; TH S 2*35' E 265.6 FT TO N'LY BANK OF AN OLD CHANNEL OF COTTONWOOD CREEK; TH ALG SD BANK N 80*10' W 197.10 FT TO POB. CONT 1.08 AC, M. OR L.

Approx 4815 W OLD HWY RD

03-005-041-05

PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT 1167.8 FT E & 430.3 FT N FRM THE SW COR OF SD 1/4 SEC & RUN TH N 484.7 FT TO THE S LN OF THE STATE RD; TH E ALG SD S LN 16.5 FT; TH S 483.4 FT; TH S 85*25' W 16.5 FT TO POB. CONT 0.18 AC, M. OR L.

Approx 4815 W OLD HWY RD

03-005-042-04

PT OF THE SW1/4NW1/4 OF SEC 25, T5N, R1E, SLB&M: BEG AT A PT WH BEAR E 1167.8 FT & N 430.3 FT FRM THE W1/4 SEC COR OF SD SEC 25 & RUN TH S 85*25' W 103.33 FT; TH N 274.56 FT; TH E 103.0 FT; TH S 266.3 FT TO THE POB. CONT 0.6395 / 0.64 AC, M. O L.

Exhibit F: Applicant's Narrative (Application)

Morgan County - Planning & Development
Services

Printed: 12/12/2024

**24.060 Gardner Development
Rezone**

24.060

10/24/2024 - 10/23/2025

ecfe4db0-7776-11ef-a4f8-2fbab421cd17

Legislative Actions

General

Active

Under Review

Application Review Status

Pre-Review

Approved

09/20/2024

The Zoning Administrator may take a project out of Pre-Review Status to allow the County Engineer to review to determine that all submittal items contain the required information necessary to be considered a complete application. While the application may be out of pre-review this does not constitute a complete application until such time as the County Engineer provides a memo stating all items are present.

County Commission	Not Reviewed
Zoning Administrator	Not Reviewed
County Engineer	Not Reviewed
Planner I	Reviewing
GIS Personnel	Not Reviewed
County Attorney	Not Reviewed
Final-Review	Not Reviewed

Fees

Payments

Zone Map Amendment	\$270.00	10/24/2024	Online	\$960.00
Noticing	\$190.00	Total Paid		\$993.60
Future Land Use Map Amendment	\$500.00			
Subtotal	\$960.00			
Processing Fee	\$33.60			



County Commission Agenda Request Form

All Agenda items, including back-up materials, must be submitted to:

Morgan County
Attn: Kate Becker
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: (435) 800.8724

****ALL DOCUMENTATION IS DUE ON OR BEFORE 12:00 PM ON THE TUESDAY PRIOR TO A SCHEDULED COUNTY commission MEETING****

Email: kbecker@morgancountyutah.gov

This form must be submitted, along with any required documentation, or the Agenda Item will not be scheduled until the next County commission Meeting

Commission Meeting Date: 4/1/25 Time Requested: 20 min
Name: Joshua Cook Phone: (801) 845-4015
Address: 48 W. Young Street
Email: jcook@morgancountyutah.gov Fax: _____
Associated County Department: Planning and Development Department

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Hearing/Discussion/Decision - Deywós Estate Rezone

Request to rezone approximately 41.94 acres of a 51.94 acre parcel from Rural Residential (RR-5) to Agriculture (A-20), leaving approximately 10 acres of RR-5, and reflect that change on the Future Land Use Map from Ranch Residential 5 completely to a split-designation of Ranch Residential 5 and Agriculture. The property is identified by parcel number 00-0068-1129 and serial number 03-005-011-01-8 and is located at 7533 N Trappers Loop Rd in unincorporated Morgan County.

Application No.: 25.003
Applicant: Joshua Hughes

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>
<input type="checkbox"/>

PUBLIC HEARING
PUBLIC MEETING

<input checked="" type="checkbox"/>
<input type="checkbox"/>

April 1, 2025

Deywós Estate Rezone
Public Hearing
April 1, 2025

Application No.:	25.003
Applicant/Owner:	Joshua Hughes
Project Location:	7533 N Trappers Loop Rd
Date of Application:	January 21, 2025
Current Zoning:	Rural Residential (RR-5)
General Plan Designation:	Ranch Residential 5
Acreage:	51.94 acres

REQUEST

Request to rezone approximately 41.94 acres of a 51.94 acre parcel from Rural Residential (RR-5) to Agriculture (A-20), leaving approximately 10 acres of RR-5, and reflect that change on the Future Land Use Map from Ranch Residential 5 completely to a split-designation of Ranch Residential 5 and Agriculture.

PLANNING COMMISSION SUMMARY: The Planning Commission heard this item at their regularly scheduled meeting on February 13th, 2025. There were no comments made during the public hearing portion of the meeting. The discussion from the Planning Commission included concerns regarding the proposed split zoning, with some members expressing hesitation due to the potential for it to appear as "spot zoning" and preferring to either rezoning the entire parcel or leaving it as is. Staff clarified that the applicant's request involves a downzone of the property for the pursuit of a historic agricultural use. Subsequently, the applicant stated that their request aims to offer less intense development while rezoning a majority of the parcel under the agricultural zoning. Staff also noted that while split zoning can introduce administrative complexities, it is not uncommon in the county. The Commission voted to recommend approval of the application with a 3-1 vote; Chair Sessions voted nay to the motion.

ATTORNEY GUIDANCE

Legislative Review:

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

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

(1)

(a) The purposes of this chapter are to:

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

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

- (i) uses;
- (ii) density;
- (iii) open spaces;
- (iv) structures;
- (v) buildings;
- (vi) energy-efficiency;
- (vii) light and air;

- (viii)air quality;
- (ix)transportation and public or alternative transportation;
- (x)infrastructure;
- (xi)street and building orientation and width requirements;
- (xii)public facilities;
- (xiii)fundamental fairness in land use regulation; and
- (xiv)considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.*

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

STAFF OBSERVATION

County staff believes that the proposed zoning map amendment from RR-5 to a split designation of RR-5 and A-20, along with a Future Land Use Map Amendment from Agriculture to Agriculture and Ranch Residential 5, is inconsistent with good planning principles. The creation of a split-zone property introduces administrative complexity, potential land use conflicts, challenges in regulatory enforcement, and the appearance of spot-zoning—factors all discouraged by sound planning practices. Consistency and predictability in zoning are essential for effective land use management, ensuring that property owners, developers, and decision-makers can rely on clear and uniform regulations.

However, the property is currently zoned RR-5 and was previously zoned MU-160. The applicant is seeking a particular use for the property that was entitled under the former zoning designation but is not permitted under the current RR-5 zoning. While the request would result in a reduction in overall density, shifting to a split-zone approach is not a best practice for achieving that outcome. Instead, zoning should be applied comprehensively and in a manner that maintains logical boundaries, prevents piecemeal or ad hoc changes, and aligns with the county's long-term land use goals. Creating a split-zoned property in this case does not provide a clear planning benefit and may instead complicate future land use decisions, infrastructure planning, and property rights administration. Staff understands the intent to preserve two (2) RR-5 lots for further development. However, staff still stands with the aforementioned concerns. If the Commission finds merit in this rezone, the following findings could be considered:

Findings:

1. That the proposed amendment is in harmony with future land use goals and objectives.
2. That the proposed amendment is in harmony with existing land uses in the area.
3. That the rezone will not adversely impact the adjacent properties many of which are approximately 40 acres in size or larger.
4. That the property amendment is consistent with surrounding property sizes and zoning.

ANALYSIS

General Plan and Zoning:

The application requests a rezone of the property from RR-5 to a split-zone designation of RR-5 and A-20, along with a corresponding change on the Future Land Use Map from Ranch Residential 5 to Ranch Residential 5 and Agriculture. Approval of this rezone would allow development consistent with agricultural zoning rather than the patterns typical of rural residential areas. The applicant submitted the following narrative:

“This rezone request represents a less dense and intense land use, more consistent with the prevailing character of the surrounding area. We want to keep buildings sparse on the property to preserve its rural mountain character. Reduced density aligns more harmoniously with the existing landscape and the predominant land uses in the surrounding area, which is characterized by larger parcels of land dedicated to resort and agricultural activities, open space, and future low-density residential development.

To understand why the property is being rezoned after only recently receiving its current zoning designation, it is important to understand the historical context. Prior to the property being rezoned in late 2023, the property was zoned Multiple Use (MU-160). While the zoning was aligned with the County’s stated purpose for Multiple Use Districts, the residential use was non-conforming due to the parcel’s acreage. To bring the property into conformity, and based on advice from their real estate agent, who suggested it would enhance the property’s market value, the previous owner pursued the RR-5 change. While the logic was sound, as the new owners, we have no intention to develop the property to its full density potential under the RR-5 regulations.”

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

1. *Morgan County attracts families with its quality of life, rural atmosphere, secure environment, and natural beauty. Residents have a wide range of employment, housing, and lifestyle choices. The County benefits from a balanced economy, livable wages, economic prosperity, and first-rate community services.*
2. *Morgan County respects property rights and recognizes personal responsibility to the land and communities.*
- ...
6. *Morgan County accommodates growth responsibly by integrating new development in a way that is respectful of the environment, supports County values, considers long-term sustainability, and uses available infrastructure. To help achieve this goal, the County strongly recommends that growth occur within or adjacent to corporate limits and villages or be located within master-planned communities.*

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

(D) Rural Residential Districts.

(1) The purposes of providing a Rural Residential District are:

(a) To promote and preserve in appropriate areas conditions favorable to large lot family life;

(b) Maintaining a rural atmosphere;

(c) The keeping of limited numbers of animals and fowl; and

(d) Reduced requirements for public utilities, services and infrastructure.

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

ORDINANCE EVALUATION:

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

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

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

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

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

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

Section 155.023: *Procedures for Amendments and Rezoning*s states:

(D) Planning Commission review and recommendation.

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

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

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

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

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

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

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

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

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

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

This meeting is in fulfillment of subsection (D) above. In response to § 155.023 (F) above, due to the size of the proposed zone change, the impact on the facilities and services should be minimal.

Approval Standards

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

RECOMMENDED MOTION

Recommended Motion for *Approval* – “I move we approve the Deywós Estate Rezone, application number 25.003, changing 41.94 acres of a 51.94 acre parcel from Rural Residential (RR-5) to Agriculture (A-20), leaving approximately 10 acres of RR-5, and reflect that change on the Future Land Use Map from Ranch Residential 5 completely to a split-designation of Ranch Residential 5 and Agriculture, based on the findings listed in the staff report dated April 1, 2025.”

Recommended Motion for *Denial* – “I move we deny the Deywós Estate Rezone, application number 25.003, changing 41.94 acres of a 51.94 acre parcel from Rural Residential (RR-5) to Agriculture (A-20), leaving approximately 10 acres of RR-5, and reflect that change on the Future Land Use Map from a split-designation of Agriculture to Rural Residential 1, due to the following findings:”

1. List any additional findings...

Supporting Information

Exhibit A: Vicinity Map
Exhibit B: Future Land Use Map
Exhibit C: Existing Zoning Map
Exhibit D: Zone Map Amendment Drawings
Exhibit E: Boundary Description
Exhibit F: Applicant’s Narrative

Staff Contact

Joshua Cook
801-845-4015
jcook@morgancountyutah.gov

Exhibit A: Vicinity Map

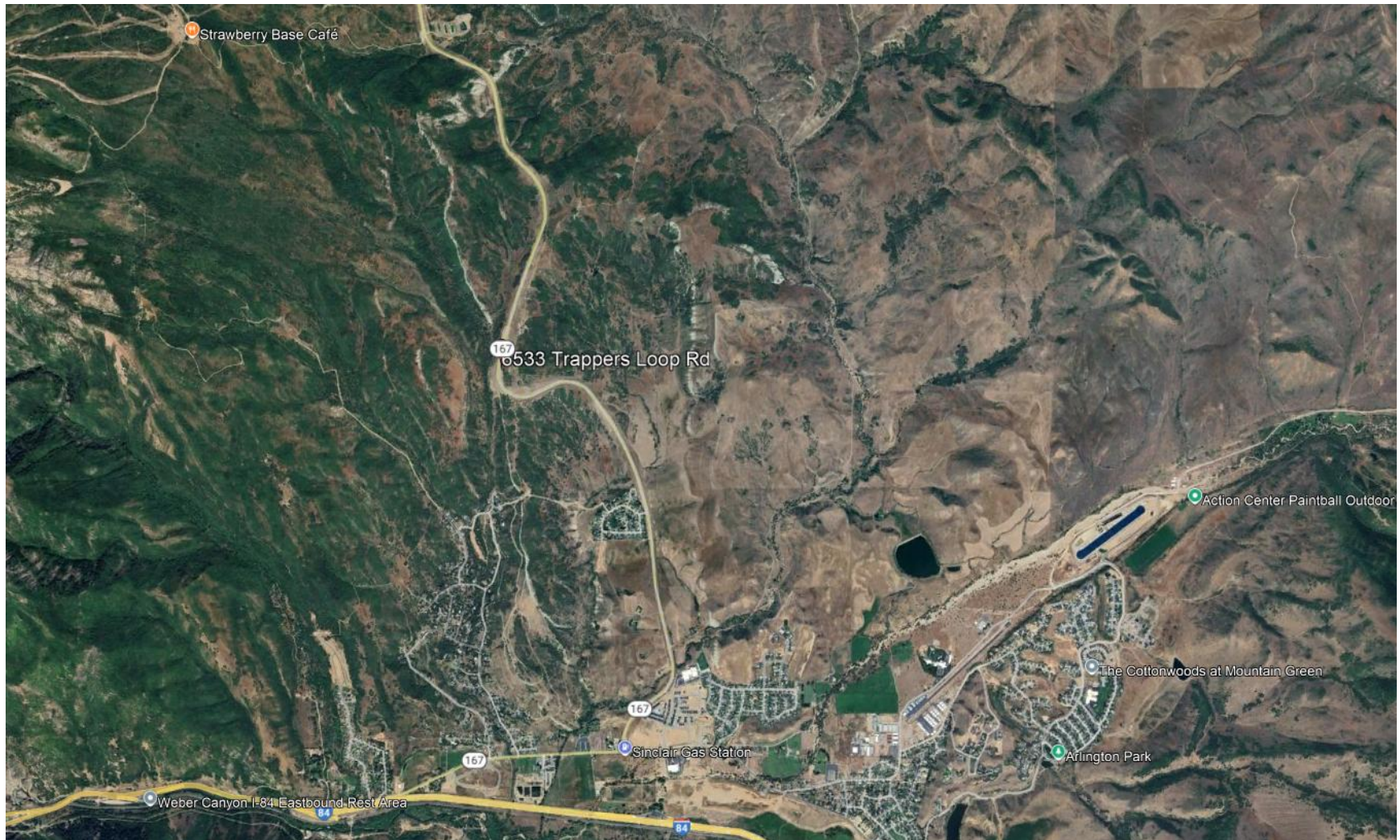


Exhibit B: Future Land Use Map

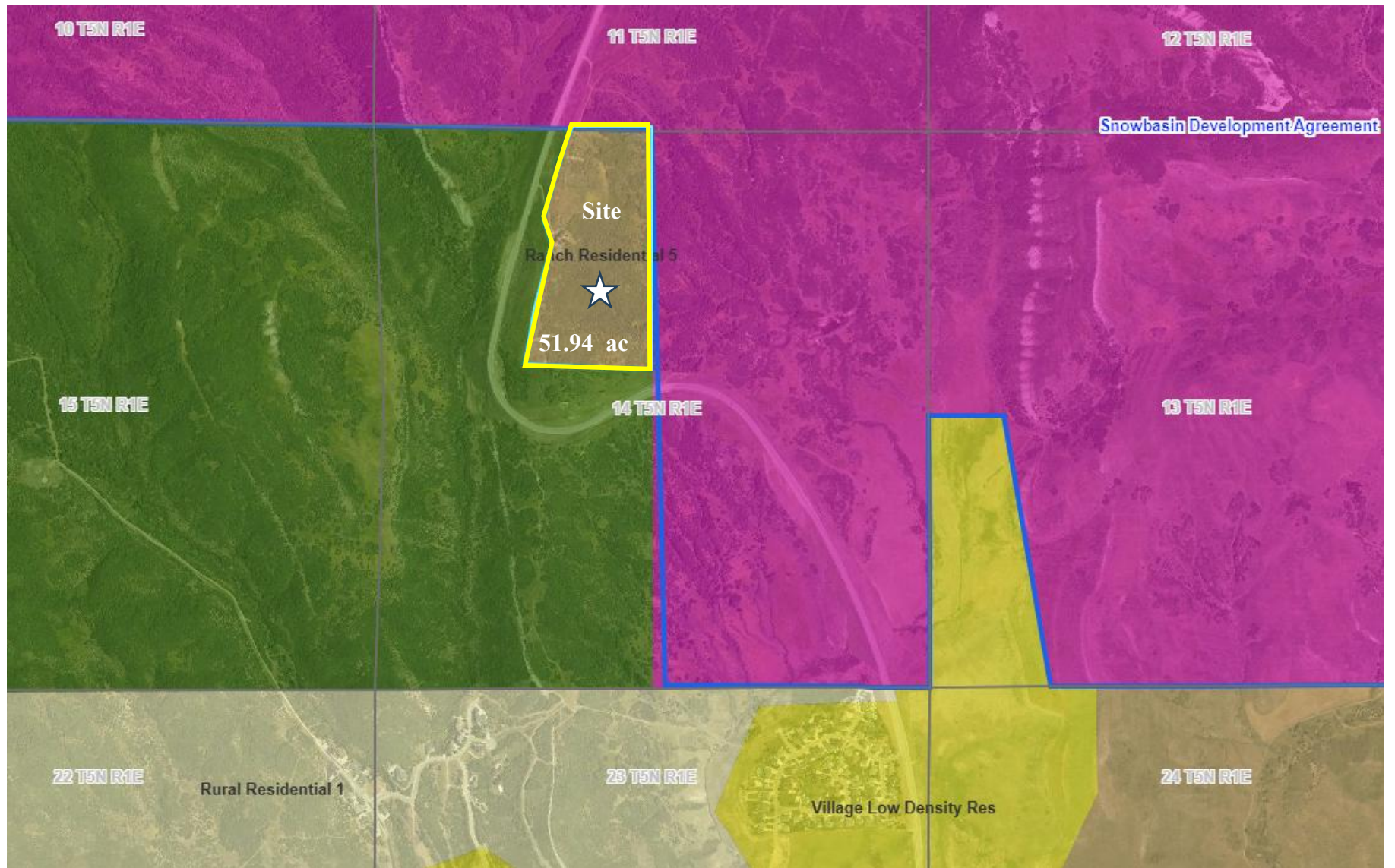


Exhibit C: Existing Zoning

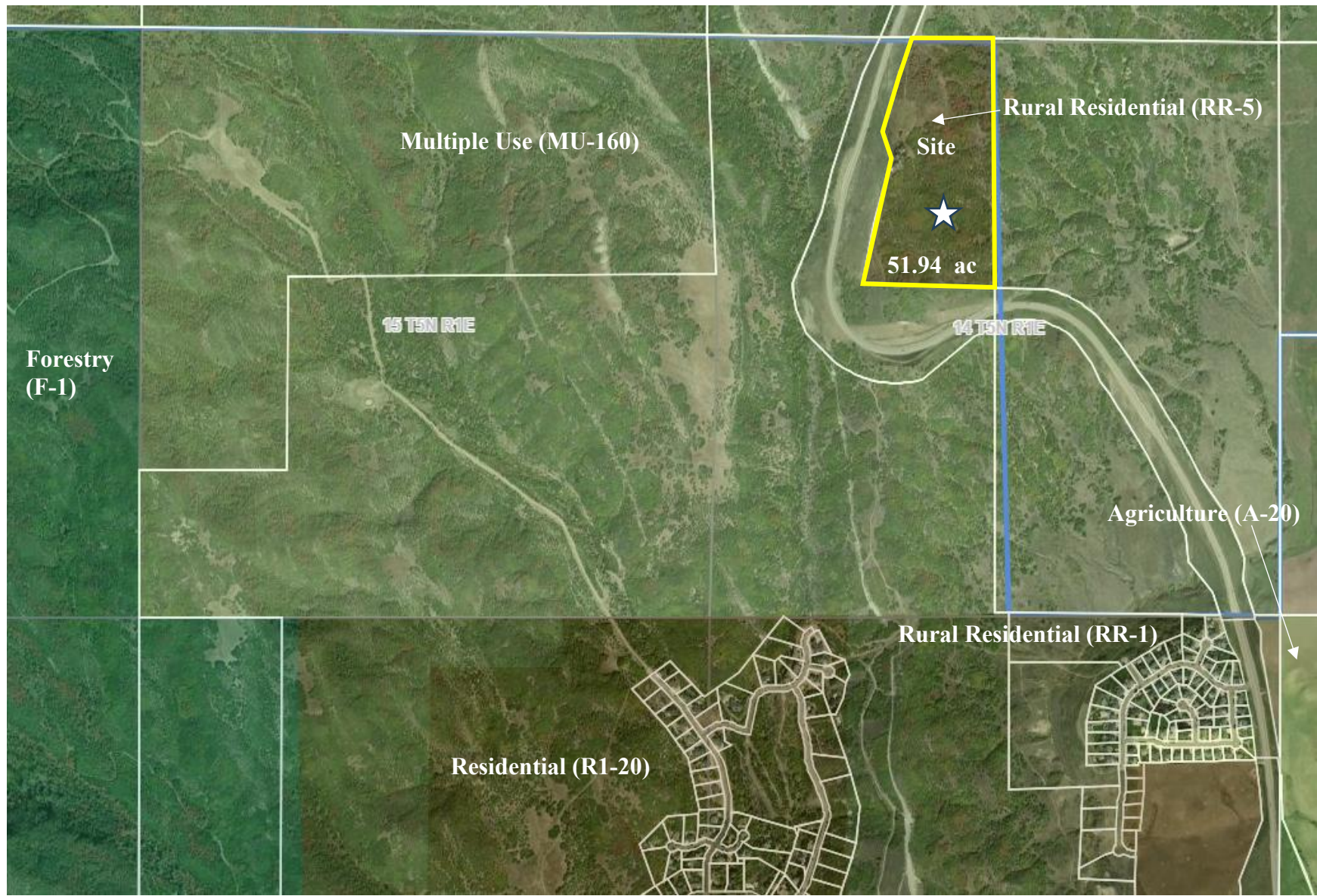


Exhibit D: Zone Map Amendment Drawings

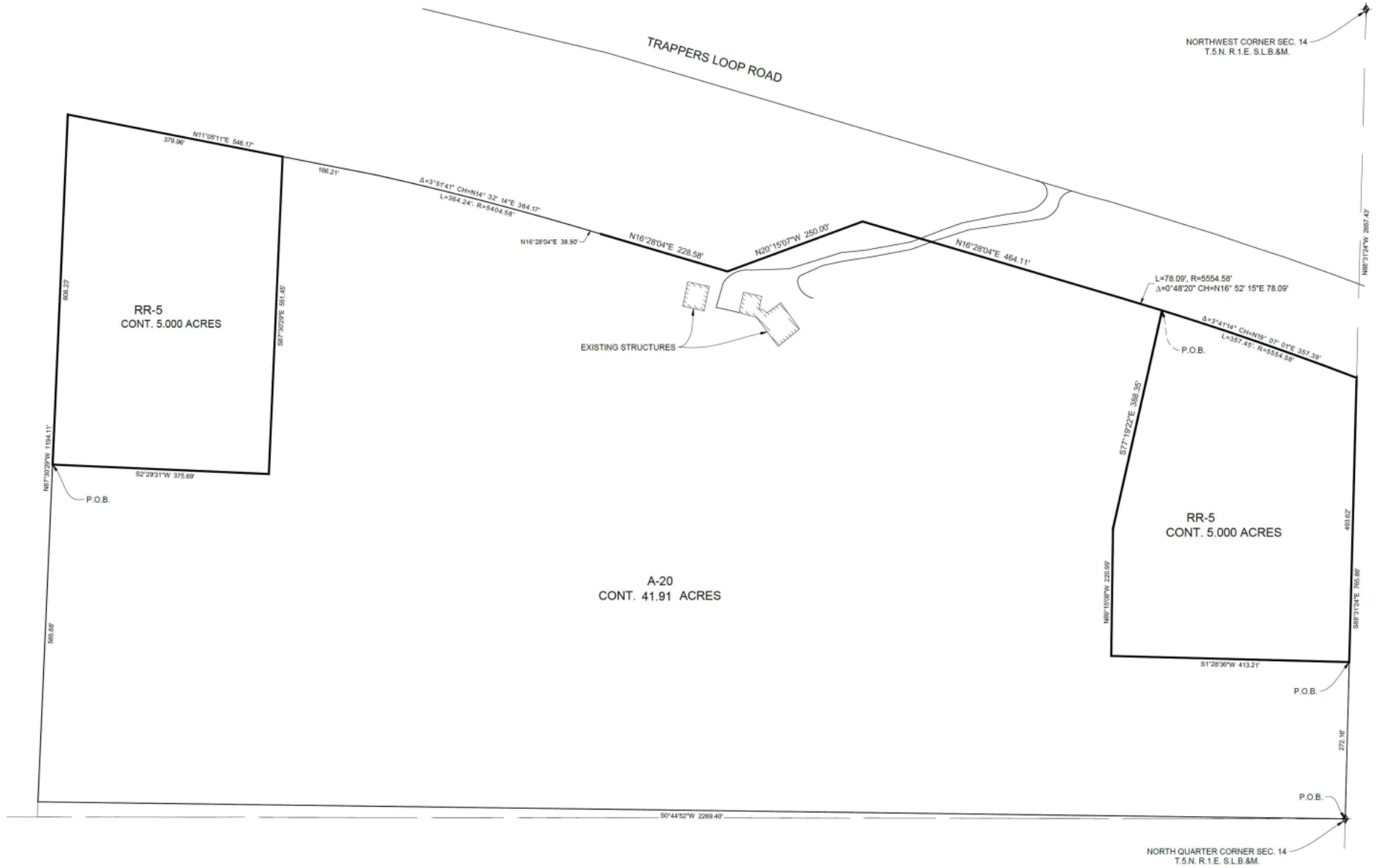


Exhibit E: Property Boundary Description

RR-5 BOUNDARY DESCRIPTION (NORTH)

A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE & MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER BEING LOCATED NORTH 88°31'24" WEST 272.16 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER FROM THE NORTH QUARTER CORNER OF SAID SECTION 14; RUNNING THENCE SOUTH 01°28'36" WEST 413.21 FEET; THENCE NORTH 89°15'08" WEST 220.99 FEET; THENCE NORTH 77°19'22" WEST 388.35 FEET TO THE EAST RIGHT-OF-WAY LINE OF TRAPPERS LOOP ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF A 5554.58 FOOT RADIUS CURVE TO THE RIGHT 357.45 FEET, HAVING A CENTRAL ANGLE OF 03°41'14", CHORD BEARS NORTH 19°07'01" EAST 357.39 FEET TO SAID NORTH LINE; THENCE ALONG SAID NORTH LINE SOUTH 88°31'24" EAST 493.62 FEET TO THE POINT OF BEGINNING. CONTAINING 5.000 ACRES.

RR-5 BOUNDARY DESCRIPTION (SOUTH)

A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE & MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF TRAPPERS LOOP ROAD BEING LOCATED SOUTH 00°44'52" WEST 2269.40 FEET AND NORTH 87°30'29" WEST 585.88 FEET FROM THE NORTH QUARTER CORNER OF SAID SECTION 14; RUNNING THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 87°30'29" WEST 608.23 FEET; (2) NORTH 11°05'11" EAST 379.96 FEET; THENCE SOUTH 87°30'29" EAST 551.45 FEET; THENCE SOUTH 02°29'31" WEST 375.69 FEET TO THE POINT OF BEGINNING. CONTAINING 5.000 ACRES.

A-20 BOUNDARY DESCRIPTION

A PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 1 EAST, OF THE SALT LAKE BASE & MERIDIAN. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 14; RUNNING THENCE SOUTH 00°44'52" WEST 2269.40 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF TRAPPERS LOOP ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 87°30'29" WEST 585.88 FEET; THENCE NORTH 02°29'31" EAST 375.69 FEET; THENCE NORTH 87°30'29" WEST 551.45 FEET TO THE EAST RIGHT-OF-WAY LINE OF TRAPPERS LOOP ROAD; THENCE ALONG SAID EAST RIGHT-OF-WAY LINE THE FOLLOWING SIX (6) COURSES: (1) NORTH 11°05'11" EAST 166.21 FEET; (2) ALONG THE ARC OF A 5404.58 FOOT RADIUS CURVE TO THE RIGHT 364.24 FEET, HAVING A

CENTRAL ANGLE OF 03°51'41", CHORD BEARS NORTH 14°32'14" EAST 364.17 FEET;
(3) NORTH 16°28'04" EAST 267.48 FEET; (4) NORTH 20°15'07" WEST 250.00 FEET; (5)
NORTH 16°28'04" EAST 464.11; (6) ALONG THE ARC OF A 5554.58 FOOT RADIUS
CURVE TO THE RIGHT 78.09 FEET, HAVING A CENTRAL ANGLE OF 00°48'20",
CHORD BEARS NORTH 16°52'15" EAST 78.09 FEET; THENCE SOUTH 77°19'22" EAST
388.35 FEET; THENCE SOUTH 89°15'08" EAST 220.99 FEET; THENCE NORTH 01°28'36"
EAST 413.21 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE
ALONG SAID NORTH LINE SOUTH 88°31'24" EAST 272.16 FEET TO THE POINT OF
BEGINNING.
CONTAINING 41.911 ACRES.

Exhibit F: Applicant's Narrative (Application)

Morgan County - Planning & Development Services

Printed: 03/04/2025

25.003 Deywós Estate Rezone

Permit/License #

25.003

01/22/2025 - 01/21/2026

Reference Number

9dd5c2f0-d850-11ef-93fe-8bc3762582c1

Legislative Actions

General

Status

Application Status

Active

Under Review

Application Review Status

~~Pre-Review~~

Approved

Date Submitted

01/21/2025

The Zoning Administrator may take a project out of Pre-Review Status to allow the County Engineer to review to determine that all submittal items contain the required information necessary to be considered a complete application. While the application may be out of pre-review this does not constitute a complete application until such time as the County Engineer provides a memo stating all items are present.

County Commission	Not Reviewed
Zoning Administrator	Not Reviewed
County Engineer	Not Reviewed
Planner I	Not Reviewed
GIS Personnel	Not Reviewed
County Attorney	Not Reviewed
Final-Review	Not Reviewed

Fees

Payments

Zone Map Amendment	\$350.00	01/22/2025	Check #4305	\$1,040.00
Future Land Use Map Amendment	\$500.00	Total Paid		\$1,040.00
Noticing	\$190.00			
Subtotal	\$1,040.00			
Amount Paid	\$1,040.00			
Total Due	\$0.00			

Short-Term Rentals in Morgan County - Community Survey

Information Gathered from Online Sources:

As of recent data, approximately 42 short-term rentals (vacation homes and Airbnb-Vrbo-type accommodations) are operating in Morgan County, Utah ([Morgan County, UT Airbnb Market Data | Rabbu](#)). This number reflects a relatively small portion of the County's housing stock, consistent with trends in other Utah counties that have lower tourism volumes.

In contrast, counties with strong tourism economies—such as Summit County, home to Park City—have significantly more short-term rental (STR) activity. For example, in 2023, STRs made up 23.8% of Summit County's total housing stock. Between 2022 and 2023, Summit County added 14.2 new STR listings for every 10 new residential units. In Grand County, the ratio was 10.3 new STR listings for every 10 new residential units ([The Evolving Landscape of Utah's Short-Term Rental Market](#)).

While STRs can boost the local economy by providing lodging for tourists and generating income for property owners, they also raise concerns about housing affordability and availability. In areas with high STR concentrations, data suggests a measurable reduction in housing options for long-term residents ([Utah housing: Short-term rentals affect supply in tourism counties](#)).

Morgan County:

Given Morgan County's current STR numbers, the immediate impact on housing availability may be minimal. However, with future development and tourism growth—especially in anticipation of the 2032 Winter Olympics—it's wise for local leaders to monitor trends and consider balanced STR regulations that support both the economy and housing needs.

As Morgan County grows—with increased development and tourism from nearby ski resorts and in preparation for the 2032 Winter Olympics—we are seeing a rise in STRs. Some of these properties are being purchased by out-of-state investors and are used primarily for short-term stays.

Currently, the County requires all short-term rentals to have both a Short-Term Rental Permit and a County Business License. However, some properties appear to be operating without proper authorization.

STRs offer important lodging options for visitors—especially given the County’s limited hotel capacity. They help keep tourism dollars local, benefit existing businesses, and may encourage future economic growth.

At the same time, our community is facing a shortage of affordable and workforce housing. As we look ahead to new commercial development, it is important to ensure that housing remains available for the employees who will work in our local businesses. For some residents, STRs also raise concerns about neighborhood impacts such as parking, noise, trash, and costs in enforcement of local regulations.

We are considering updates to the County's Short-Term Rental Ordinance ([§ 155.350 SHORT-TERM VACATION RENTALS](#).) to better balance the benefits and challenges STRs bring. Potential changes include:

- Capping the number of STRs allowed, based on zoning, location, or county-wide limits.
- Limiting STRs in residential neighborhoods while allowing more in resort or town center zones.
- Requiring local contact persons for emergencies or complaints.
- Creating stronger regulations around occupancy, noise, parking, trash, and events.
- Deciding whether to allow partial-home rentals (e.g., single rooms, ADUs).

Your input is critical to help guide these decisions. Please take a few minutes to share your thoughts.

Section: General Opinions

Q1. How familiar are you with short-term rentals (e.g., Airbnb, VRBO) operating in your neighborhood?

- ☐ Very familiar – I own or host a short-term rental (STR)
- ☐ Somewhat familiar – I stay in STRs regularly when traveling
- ☐ Somewhat familiar – I know of STRs in my neighborhood
- ☐ Not familiar – I don’t know of any STRs in my area
- ☐ Other: _____

Q2. What is your general opinion about short-term rentals in the County?

- ☐ Very supportive – STRs are an important part of our local economy and tourism
- ☐ Somewhat supportive – STRs are helpful but should be better regulated
- ☐ Neutral – I don’t feel strongly either way
- ☐ Somewhat opposed – STRs create some problems in our neighborhoods

- ☐ Strongly opposed – STRs are harmful to housing availability and neighborhood character
- ☐ Other: _____

Q3. What benefits do you believe short-term rentals provide to the community? (Check all that apply)

- ☐ Provide lodging options for tourists
- ☐ Generate revenue for local homeowners
- ☐ Support local businesses (restaurants, shops, recreation)
- ☐ Help fill the gap due to limited hotel options
- ☐ Improve property maintenance and upkeep
- ☐ None – I do not believe STRs benefit the community
- ☐ Other: _____

Q4. What concerns do you have about short-term rentals in your area? (Check all that apply)

- ☐ Reduce the number of homes available for long-term rental
- ☐ Increase housing prices and reduce affordability for residents
- ☐ Cause noise issues or frequent parties
- ☐ Create parking problems on streets
- ☐ Change the character or feel of residential neighborhoods
- ☐ Lack of oversight, enforcement, or accountability
- ☐ Guests behaving irresponsibly (e.g., trespassing, safety concerns)
- ☐ None – I don't have concerns about STRs
- ☐ Other: _____

☒ **Section: Regulation Preferences**

Q5. Do you think the County should limit the total number of short-term rentals?

- ☐ Yes
- ☐ No
- ☐ Unsure

Q6. If yes, how should that cap be applied? (Check all that you support)

- ☐ County-wide percentage cap
- ☐ Cap based on zoning district (e.g., more in resort or commercial zones, less in residential zones)
- ☐ Geographical distance between short-term rentals

- ☐ Overlay zones with customized limits
- ☐ Other: _____

Q7. Should short-term rentals be allowed in the following zones? (Check one for each zone)

- Town Center: ☐ Yes ☐ No ☐ Unsure
- Resort or Recreation Zones: ☐ Yes ☐ No ☐ Unsure
- Residential Neighborhoods: ☐ Yes ☐ No ☐ Unsure
- Rural or Agricultural Areas: ☐ Yes ☐ No ☐ Unsure
- Commercial Zones: ☐ Yes ☐ No ☐ Unsure

Q8. Should the County allow partial-home STRs, such as renting a single bedroom or a suite within a home?

- ☐ Yes, with regulations
- ☐ No
- ☐ Unsure

Q9. Should the County allow accessory dwelling units (ADUs) to be used as short-term rentals?

- ☐ Yes, with regulations
- ☐ No
- ☐ Unsure

☒ **Section: Operational Standards**

Q10. Which of the following STR regulations do you support? (Check all that apply)

- ☐ Maximum occupancy limits
- ☐ Parking limits
- ☐ Noise restrictions
- ☐ Prohibition of events (e.g., weddings, parties)
- ☐ Required trash removal standards
- ☐ Local contact person available 24/7
- ☐ Safety inspections and building code compliance
- ☐ None of the above

Q11. Should short-term rental operators be required to respond to complaints or emergencies within a certain time?

- ☐ Yes – within 30 minutes

- ☐ Yes – within 1 hour
- ☐ No – not necessary
- ☐ Unsure

Q11a. The County currently requires a local contact person who is available to respond County officials regarding short-term rental issues.

What, if any, requirements should be imposed on the local contact person? (Check all that apply)

- ☐ Must respond within a certain time frame
 - ☐ Within 30 minutes
 - ☐ Within 1 hour
 - ☐ Within 24 hours
- ☐ Must respond by phone within required time-frame
- ☐ Must respond in person within time-frame
- ☐ Must reside full-time in the County
- ☐ Local contact information should be provided to immediate neighbors
- ☐ Local contact information should be posted online or accessible via County website
- ☐ Must maintain a log of guest complaints and how they were resolved
- ☐ Other: _____

Q11b. What penalties, if any, should apply if the local contact fails to respond as required? (Check all that apply)

- ☐ Warning for first offense
- ☐ Fines for repeated failures to respond
- ☐ Suspension or revocation of STR permit
- ☐ Other: _____

Q12. Should there be stronger enforcement and penalties for unlicensed short-term rentals?

- ☐ Yes
- ☐ No
- ☐ Unsure

☒ **Section: Final Thoughts**

Q13. Do you believe short-term rentals are currently over-regulated, under-regulated, or appropriately regulated in our County?

- ☐ Over-regulated
- ☐ Under-regulated
- ☐ Appropriately regulated
- ☐ Unsure

Q14. Do you have any suggestions for how the County should manage short-term rentals?

- _____
- _____
- _____

Thank you for your participation. Your feedback is valuable in helping shape the future of housing and tourism policy in Morgan County.

Rule VII: Conducting Meetings and Agenda Definitions.

1. Opening Ceremonies:

- (a) Welcome. The Chair will call the meeting to order, welcome those in attendance and acknowledge visitors;
- (b) Invocation and/or Moment of Reflection. The Chair and Commission Members alternate presenting a moment of reflection, appropriate for the occasion, which is intended to set the tone for the meeting; the moment of reflection may consist of a prayer, quote, thought, etc. of the elected official's choosing.
- (c) Pledge of Allegiance. An assigned County official shall lead the audience in reciting the Pledge of Allegiance.

Morgan County Commission Invocation Policy

I. Purpose

The Morgan County Commission recognizes the importance of setting a reflective and respectful tone at the beginning of its meetings. To encourage community involvement while maintaining order and inclusivity, this policy establishes guidelines for public participation in the invocation or moment of reflection.

II. Eligibility

1. County Residents Only:

- Participation is limited to residents of Morgan County.
- Individuals must provide proof of residency when requesting to offer an invocation (e.g., a valid ID, utility bill, or other verification).

2. Invitation-Based System:

- The Commission may invite members of the community, including faith leaders, representatives from civic organizations, or private citizens, to offer an invocation.
- Residents may submit requests or recommendations for participation, subject to Commission approval.

III. Guidelines for the Moment of Reflection

1. Content and Format:

- The moment of reflection may consist of a **prayer, quote, thought, or other inspirational message** appropriate for a public setting.
- The invocation should set a thoughtful and respectful tone for the meeting.

2. Respectful and Appropriate Content:

- Content must remain appropriate for a diverse public setting and should not:
 - Attempt to convert or proselytize.
 - Denigrate, criticize, or demean any faith, belief system, individual, or group.
 - Contain political endorsements, campaign messages, or inflammatory remarks.
- The moment of reflection should be limited to **two minutes** in length.

3. Maintaining Order:

- If an individual fails to adhere to the content guidelines, they will be given a **verbal warning** and asked to conclude their remarks.
- If the individual refuses to comply or continues to violate the guidelines, they will be asked to **leave the meeting immediately**.
- Law enforcement or security may be called if necessary to maintain order.

IV. Non-Discriminatory Process

1. The opportunity to offer a moment of reflection is open to all faith traditions and secular perspectives within the county.
2. The Commission will maintain a neutral stance and will not endorse or favor any particular religious or non-religious viewpoint.

V. Voluntary Participation

1. Attendance for the moment of reflection is voluntary for both elected officials and the public.
2. Anyone who wishes not to participate may step aside or remain seated without consequence.