



2023

**COUNTY COMMISSION
MEETING**

JANUARY 17TH, 2023

5 PM



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 on

MORGAN COUNTY COMMISSION MEETING AGENDA

JANUARY 17th, 2023 5:00 pm

4:00 PM WORK SESSION

4:00 WORK SESSION

Commissioners/John Barber/James Ebert

Morgan County Economic Development Strategic Plan Discussion

Report from Julie Rees/HR:

- Two committees forming
 - Compensation Plan
 - Handbook completion)
- Background checks.
- News from the County Parks Board.

5:00 COMMENCEMENT OF MEETING

A) Opening Ceremonies-

1. Welcome
2. Invocation and/or Moment of Reflection
3. Pledge of Allegiance

B) Consent Items-

1. Approval of January 3, 2023 Meeting Minutes

C) Commissioner Declarations of Conflict of Interest

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

E) Presentations – Commissioner Jared Andersen

1. Voting on Bills/UAC

F) Action Items –

1. **Leslie Hyde – Discussion/Decision – Clerk/Auditor**
 - i. Select an appointee to the UAC Board of Directors.
2. **Josh Cook – Discussion/Decision – Planning Department**
 - i. Request Subdivision Concept Plan Amendment of phase one resulting in 14 condominiums for commercial flex space and the combination of two parcels into a

single lot. 2.34 acres. Short Field Landings Concept Plan Application No.: 22.041
Xpert Enterprises/Blair Gardner Location 4032 W 5800 N Mountain Green UT.

3. Josh Cook – Discussion/Decision – Planning Department

- i. Request for the approval of the Rose Hill Subdivision Phase 4 Plat Amendment No. 1 to divide the existing lot into two lots. .62 Acres. Application No.: 22.064. Village Low Density Residential. Zone R1-12 Location 5684 Garnet Drive.

4. Blaine Fackrell – Discussion – Commission

- i. Discussion of the Fairgrounds Plan.

5. Commissioner Matt Wilson – Discussion/Decision – Commission

- i. Discussion about a request for Young Ford to rent the fairgrounds July 14-16, 2023.

6:00 PUBLIC HEARING

G) Mark Nelson/Josh Cook – Public Hearing – Planning Department

1. M & D Nelson Rezone

Request to rezone 44.75 acres of land from A-20 zone to Town Center. Application No.: 22.065, Applicant Mark Nelson.

- Request for a motion to adjourn public meeting and convene public hearing
- Public Comments (please limit comments to 3 minutes)
- Request for motion to adjourn public hearing and reconvene public meeting

Commissioner Comments

- Commissioner Blaine Fackrell
- Commissioner Robert McConnell
- Commissioner Mike Newton
- Commissioner Jared Anderson
- Commissioner Matt Wilson

H) Adjourn –

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

CERTIFICATE OF POSTING

The undersigned does hereby certify that the above notice and agenda were posted as required by law this 12th day of January, 2023.


Julie Rees

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call Julie Rees at 801-845-4013 at least 24 prior to this meeting. This meeting is streamed live.



2023

WORK SESSION

Morgan County Economic Opportunity

Year Review Report

12/4/2023

1. Mountain Green Town Center

- a. Site design and review updated and in initial planning phase I
- b. Mixed use with Lees market as primary commercial tenant
 - i. Mixture of town homes and apartment complexes
 - ii. Additional commercial use may include:
 - 1. Charter School
 - 2. Office Space
 - 3. Retail pads
- c. Lees in planning
 - i. Working with county engineers
 - ii. Developer is finishing concept/development plan
 - iii. RDA/CRA request pending

Consistent meeting with developers over the last several years. Additional developer has been brought on to assist in phase 1. Issues surrounding land values is presently being worked through. Water and other infrastructure needs are being addressed. Project is moving forward developer would like to have major movement in the project over the next 11 months. Development will need TIFF funding to accomplish this timeline.

2. Mountain Green Interchange

- a. Fund EIS/EAS – 5 million
- b. Lobbyist
 - i. Meeting over last year's request
 - ii. Funded
 - iii. New contract
 - iv. New programming request
- c. Met with President Adams for update

Multiple meeting with commissioners, legislators, UDOT and businesses to move this forward, Business community has contributed in many ways to assist moving this forward. Moving into the next session work will continue to fund programming money to move project forward.

Olympics may move time line. Both Japan and Canadian offerings are retracted.

3. Como Springs

- a. Water and sewer agreement Morgan City
- b. Planning application
- c. Management plan application
 - i. Requirements restricted traffic access
 - 1. Project on hold

Multiple meetings and communications over the last year to move this project into planning. Meetings with Morgan City to work through water and sewer will serve were needed to receive the will serve which was granted. Project is on hold due to county requirements.

4. Round Valley

a. Concept planning

- i. Concerns surrounding loss of nine holes and residential buildout
- ii. Infrastructure challenges connected with development
- iii. Outreach to several Private Equity Groups

Working through a third party a private equity group has expressed real interest in the project.

Vision includes a community destination feel with a recreation flavor.

The elements of the development of the area would center on:

- The development of a community recreation
 - A sports plex for regional and national recreation events
 - This would include a redeveloped and more compact golf course still with 18 holes
 - Using Como as part of the sports plex.
 - Open to the community and visitors
- The development of the Weber River Parkway into a complex integrated ecosystem restoring the original vegetation. (There is a plan done by Utah State)
 - Which would become an element of the recreation area
 - A wide walking path on one side and a bike path on the other
 - Riparian habitat
- The development of a Blue Ribbon fishery
 - Much like Ogden's
- The development of a micro farming industry (under five acres)
 - Using Como hot springs to the extent possible for year round Green houses producing local vegetables for local consumption
- Some new housing to help raise enough in taxes to support the areas development
- A potential relationship with Utah State as an experimental farming area
- The development of an agricultural focused technology park.

County has to be seen as the catalyst to pulling something like this together. And it will take a number of community champions. And a very well designed plan—not just ideas.

5. Nine Springs Mark Nelson – Spring Mnt. Ranch – in planning

a. Great wolf Lodge waterpark and mixed use residential

b. 2500 RDU'S

c. Assorted amenities

- i. Talk to lance about application
- ii. Pursue Wasatch Peaks method
 1. Neighborhood meeting – work through
 2. Community meetings – refine application
 3. Application process
- iii. Address water, sewer and infrastructure
 1. Clear plan for water
 2. Spoke to deficiencies

Numerous meetings, phone calls and property tours created a relationship with the developer. The developer has changed the initial approach and reached out to the community in an attempt to

answer questions and facilitate and better relationships. Initial plans were submitted and the project is in planning presently.

6. Planning

a. Outline of recommendations

i. Development committee recommended

1. Increasing planner compensation by combining planner 1 and 11 into one
2. Contracting services with third party planner
3. Creating alternative track for planning outside county planning

Worked to assist county in addressing the planning issues. Development Committee spent several meetings working on recommendations.

7. Zoning

a. IBI will make recommendations

8. Land Use

a. IBI will make recommendations

9. Lobbying – Mountain Green Interchange

a. Update – James

i. Pending invoices Completed

1. Sent this week

ii. Meeting with Dave Stewart and Kerry Gibson

1. Discussion on next steps
2. Waiting for Dave to talk to Senate President to review his priority list
3. Jared working with UDOT to prioritize EIS
4. Continue discussions with legislators and community members

Conversations, phone calls and meetings resulted in an appropriation for the EAS and initial engineering. Project is funded and the EIS has been changed to an EAS and is under way. Contract for additional lobbyist services has been extended and work is being done to request and approve programming dollars for the project.

10. Joshua Williams

a. Code update

1. Joshua is reviewing
2. General Plan update
3. PUD
 - a. PAD under review
4. Concept Plan vs DRC

11. Development Committee

a. Initial meetings and recommendations

i. Need to reformulate

Meeting throughout the year. Connected many of the development committee members to the IBI group for meetings.

12. County Small business Grant Program

- a. First year roll out
- b. Grant applications accepted
- c. Grants awarded

Working with the BRC and Andrew a process was developed to apply and requirements were decided on for applications and awards. Money was awarded projects are being worked on.

13. Communication Plan

- a. Several plans have been submitted
- b. County still evaluating

The communication plan has been being worked on for the past year. Three separate plans have been presented and approval is pending.

14. CRM

- a. Initial training
- b. Waiting for contract to be signed

Client management tool is needed to track work and create a data base for economic development. This project has been in the works for the year and is presently in contract review.

15. Geo Dome Village

- a. Assist Commission on Plan B possible projects
- b. Determine Plan B Project
- c. Build out Plan B project ask
- d. Grant Application for Plan B
- e. Award - Geo Dome Village
 - i. RFP submitted to county
 - ii. Under review
 - iii. Vista assisting

Grant was written, submitted and awarded first of the year. Working with Chris a site was identified but later moved to the Marina area. RFP for the Dome was written and is under county review.

16. IBI

- a. TLC award - Review scope with Megan
- b. Encompass General Plan Update
- c. Determine contractor
- d. Award to IBI
 - i. Initial phases of data collection, public outreach and analysis have been completed
 - ii. November 23rd – Send out complete draft of 1st half of document by Nov 28th (includes analysis work, demographic data, survey summary, guiding principles)
 - iii. November 28th - Set up meeting with Project Team to review preliminary draft of:
 - iv. Economic Development Toolkit and Recommendations
 - v. Land-Use recommendations and Framework Plans
 - vi. December - Review land-use recommendations with Stakeholder/Landowner groups
 - vii. Jan 13th - Send out complete draft of Land-Use recommendations, Framework Plans, and Economic Development Toolkit and Recommendations
 - viii. Feb 17th – Send out Design Strategies and Infrastructure Recommendations
 - ix. March 10th – Send out draft of complete final document for review

Team meetings, site visits, and draft reviews over the last 8 months. Timeline was delayed due to a medical condition of one of the team members.

17. Water District vs Company

a. Preliminary discussion between companies and district
Interested has been expressed for starting a water district. I have talked to several interested participants, and they have expressed interest in participating.

18. Budget review

a. Initial budget

19. Rural grant report

a. Finished sent

20. Rural grant application

- a. Review areas of focus
- b. Finished sent
- c. Goals and outcomes
- d. Other

21. Regional

- a. UAC – Economic Development
- b. There is a push to have an integrated regional approach - what does that look like
 - i. The IBI study will help with this.
 - ii. Get our code updated.
 - iii. We need to step up and be apart of the regional plan.
 - iv. They had a good report on us so we need to keep our voice in there.
 - v. They have carved out spot for us
 - vi. EDC Utah

Under Morgan County Economic Development I'm serving as the vice chair of the UAC affiliate. We are focused on affordable housing. Attended AUC convention and convened a panel for housing. Working with Norther Utah Economic Development, EDC Utah, WFRC Economic Development team, and the newly formed economic development team from Cache and Boxelder for regional needs.

22. EDC Utah

a. Membership

23. RPO

- a. Dissolve Weber/Morgan and institute a Morgan RPO
- b. Confirm item on soonest available commission meeting for approval
- c. After adoption connect to Morgan City
- d. Schedule initial meeting
- e. Create prioritization list

RPO has not held an initial meeting.

24. Broadband

- a. Talks with providers
- b. Liberty roll out
- c. RPF written submitted

Worked to start the Broadband Committee. Wrote the RFP and sent for release. Had contacted with Beehive, All West, Utopia and Liberty over the last year on various topics.

25. NUCC

- a. Attend legislative meetings
- b. Attend leadership meetings
- c. Outreach

Attended NUCC legislative session last year and presented projects. Attended this upcoming years executive meeting to prioritize NUCC asks.

26. Strategic Plan Update

Role

Economic Development goes beyond creating jobs and at its roots is about creating opportunity. That means the right jobs, in the right locations for the right business opportunities for economic growth and prosperity.

The County plans should reflect the community vision and increase prosperity in general. These plans involve many factors and may take several years to thoroughly develop.

We have started the planning process and identified some of the elements through the IBI study.

Next steps

Review and implement recommendations from the IBI report through a strategic set of plans that address:

Land Use and development process plan: Adjustments to land use and development that incorporate recommendations for planned development. Many of the commercially viable land inventory are in areas that presently do not allow for those uses.

Infrastructure needs plan: An infrastructure development plan to support the envisioned growth including: Road, water, sewer, power, internet support Economic Revenue Plan How will it be paid for? For example, right now what I see developing in Peterson and communities that are allowing well development and road infrastructure without sufficient revenue to pay for its upkeep and maintenance. That may be said for the entirety of the County.

Qualities and Values Plan: This focus will be on planning process and land use. I clear vision for land use and planning will answer the question. Will we allow the development community to establish the qualities of the community or will the community do that for itself.

Community Promotion Plan: Decide who is participating in moving the county forward and how are they working to accomplish this mission. Who will be our champions

Report from Human Resource for County Commission Meeting Jan 17, 2023

Compensation Plan Committee

- Appointing a head from every department to be part of a board to discuss the needs of each department and put together a plan to present to the Commissioners.

Handbook Committee

- Appointing employees to help go through each remaining section of the handbook to suggest needed changes and making any additions that are needed.
- Then the handbook will be put together to presented to the Commissioners.

Background Checks for County Employees

- Researching many options for initiating our background check program.
- Leslie And Julie will work together to select a company to work with that will fit the county needs and best for the budget.
- Want to start before the end of January.

Report about the Morgan County Parks Board Disbanding

- Lyletta called and reported to HR how things have been going with the County Parks Board. She asked that I report to the Commission.
 - The Board is dismantling.
 - They have turned in all of their notes from years of meetings.
 - The board that is in existing has not been meeting for a long time and has given up. The have all resigned.
 - They ask the Commission to decide what they are doing with this board.



2023

CONSENT ITEMS



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 on

MORGAN COUNTY COMMISSION MEETING MINUTES

JANUARY 3RD, 2023 5:00 pm

4:00 PM WORK SESSION

COUNTY COMMISSION

Commission Chair Mike Newton
Commissioner Blaine Fackrell
Commissioner Matt Wilson
Commissioner Robert McConnell
Commission Vice Chair Jared Andersen

OTHERS IN ATTENDANCE

Debbie Sessions
Tina Kelley
James Ebert
John Barber
Bill Coutts

OTHER EMPLOYEES

Commission Executive Assistant Julie Rees
County Attorney Garrett Smith
Clerk/Auditor Leslie Hyde
Recorder Brenda Nelson
Airport Manager Joe Garfield
Treasurer Kimberly Harrison
Deputy Clerk/Auditor Cindee Mikesell
Public Works Director Bret Heiner

4:00 WORK SESSION

John Barber/James Ebert
Morgan County Economic Development Strategic Plan

For purposes of reporting:

The suggestion is to move Affordable Housing to a Five-year plan from a one-year plan. This is a long-term goal and will take time. The State will be coming out with recommendations and requirements for the County. There is a need for a communication plan. There were funds that were awarded for the Mountain Green Interchange. Business Development has had some successes. Vista Works is now working on Tourism and will report soon. This discussion will continue at a further meeting.

5:00 COMMENCEMENT OF MEETING

A) Opening Ceremonies-

1. Welcome: Commission Chair Newton
2. Invocation and/or Moment of Reflection: Commission Vice Chair
3. Pledge of Allegiance
4. Selection of Morgan County Commission Chair and Vice Chair
 - o Commissioner Wilson suggested that Commissioner Newton stay in the position and continue on as the Chair of the Commission.

Commissioner Fackrell moved to re-appoint Commissioner Mike Newton as the County Commission Chair for 2023.

Seconded by Commissioner McConnell.

The Vote was unanimous. The Motion Passed.

Open Nominations for Vice Chair:

- Commissioner Wilson nominated Commissioner Fackrell. He is interested in serving in a leadership position.

Commissioner Andersen moved to select Commissioner Blaine Fackrell as Vice chair for the year 2023.

Seconded by Commissioner McConnell.

The Vote was unanimous. The Motion Passed.

5. Selection of Morgan County Commission Portfolio Assignments

- Discussion on if any changes to Portfolio list should be changed or updated.
- Most assignments are staying the same.

Commissioner McConnell moved to approve the 2023 Portfolio Assignments as discussed and modified.

Seconded by Commissioner Andersen.

The vote was unanimous. The Motion Passed.

- Julie will update the list of 2023 portfolio assignments and get it out to the Commissioners.

B) Consent Items-

1. Approval of December 20, 2022 Meeting Minutes

Commission Fackrell moved to approved Dec 20th Meeting Minutes as corrected.

Seconded by Commission Wilson

The Vote was unanimous. The Motion Passed.

2. Signing of Declaration of Conflict of Interest Contracts. Attorney Smith will notarize.

C) Commissioner Declarations of Conflict of Interest - None

D) Public Comments - None

E) Presentations

1. Human Resource Presentation on the HR department.

- i. HR Manager gave an update on year end HR issues.
- ii. WCF numbers were given to the Commissioners. Free training is offered through Workers Comp and Julie will set that up for the departments with the most injured.
- iii. There were 86 people were hired through HR this year. And of course, there were many terminations also.
- iv. EAP report. This program is very under-used.
- v. Applicant Pro has now been turned over to Morgan County now, no longer paid through Weber County, and it will cost \$200 per year.

F) Action Items –

1. Robert Peterson/Richard Peterson – Discussion/Decision – Airport

- i. Hanger sold to William and Jennifer Coutts. Transfer of Lease to the Coutts.

B1 purchased in November. Bill Coutts would like to terminate the old lease and sign a new 30-year lease.

Commissioner McConnell moved to approve the execution of a new lease agreement for hanger space B1 at the airport for William and Jennifer Coutts on the counties standard lease agreement. Seconded by Commissioner Fackrell. The vote was unanimous. The Motion Passed.

2. Julie Rees – Discussion/Decision – Commission Executive Assistant

- i. Resolution Approval for the Schedule of County Commission Meetings for the year of 2023. Resolution #CR-23-01.

Commission Chair Newton asked Attorney Smith to come prepared for a work session at the next meeting, Jan. 17th, 2023, to share the Open & Public Meetings Act training for the public.

Commissioner Wilson moved to pass the Resolution #CR-23-01 for the 2023 Morgan County Commission Meeting dates. Seconded by Commissioner Andersen.

Roll Call

Commissioner Vice Chair Fackrell Aye
Commissioner McConnell Aye
Commissioner Wilson Aye
Commission Chair Newton Aye
Commission Andersen Aye

The Vote was unanimous. The Motion Passed.

3. Commissioner Blaine Fackrell – Discussion/Decision – Commission

- i. Approval of Carver, Florek, and James Financial Accounting Services to assist on a monthly basis and reconciliation of financial accounting of the County for the year of 2023.

Commissioner Fackrell has asked for an updated contract from the accounting firm.

Commissioner Fackrell moved to approve to continue to use Carver, Florek, and James Financial Accounting for 2023.

Seconded by Commissioner McConnell.

The Vote was unanimous. The Motion Passed.

4. Commissioner Blaine Fackrell – Discussion/Decision – Commission

- i. Approval of Carver, Florek, and James Financial Accounting Services to prepare financials for the 2022 audit.

Commissioner McConnell moved to approve to continue to use Carver, Florek, and James Financial Accounting Services to prepare financials for the 2022 audit.

Seconded by Commissioner Andersen.

The Vote was unanimous. The Motion Passed.

5. Commissioner Blaine Fackrell – Discussion/Decision – Commission

- i. Approval to extend contract with Ebert Solutions 1/1/2023-12/31/2023.

The contract with Ebert Solutions needs to be amended to include the concerns of the Commission.

Commissioner Andersen moved to extend the contract with Ebert Solutions January 1, 2023 to December 31, 2023 with amendments and as approved by the County Attorney.

Seconded by Commissioner Wilson.

The Vote was unanimous. The Motion Passed.

6:00 PUBLIC HEARING

G) Fee Hearing – Cindee Mikesell – Deputy Clerk/Auditor

Discussion/Public hearing/Decision to amend Morgan County's 2023 Fees.

There were changes needed to the resolution. Attorney Smith made changes to the Resolution as they were discussed and was able to print the adjusted fee schedule for signature at the end of the meeting.

- Request for a motion to adjourn public meeting and convene public hearing

Commissioner McConnell moved to adjourn the public meeting and convene public hearing.

Seconded by Commissioner Fackrell.

The Vote was unanimous. The Motion Passed.

- Public Comments – No Public Comments
- Request for motion to adjourn public hearing and reconvene public meeting

Commissioner McConnell moved to adjourn the public hearing and convene public meeting.

Seconded by Commissioner Andersen.

The Vote was unanimous. The Motion Passed.

Commissioner Wilson moved to approve the amendment for Morgan County 2023 Fees.

Seconded by Commissioner Fackrell

The Vote was unanimous. The Motion Passed.

Roll Call

Commissioner Vice Chair Fackrell Aye

Commissioner McConnell Aye

Commissioner Wilson Aye

Commission Chair Newton Aye

Commission Andersen Aye

The Vote was unanimous. The Motion Passed.

Commissioner Comments

- **Commissioner Blaine Fackrell**
Wooley Bear Caterpillar demonstration. Harsh Winter ahead.
There are requests coming in for us to be a supporter of the Astrotourism, support of dark skies for grants.
- **Commissioner Robert McConnell – No Comments**

- **Commissioner Mike Newton** - No Comments
- **Commissioner Jared Andersen** - No Comments
- **Commissioner Matt Wilson** - No Comments

There was a motion to go into a closed session.

Commissioner Fackrell moved to go into closed session for an update on pending litigation, sale of property, and character and professional competence of a person.

Seconded by Commissioner McConnell.

Roll Call

Commissioner Vice Chair Fackrell Aye

Commissioner McConnell Aye

Commissioner Wilson Aye

Commission Chair Newton Aye

Commission Andersen Aye

The Vote was unanimous. The Motion Passed.

The meeting was adjourned.

H) Adjourn –

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



2023

PRESENTATION

48 W YOUNG ST MORGAN UTAH 84050 WWW.MORGANCOUNTYUT.COM

Julie Rees

From: Mike Newton
Sent: Wednesday, January 11, 2023 8:40 PM
To: Jared Andersen
Cc: Julie Rees; Blaine Fackrell
Subject: Re: Legislature Presentation

Yes, we can do that. Sounds great!

Thanks!

Sent from my Verizon, Samsung Galaxy smartphone
[Get Outlook for Android](#)

From: Jared Andersen <jandersen@morgancountyutah.gov>
Sent: Wednesday, January 11, 2023 8:52:15 AM
To: Mike Newton <MNewton@morgancountyutah.gov>
Cc: Julie Rees <jrees@morgancountyutah.gov>; Blaine Fackrell <bfackrell@morgancountyutah.gov>
Subject: Legislature Presentation

Mike,

I know this is a day late, but can I add a presentation to the Commissioners about voting on bills at next Tues meeting? UAC has set up a phenomenal website for bills and the ability for all Commissioners and Councilmembers to vote on. Blaine and I are on a meeting discussing this item.

Thanks



2023

ACTION ITEMS



County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: _____
Name: Leslie Hyde Clerk/Auditor Phone: _____
Address: _____
Email: _____ Fax: _____
Associated County Department: _____

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion/Decision - select an appointee to the UAC Board of Directors

Each member county shall be entitled to appoint, through its legislative body one member to the Board of Directors to serve a one (1) year term.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

✓



County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: 20 min
Name: Joshua Cook Phone: (801) 845-4059
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:

Short Field Landings Concept Plan - Amended
Public Meeting/Discussion/Decision
Application No.: 22.041

Applicant: Blair Gardner
Property Owner: Xpert Enterprises
Project Location :4032 W. 5800 N. Mountain Green, UT 84050
Zoning: Commercial Buffer (CB), Runway Protection Zone (RPZ)
Acreage: 2.34 acres
Request: Subdivision Concept Plan Amendment of phase one resulting in 14 condominiums for commercial flex space and the combination of two parcels into a single lot

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

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

Short Field Landings Concept Plan - Amended

Application No.: 22.041
Applicant: Blair Gardner
Property Owner: Xpert Enterprises
Project Location: 4032 W. 5800 N. Mountain Green, UT 84050
Zoning: Commercial Buffer (CB), Runway Protection Zone (RPZ)
Acreage: 2.34 acres
Request: Subdivision Concept Plan Approval of phase one resulting in 14 condominiums for commercial flex space and the combination of two parcels into a single lot

REQUEST: The applicant is requesting the approval of an amendment to a subdivision Concept Plan for 14 units on 1 acre for Phase 1 and combining the two parcels for phase one and phase two into a single lot at 4032 W 5800 N Mountain Green. The original concept plan approval was granted on August 2, 2022 for combining two lots into a single lot and for 28 commercial condominium spaces. The amendment removes 14 of the condominium spaces (specifically those located within phase 2). Adding the 14 condominium spaces back into the site will require a future concept plan. The reason for this amendment is that during the site plan process for phase 2 it was discovered that for several of the buildings will need to be moved from the locations shown on the plan as they did not meet minimum setbacks.

PLANNING COMMISSION: After lengthy discussion about why the concept plan was being brought back through the process the Planning Commission forwarded a positive recommendation for the amended concept plan.

RECOMMENDATION: Based on the information in this staff report the proposed concept plan amendment meets the subdivision code requirements, as outlined in MCC 8-12-16, staff recommends approval based on the following findings and conditions.

Findings:

1. The nature of the subdivision is in conformance with the current and future land uses of the area.
2. The proposal complies with the Morgan County 2010 General Plan.
3. The proposal complies with applicable zoning regulations.
4. That the proposal is not detrimental to the health, safety, and welfare of the public.

Conditions:

1. That the Mountain Green Fire Department and Morgan County Engineering comments be addressed prior to preliminary plat application.
2. That soils are identified on the preliminary plat.
3. That all outsourced consultant fees are paid current prior to the Subdivision application.
4. That all other local, state, and federal laws are adhered to.

PROJECT DESCRIPTION:

This request is to amend a commercial concept plan in the Mountain Green area located at approximately 4032 W 5800 N. The property consists of 2.34 acres.

DISCUSSION: The concept plan for this site has already been approved. However, during the site planning process it became apparent that there were setback issues that needed to be addressed for the second phase of proposed condominiums. As such, staff is requesting approval of this modified concept plan. As all items for the concept plan were submitted and approved on August 2, 2022, the applicant provided a modified concept plan showing the removal of the 14 condominiums that were part of Phase 2. That is the only change from what was previously approved.

The concept plan requirements come from Morgan County's Land Use Management Code, Title 8, Chapter 12, Section 16-17.

8-12-16: CONCEPT PLAN:

A concept plan shall be required for all subdivisions as provided in this title. This provides the subdivider with an opportunity to consult with and receive assistance from the county regarding the regulations and design requirements applicable to the subdivision of property. The applicant or applicant's duly authorized and certified agent shall submit a complete application to the county planning and development services department for subdivision concept plan review, together with the appropriate application fee as set forth in the county fee schedule. If a rezoning is needed to accomplish a proposed concept plan, a rezoning application shall be submitted, reviewed, and approved by the county council prior to the concept plan application. Acceptance of a concept plan does not constitute final subdivision approval or vesting for a proposed subdivision. (Ord. 10-16, 12-14-2010)

8-12-20: REFERRAL TO THE PLANNING COMMISSION AND COUNTY COUNCIL:

A. For all concept subdivision plans of greater than eight (8) lots and when otherwise determined by the Zoning Administrator to be in the best interest of the County, a concept plan shall be referred to the Planning Commission for a recommendation and then to the County Council for review and acceptance. The Zoning Administrator shall take the following into account when determining whether the application for concept approval for eight (8) lots or less will require Planning Commission and County Council review:

- 1. The size of the proposed development;*

2. *Whether the subdivision lies within the sensitive area district or geologic hazards area;*
3. *Compliance with County ordinances and General Plans;*
4. *Requests for special exceptions or modifications of standards;*
5. *Compatibility with surrounding properties; and*
6. *Whether the proposed concept plan is routine and uncontested.*

B. Staff shall notify the Planning Commission and County Council with a record of findings and recommendations. (Ord. 10-16, 12-14-2010)

As this is a significant development for the community the Zoning Administrator has forwarded the Concept Plan for review and approval by the Planning Commission.

NEXT STEPS: This development is a large subdivision and may move forward with preliminary and final platting processes for review by the Planning Commission. The concept plan expires one (1) year from approval by the Planning Commission for a large subdivision. A preliminary and final plat will need to be filed prior to this expiration date.

8-12-22: PRELIMINARY PLAT; PURPOSE:

The purpose of the preliminary plat is to require formal preliminary approval of a subdivision as provided herein in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat and all information and procedures relating thereto, shall in all respects, be in compliance with the provisions of this title and any other applicable county ordinances. (Ord. 10-16, 12-14-2010; amd. Ord. CO-19-09, 10-15-2019)

Additionally, this property is part of the Mountain Green Village Development Agreement which will require further site plan and design approvals prior to construction.

EXITING CONDITIONS:

The slope gradients on the site are relatively level.

Uses adjacent to the Property

North: Technical and Professional Campus

East: Commercial Buffer

South: Commercial Buffer

West: Runway Protection Zone

Analysis of Standards

Standards	Findings	Rationale
<p>Ordinance Evaluation. Morgan County Code, Chapter 8, Section 12-16, 17 states the following:</p> <p><i>A concept plan shall be required for all subdivisions as provided in this title. This provides the subdivider with an opportunity to consult with and receive assistance from the county regarding the regulations and design requirements applicable to the subdivision of property. The applicant or applicant's duly authorized and certified agent shall submit a complete application to the county planning and development services department for subdivision concept plan review, together with the appropriate application fee as set forth in the county fee schedule. If a rezoning is needed to accomplish a proposed concept plan, a rezoning application shall be submitted, reviewed, and approved by the county council prior to the concept plan application. Acceptance of a concept plan does not constitute final subdivision approval or vesting for a proposed subdivision. (Ord. 10-16, 12-14-2010)</i></p>		

8-12-17: SUBMISSION: The subdivider shall submit a number and size of copies as determined by the zoning administrator of the proposed subdivision concept plan to the county planning and development service department. The proposed concept plan shall be professionally prepared and include the following items:			
A	The proposed name of the subdivision.	Complies	
B	A vicinity plan showing significant natural and manmade features or existing structures on the site and within two hundred feet (200') of any portion of the property line; the property boundaries of the proposed subdivision; the names of adjacent property owners; topographic contours at no greater interval than five feet (5') for a concept plan; and north arrow.	Complies	
C	A proposed lot and street layout, along with locations of existing streets.	Complies	
D	Availability and location of utilities and drainage facilities, existing and proposed, within the development and in the vicinity, which are adjacent to the property.	Complies	
E	A description of those portions of the property which are included as flood zones in the most recent flood insurance rate maps prepared by FEMA.	Complies	
F	The total acreage of the entire tract proposed for subdivision.	Complies	
G	County plat map with aerial photo underlay, if available.	Complies	
H	Public and private easements located on the property.	Complies	
I	Location and description of existing vegetation.	Complies	
J	Soils and geologic unit information indicating soils and geologic unit types and their boundaries, and any known geologic hazards.	Complies	
K	Delineation of any areas of slope which is greater than twenty five percent (25%).	Complies	
L	Electronic copies of all drawings in AutoCAD (DWG) format.	Complies	
M	A statement of proposed water source and sewage disposal method.	Complies	

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Fire/EMS Services: Comments need to be addressed

Engineering: No Comments

Surveying: No comments

Recorders: No comments

The proposed subdivision concept plan appears to meet the zoning requirements.

Recommended Motion

Recommended Motion for *approval* – “I move approve the amendment to the Short Field Landings Concept Plan, application number 22.041, removing 14 condominium units and allowing for a 14-unit commercial subdivision of land and the combination of two parcels into a single lot located at approximately 4032 West 5800 North, based on the findings and with the conditions listed in the staff report dated January 17, 2023.”

Recommended Motion for *approval with additional conditions* – “I move approve the

amendment to the Short Field Landings Concept Plan, application number 22.041, removing 14 condominium units and allowing for a 14-unit commercial subdivision of land and the combination of two parcels into a single lot located at approximately 4032 West 5800 North, based on the findings and with the conditions listed in the staff report dated January 17, 2023, and with the following additional conditions:

1. List any additional conditions

Recommended Motion for *denial* – “I move we deny the amendment to the Short Field Landings Concept Plan, application number 22.041, removing 14 condominium units and allowing for a 14-unit commercial subdivision of land and the combination of two parcels into a single lot located at approximately 4032 West 5800 North, *based on the following findings:*”

1. List any additional findings...

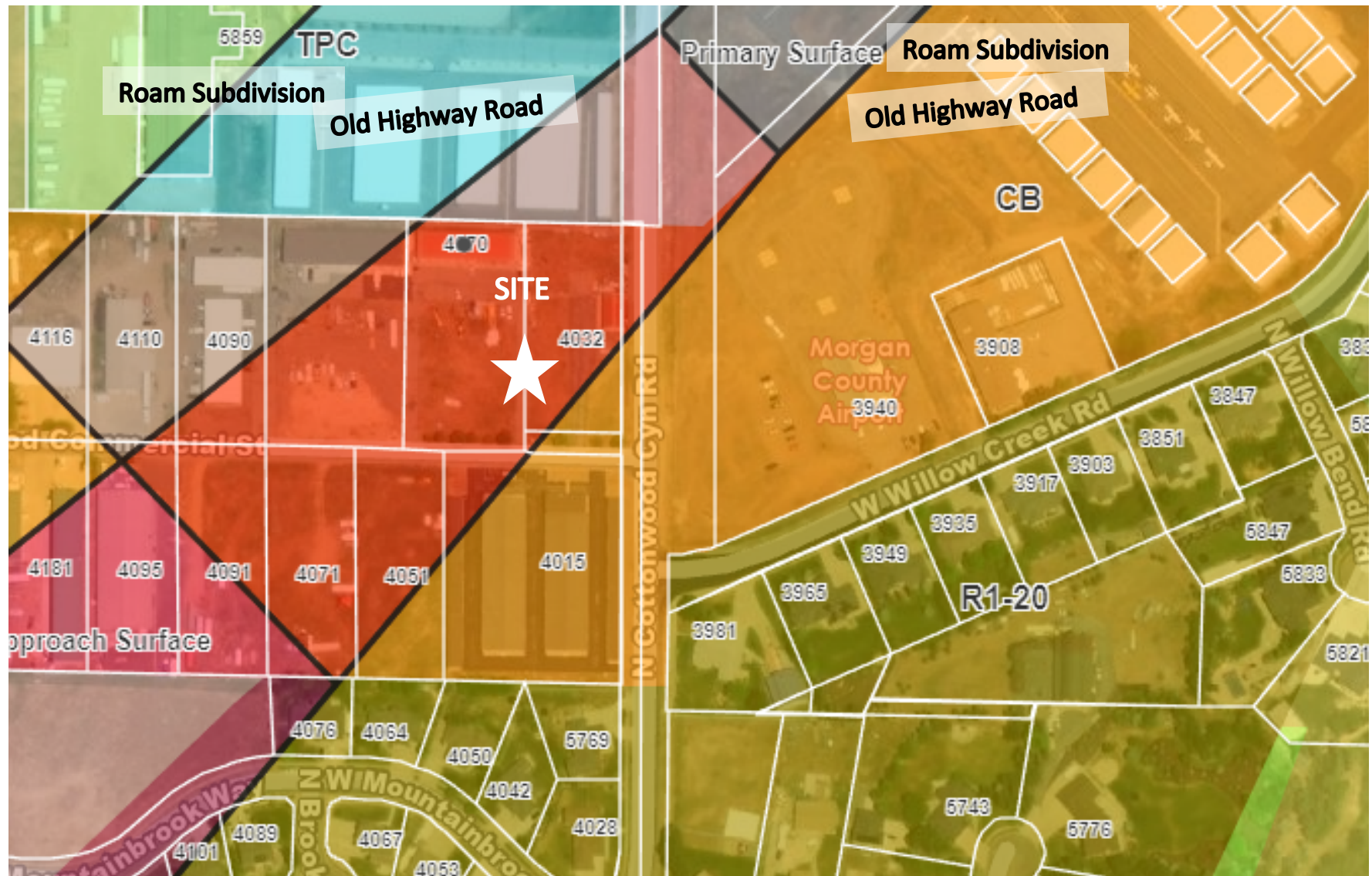
Supporting Information

Exhibit A. Vicinity Map

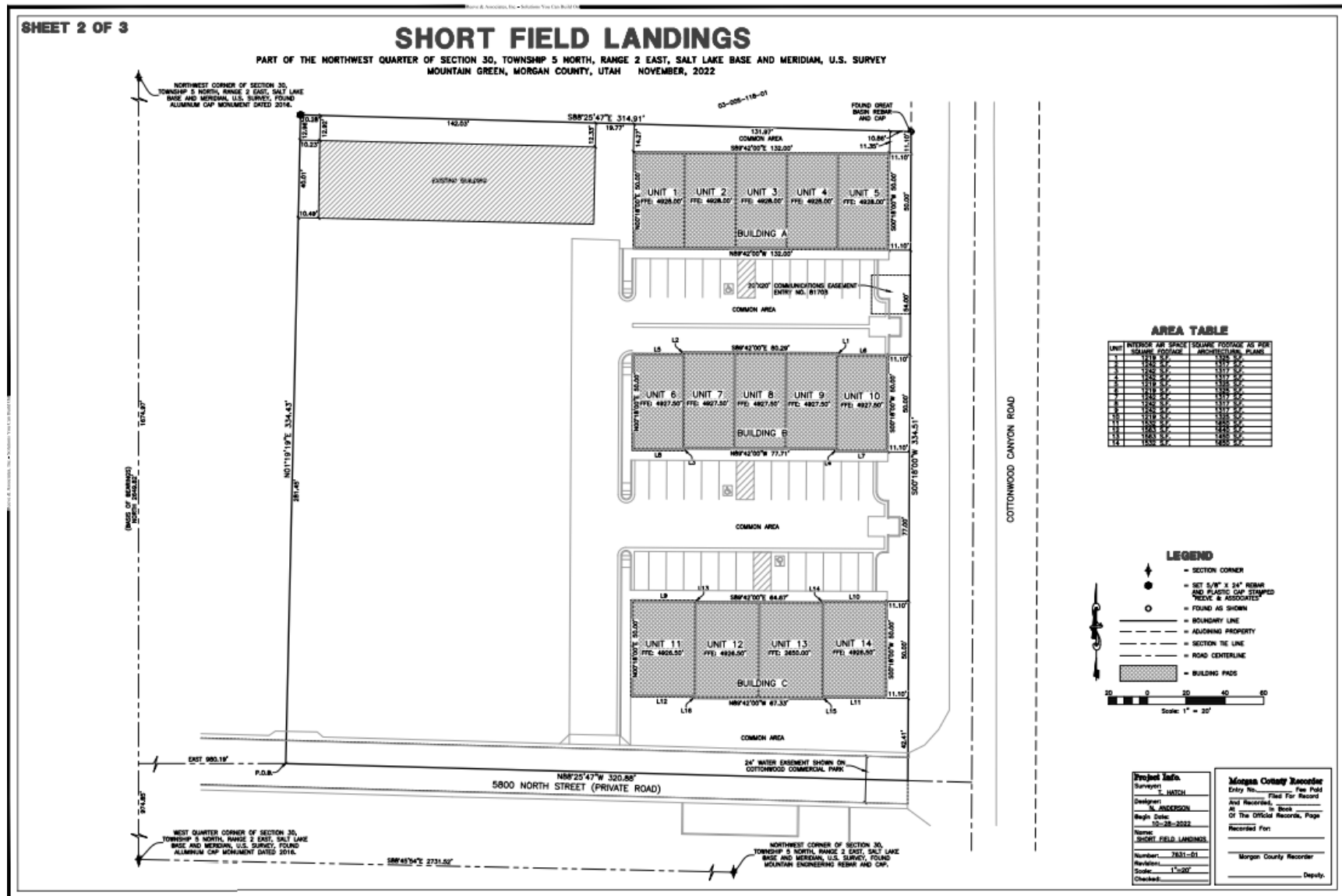
Exhibit B. Zoning Map

Exhibit C. Proposed Amended Concept Plan Layout

Attachment B: Zoning Map



Attachment C: Proposed Amended Concept Plan





County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: 20 min
Name: Joshua Cook Phone: (801) 845-4059
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:

Rose Hill Phase 4 Plat Amendment
Public Meeting/Discussion/Decision
Application No.: 22.064

Applicant/Owner: Wendy Wilkinson Revocable Trust
Project Location: 5684 Garnet Drive
Current Zoning: R1-12
General Plan Designation: Village Low Density Residential
Acreage: 0.62 acres

REQUEST: The applicant requests approval of the Rose Hill Subdivision Phase 4 Plat Amendment No. 1 to divide the existing lot into two lots.

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

✓



PLANNING COMMISSION STAFF REPORT

Subdivision Plat Amendment

December 22, 2022

Rose Hill Phase 4 Plat Amendment
Public Meeting

Application No.:	22.064
Applicant/Owner:	Wendy Wilkinson Revocable Trust
Project Location:	5684 Garnet Drive
Current Zoning:	R1-12
General Plan Designation:	Village Low Density Residential
Acreage:	0.62 acres

REQUEST: The applicant requests approval of the Rose Hill Subdivision Phase 4 Plat Amendment no. 1 to divide the existing lot into two lots.

RECOMMENDATION: Based on the information in this staff report, planning staff recommends that the Planning Commission approve the plat amendment for the Rose Hill Phase 4 subdivision Plat Amendment no. 1 subject to all applicable regulations and the following conditions:

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

PROJECT DESCRIPTION:

Proposal Details

This request is for a plat amendment to the Rose Hill Phase 4 Subdivision. The property is located at 5684 Garnet Drive and is identified as parcel number 00-0005-3585 and serial number 03-RH4-0073. The existing lot (Lot 73) is 0.62 acres in size, which is a little larger than 27,000 square feet. After the division Lot 73B will be 0.33 acres in size, approximately 14,375 square feet, and Lot 73A will be 0.29 acres in size, approximately 12,632 square feet.

DISCUSSION:

The plat amendment requirements come from Morgan County's Land Use Management Code, Title 8, Chapter 12, Section 61 and subsequent sections. Staff has reviewed the requirements and procedures for a plat amendment and have found that the application request meets these standards.

8-12-64: AMENDED PLAT REQUIREMENTS:

- A. *Prior to the County Council's approval of a petition or proposal to amend a subdivision plat, the petitioner or sponsor shall deliver to the County an amended plat map and complete supporting preliminary plat and final plat information in compliance with the requirements of this chapter. The applicant shall also pay all fees required by the County's fee schedule.*
- B. *Upon approval of the plat amendment, all required documents, submissions, signatures, and review procedures which are required for a final plat shall be submitted and followed, prior to recordation in the Office of the County Recorder.*
- C. *The County Council may vacate a subdivision or a portion of a subdivision by recording in the County Recorder's Office an ordinance describing the subdivision or the portion being vacated. (Ord. 10-16, 12-14-2010)*

8-12-63: GROUNDS FOR VACATING OR CHANGING A PLAT:

- A. *The land use authority may approve the vacation, alteration, or amendment of a plat by signing an amended plat showing the vacation, alteration, or amendment if the land use authority finds that:*
 - 1. *There is good cause for the vacation, alteration, or amendment; and*
 - 2. *No Public Street, right of way, or easement has been vacated or altered.*
- B. *The land use authority shall ensure that the amended plat showing the vacation, alteration, or amendment is recorded in the office of the county recorder.*
- C. *If an entire subdivision is vacated, the county council shall ensure that a resolution containing a legal description of the entire vacated subdivision is recorded in the county recorder's office.*
- D. *The county council may adopt an ordinance granting a petition to vacate some or all of a public street, right of way, or easement if the legislative body finds that:*
 - 1. *Good cause exists for the vacation; and*
 - 2. *Neither the public interest nor any person will be materially injured by the vacation.*
- E. *If the county council adopts an ordinance vacating some or all of a public street, right of way, or easement, the county council shall ensure that a plat reflecting the vacation and/or an ordinance describing the vacations is recorded in the Office of the County Recorder.*
- F. *The action of the legislative body vacating some or all of a street, right-of-way, or easement that has been dedicated to public use:*

1. *Operates to the extent to which it is vacated, upon the effective date of the recorded plat, as a revocation of the acceptance of and the relinquishment of the County's fee in the vacated street, right-of-way, or easement; and*
2. *May not be construed to impair:*
 - a. *Any right-of-way or easement of any lot owner; or*
 - b. *The franchise rights of any public utility. (Ord. 10-16, 12-14-2010)*

8-12-61: PROCEDURE:

- A. *For plat amendments that result in adjusting and/or altering lot lines through an exchange of title within a platted subdivision the zoning administrator shall be the land use authority.*
 1. *The zoning administrator shall approve an exchange of title under this subsection if the exchange of title will not result in a violation of any land use ordinance.*
 2. *If an exchange of title is approved under this subsection, a notice of approval shall be recorded in the office of the county recorder which:*
 - a. *Is executed by each owner included in the exchange and by the land use authority; and*
 - b. *Contains an acknowledgment for each party executing the notice in accordance with the provisions of Utah state code title 57, chapter 2a, recognition of acknowledgments act; and*
 - c. *Recites the descriptions of both the original parcels and the parcels created by the exchange of title;*
 3. *A document of conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.*
 4. *A notice of approval recorded under this subsection A does not act as a conveyance of title to real property and is not required to record a document conveying title to real property.*
- B. *For plat amendments that result in the combination of lots, building pad adjustments, subdivision title changes, plat note revisions, amendments to internal lot restrictions, the alteration, amendment, or vacation of a public or private road shown on a subdivision plat, and all other modifications to lots within a recorded subdivision plat shall be reviewed by the county council with a recommendation from the planning commission.*
- C. *Applications to vacate or amend a subdivision plat shall be required to submit those documents required for review in a complete preliminary plat application which pertain to and describe the proposed amendment, as well as a paper copy of the proposed final plat mylar. Revised construction drawings shall also be submitted when changes to any required subdivision improvements are proposed.*

- D. *Upon receipt of a petition or a proposal to vacate or amend a subdivision plat which requires action by the county council, the matter shall be referred to the planning commission for a recommendation on the proposal.*
- E. *The land use authority shall hold a public hearing within forty five (45) days after the day on which the petition is filed if:*
 - 1. *Any owner within the plat notifies the county of the owner's objection in writing within ten (10) days of mailed notification; or*
 - 2. *A public hearing is required because all of the owners in the subdivision have not signed the revised plat.*
- F. *The land use authority may consider at a public meeting, without a public hearing, an owner's petition to vacate or amend a subdivision plat if:*
 - 1. *The petition seeks to join two (2) or more of the petitioning fee owner's contiguous lots;*
 - 2. *Subdivide one or more of the petitioner's fee owner's lots if the subdivision will not result in a violation of a land use ordinance or a development condition;*
 - 3. *Adjust the lot lines of adjoining lots or parcels if the fee owners of each of the adjoining lots or parcels join the petition, regardless of whether the lots and parcels are located in the same subdivision;*
 - 4. *On a lot owned by the petitioning fee owner adjust an internal lot restriction imposed by the county;*
 - 5. *Alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not owned by the petitioner or designated as common area; and*
 - 6. *Notice has been given to adjacent property, in accordance with section 8-3-12 of this title. (Ord. 10-16, 12-14-2010)*

ANALYSIS OF STANDARDS

Standards	Findings	Rationale
-----------	----------	-----------

Ordinance Evaluation. Morgan County Code, Chapter 8, Section 12-64 states the following:

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

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

8-12-24: PRELIMINARY PLAT SUBMITTAL: *The preliminary plat shall be prepared, stamped and signed by a professional engineer or professional land surveyor licensed by the state of Utah. The preliminary plat submittal shall include at least the following information:*

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

	<p>basins, outlets to offsite facilities, and off site drainage facilities planned to accommodate the project drainage.</p> <p>9. Show any existing wetlands.</p> <p>10. Slope analysis which depicts all slopes greater than fifteen percent (15%) and greater than twenty five percent (25%) with distinct notation. (Ord. 12-09, 9-18-2012)</p>		
E	<p>Utility plan (may be combined with plat sheet, if approved by the county engineer):</p> <ol style="list-style-type: none"> 1. Plan drawn to a scale not smaller than one hundred feet (100') to the inch, showing the road and lot layout. 2. North arrow. 3. Subdivision name. 4. Show all existing and proposed utilities including: sewer, culinary water, well locations with secondary water, fire hydrants, storm drains, subsurface drains, gas lines, power lines, and streetlights, television and telecommunications. 5. Show location and dimensions of all utility easements. 	Does Not Apply	Utility Lines as stated on the Plat Amendment will be relocated within the Public Utility easements.
F	<p>The subdivider shall provide the following documents with the application:</p> <ol style="list-style-type: none"> 1. Three (3) copies of a geotechnical soils report. 2. A traffic report when required by the planning commission or county engineer. 3. Preliminary title report, which specifically references the boundary survey and exactly matches the legal description of the outside boundary of the subdivision. 4. Service agreements from all utility companies or providers. 5. Any necessary agreements with adjacent property owners regarding storm drainage or other matters pertinent to subdivision approval. 6. Maintenance agreements for subsurface drains serving the subdivision, if they are proposed or exist. 7. An agricultural impact analysis, on subdivisions which are contiguous to an adopted agricultural preservation area, or which contain an agricultural open space conservation easement within the plat. 8. Written verification of all proposed water sources. For all proposed water sources, provide approval letters from the Weber-Morgan County health department and proof of all water rights, including quantities (water rights certificates, etc.), for each well and water source to be utilized for the development. 9. The developer shall submit all information concerning site geology, area hydrogeology, site topography, soil types and the proven wet water by the drilling of at least one test well from within the described subdivision boundary, as determined by a geotechnical engineer, licensed in the state of Utah. Well logs shall be submitted to the county identifying the depth and yield of the well. Information submitted must verify that the source is consistently available to supply eight hundred (800) gallons per day (gpd) per equivalent residential connection (ERC) at a minimum flow rate of 0.55 gallons per minute (gpm). Water for irrigation supplies shall be verified to provide three (3) gpm per irrigated acre. If the proposal is being 	Complies	

	served by an existing water utility company, these requirements do not apply. 10. Verification of approval from the Weber-Morgan County health department regarding the proposed location of all septic systems and water source protection areas.		
G	When the subdivision is located within the sensitive area district or geologic hazards special study area, required reports and documents are to be submitted in accordance with the provisions of this title.	Complies	
H	The subdivider shall comply with all applicable federal, state, and local laws and regulations, and shall provide evidence of such compliance if requested by the county.	Complies	The applicant agrees to these terms.
I	Copy of proposed protective covenants in all cases where subsurface drains or other common area maintenance proposals are to serve any portion of the subdivision.	Does Not Apply	
J	Electronic copies of all preliminary plat drawings in AutoCAD (DWG) format.	Complies	
K	Tabulations showing the total number of lots or buildings sites, and the percentage of land in roads, lots, and open space.	Does Not Apply	
L	Any additional submittal requirements required for or by master planned development reserves, specific development agreements, or requirements and conditions of other applicable ordinances or previous approvals. (Ord. 10-16, 12-14-2010)	Does Not Apply	
8-12-32: FINAL PLAT; PREPARATION AND REQUIRED INFORMATION:			
A	The final plat shall consist of a mylar with the outside or trim line dimensions of twenty four inches by thirty six inches (24" x 36"). The mylar shall be submitted to the county at least twenty (20) days prior to consideration for placement on the county council agenda for approval. Until that date, submittal of paper copies is sufficient for review. The borderline of the plat shall be drawn in heavy lines leaving a space of at least one and one-half inches (1 1/2") on the left side and at least one-half inch (1/2") margin on the other sides. The plat shall be so drawn that the top of the drawing faces either north or west, whichever accommodates the drawing best. All lines, dimensions, and markings shall be made on a mylar with approved waterproof black ink. The plat shall be made to a scale large enough to clearly show all details, and in any case not smaller than one hundred feet (100') to the inch, and workmanship on the finished drawing shall be neat, clean cut and readable.	Will Comply	Historically, staff has recommended the applicant wait to print the final mylar in the event that the Planning Commission recommend changes to the plat.
B	The final plat shall show the subdivision name that is distinct from any other recorded subdivision name and the general location of the subdivision in bold letters at the top of the sheet.	Complies	
C	The plat shall contain a north arrow and scale of the drawing and the date.	Complies	
D	Prior to consideration by the county council, the plat shall be signed by all required and authorized parties, with the exception of the county council chairperson, planning commission chairperson and county attorney, with appropriate notarial acknowledgements and the final plat shall contain all information set forth in this section.	Will comply	Historically, staff has recommended the applicant wait to print the final mylar and receive signatures, in the event that the Planning Commission and/or County Commission recommend changes to the plat.
E	An accurate and complete survey, which conforms to Utah state law.	Complies	The survey has been completed.

F	Plats will show accurately drawn boundaries, showing the proper bearings and dimensions of all boundary lines of the subdivision, properly tied to at least two (2) public survey monuments. These lines should be slightly heavier than street and lot lines.	Complies	
G	The final plat shall show all survey, mathematical information and data necessary to locate all monuments and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearing and distance of straight lines, and central angle, radius and arc length of curves, and such information as may be necessary to determine the location of beginning and ending points of curves. All property corners and monuments within the subdivision shall be tied to an acceptable Morgan County monument, as determined by the Morgan County surveyor. Lot and boundary closure shall be calculated to the nearest 0.02 of a foot.	Complies	
H	All lots, blocks, and parcels offered for dedication for any purpose should be delineated and designated with dimensions, boundaries and courses clearly shown and defined in every case. The square footage of each lot shall be shown. All parcels offered for dedication other than for streets or easements shall be clearly designated on the plat. Sufficient linear, angular and curved data shall be shown to determine readily the bearing and length of the boundary lines of every block, lot and parcel which is a part thereof. No ditto marks shall be used for lot dimensions.	Complies	
I	The plat shall show the right of way lines of each street, and the width of any portion being dedicated and widths of any existing dedications. The widths and locations of adjacent streets and other public properties within fifty feet (50') of the subdivision shall be shown with dashed lines. If any street in the subdivision is a continuation or an approximate continuation of an existing street, the conformity or the amount of nonconformity of such existing streets shall be accurately shown.	Complies	
J	All lots are to be numbered consecutively under a definite system approved by the county. Numbering shall continue consecutively throughout the subdivision with no omissions or duplications.	Complies	
K	All streets within the subdivision shall be numbered (named streets shall also be numbered) in accordance with and in conformity with the adopted street numbering system adopted by the county. Each lot shall show the street addresses assigned thereto, and shall be according to the standard addressing methods approved by the county. In the case of corner lots, an address will be assigned for each part of the lot having street frontage.	Complies	
L	The side lines of all easements shall be shown by fine dashed lines. The width of all easements and sufficient ties thereto to definitely locate the same with respect to the subdivision shall be shown. All easements shall be clearly labeled and identified.	Complies	
M	The plat shall fully and clearly show all stakes, monuments and other evidence indicating the boundaries of the subdivision as found on the site. Any monument or bench mark that is disturbed or destroyed before acceptance of all improvements shall be replaced by the subdivider under the direction of the county surveyor. The following required monuments shall be shown on the final plat:	Complies	

	<ol style="list-style-type: none"> 1. The location of all monuments placed in making the survey, including a statement as to what, if any, points were reset by ties; 2. All right of way monuments at angle points and intersections as approved by the county surveyor. 		
N	<p>The final plat shall contain the name, stamp and signature of a professional land surveyor, together with the date of the survey, the scale of the map and number of sheets. The following certificates, acknowledgements and descriptions shall appear on the title sheet of the final plat, and such certificates may be combined where appropriate:</p> <ol style="list-style-type: none"> 1. Professional land surveyor's "certificate of survey". 2. Owner's dedication certificate in the following form: <p><i>OWNERS DEDICATION</i></p> <p><i>Know all men by these presents that we, the undersigned owner(s) of the above described tract of land, having caused said tract to be subdivided into lots and streets to be hereafter known as Subdivision do hereby dedicate for perpetual use of the public all parcels of land, other utilities, or easements shown on this plat as intended for public use. In witness whereof, we have her.,leunto set out hands this day of, 21.</i></p> <p><i>(Add appropriate acknowledgments)</i></p> <ol style="list-style-type: none"> 3. Notary public's acknowledgement for each signature on the plat. 4. A correct metes and bounds description of all property included within the subdivision. 5. Plats shall contain signatures of the water provider (if provided by a culinary water system), sewer provider (if provided by a sewer improvement district), Weber-Morgan County health department, planning commission, and county engineer, and blocks for signatures of the county attorney and county council (a signature line for the council chairperson and an attestation by the county clerk). A block for the county recorder shall be provided in the lower right corner of the final plat. 6. Such other affidavits, certificates, acknowledgements, endorsements and notarial seals as are required by law, by this title, the county attorney, or county surveyor. 7. Prior to recordation of the plat, the subdivider shall submit a current title report to be reviewed by the county. A "current title report" is considered to be one which correctly discloses all recorded matters of title regarding the property and which is prepared and dated not more than thirty (30) days before the proposed recordation of the final plat. 8. The owner's dedication certificate, registered land surveyor's certificate of survey, and any other certificates contained on the final plat shall be in the form prescribed by the county's standards. 9. When a subdivision contains lands which are reserved in private ownership for community use, including common areas, the subdivider shall submit, with the final plat, the name, proposed articles of incorporation and bylaws of the owner, or organization empowered to own, maintain 	Complies	

	and pay taxes on such lands and common areas and any access easements which may be required by the county.		
O	On subdivisions which are contiguous to an adopted agricultural protection area, or which contain an agricultural open space preservation area within the plat, a note shall be placed on the plat, in conjunction with right to farm provisions, stating such, and that agricultural operations work hours begin early and run late and that these operations may contribute to noises and odors objectionable to some residents.	Does Not Apply	
P	A note on the plat which states the following: <i>Morgan County restricts the occupancy of buildings within developments as outlined in the adopted building and fire codes. It is unlawful to occupy a building located within any development without first having obtained a certificate of occupancy issued by the county.</i> (Ord. 10-16, 12-14-2010)		

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments received

Fire/EMS Services: No comments received

Engineering/Surveyor: No Comments received

Recorders: No comments received

Zoning: The zoning is R1-12:

Recommended Motion

Sample Motion for a recommendation for Approval – “I move to approve the Rose Hill Phase 4 Plat Amendment, application #22.064, located at 5684 Garnet Drive based on the findings and with the conditions listed in the staff report dated December 22, 2022.”

Sample Motion for a recommendation for Approval with conditions – “I move to approve the Rose Hill Phase 4 Plat Amendment, application #22.064, located at 5684 Garnet Drive based on the findings and with the conditions listed in the staff report dated December 22, 2022, with the following additional conditions:”

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

Sample Motion for a recommendation for Denial – “I move to deny the Rose Hill Phase 4 Plat Amendment, application #22.064, located at 5684 Garnet Drive based on the following findings:

1. *List any additional findings...*

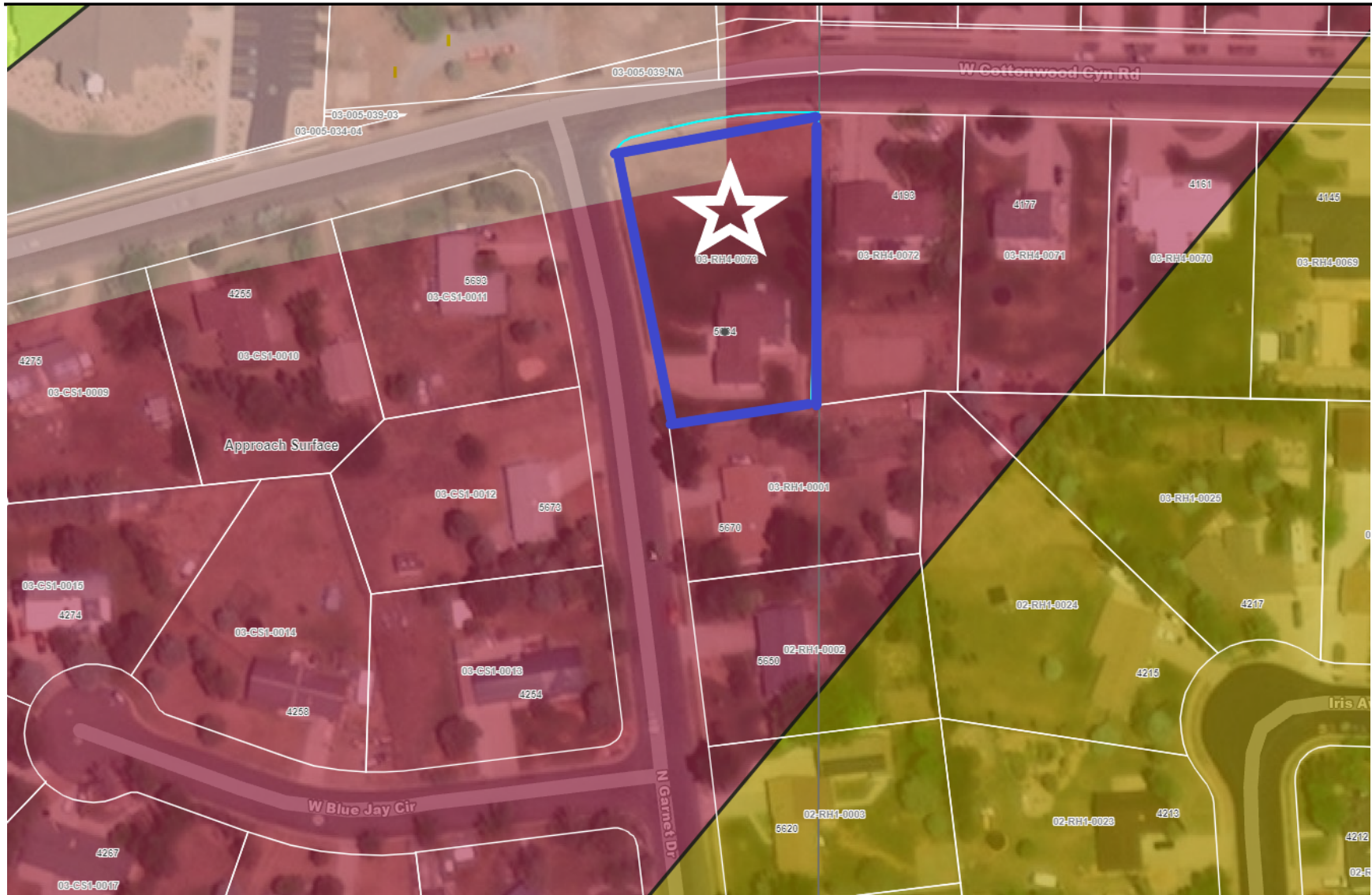
Attachments:

- A. Vicinity Map
- B. Zoning Map
- C. Rezoning Approval Letter
- D. Proposed Plat Amendment
- E. Application

Attachment A: VICINITY MAP



ATTACHMENT B: ZONING MAP



*Rose Hill Phase 4 Plat Amendment
Application #22.064
December 8, 2022*



16 February 2022

Dane Wilkinson
5684 Garnet Drive
Morgan, UT 84050

RE: Wilkinson FLUMA & Rezone, Application #21.039 & 21.038

Dear Mr. Wilkinson,

On February 15, 2022 the Morgan County Commission approved the request for a Future Land Use Map Amendment and a Zoning Map Amendment changing the Future Land Use Map designation from Village Low Density Residential to Village Residential and changing the zoning designation of the subject property from R1-20 to R1-12. Attached is a copy of the recorded ordinance, signed and approved by the County.

This letter is intended as a courtesy to document the status of your project. The official minutes from the County Commission meeting are available in the office of the Morgan County Clerk. If you have further questions, please contact me at bsmith@morgancountyutah.gov or 801-845-4015.

Respectfully,

Bailey Smith
Office Manager/Permit Tech

C:\Land Projects\silverair\dwg\walk_date_rosehill.DWG 11/5/2022 12:29:08 AM AM.MDT

FINAL PLAT
ROSE HILL SUBDIVISION NO. 4
AMENDED PLAT NO. 1

A PART OF THE SE1/4 OF SECTION 25, T5N, R1E
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH

COTTONWOOD ROAD (5700 NORTH STREET)

MORGAN COUNTY SURVEYOR'S BRASS CAP
WEST QUARTER CORNER
SECTION 30, T5N, R2E

BASIS OF BEARING
S88°42'14"E

FOUND REBAR/CAP IN FENCE LINE
CENTER QUARTER CORNER
SECTION 30, T5N, R2E.

CERTIFICATE OF OCCUPANCY

MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE ADOPTED BUILDING AND FIRE CODE. IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY, ISSUED BY THE COUNTY.

NOTICE OF RIGHTS TO FARM

MORGAN COUNTY IS A RIGHT TO FARM COMMUNITY. THIS SUBDIVISION IS LOCATED ADJACENT TO PROPERTY THAT IS FARMED/RANCHED. LOT OWNERS ARE HEREBY NOTIFIED THAT AGRICULTURAL OPERATIONS WORK HOURS BEGIN EARLY AND RUN LATE AND THAT THESE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.

WATER SUPPLY AND FIRE PROTECTION REQUIREMENTS

WELLS AND APPROVED CULINARY WATER SYSTEMS MUST BE CAPABLE OF PROVIDING 800 GALLONS PER DAY PER EQUIVALENT RESIDENTIAL CONNECTION FOR INDOOR CULINARY USE AND A MINIMUM OF 3 GALLONS PER MINUTE PER IRRIGATED ACRE FOR OUTDOOR USE. ALL WATER SOURCES, FLOW RATES AND INFRASTRUCTURE SHALL MEET THE REQUIREMENTS OF MCC 8-12-46 (B)

CULINARY WATER WILL BE PROVIDED BY WILKINSON-COTTONWOOD MUTUAL WATER CO., A NEW SERVICE LATERAL AND METER WILL BE REQUIRED TO EACH LOT. MATERIALS TYPE AND THICKNESS SHALL BE AS PER WATER CO. STANDARDS. THE DEVELOPER SHALL GRANT SUFFICIENT WATER TO EACH LOT TO COMPLY WITH THE MINIMUM REQUIREMENTS OF MORGAN COUNTY SUBDIVISION ORDINANCE SECTION 8-12-46.

FIRE SYSTEM DESIGN SHALL BE APPROVED BY THE DISTRICT FIRE OFFICIAL PRIOR TO ISSUANCE OF A BUILDING PERMIT. WATER SUPPLY AND FIRE PROTECTION FACILITIES SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF MCC 8-12-46 (C).

UTILITIES:

EXISTING POWER, GAS AND TELEPHONE FACILITIES ARE IN PLACE AND AVAILABLE WITHIN COTTONWOOD ROAD. NEW SERVICE LATERAL EXTENSIONS FROM EXISTING FACILITIES TO THE NEW HOME SITE WILL BE REQUIRED. THE COST OF HOOK UP FEES, INSTALLATION AND MATERIALS FOR THE CONSTRUCTION OF UTILITY SERVICE LINES SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND SHALL BE INSTALLED IN ACCORD WITH MCC 8-12-46A.

SURVEY NARRATIVE

- THIS PLAT WAS PREPARED AT THE REQUEST OF DANE WILKINSON, 5684 GARNET DRIVE, MOUNTAIN GREEN, UTAH. 84050
- THE PURPOSE OF THIS SURVEY AND PLAT THEREOF IS TO PROVIDE DOCUMENTATION AND OBTAIN APPROVALS TO SUBDIVIDE THE HEREON SHOWN LOT 73, ROSE HILL SUBDIVISION NO. 4 INTO TWO BUILDING LOTS WITH ONE LOT CONTAINING THE EXISTING HOME AND ANOTHER LOT AT THE STREET CORNER.
- THE BASIS OF BEARING IS THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 EAST AS MONUMENTED AND SHOWN HEREON.

LINE TABLE		
LINE	LENGTH	BEARING
L1	12.00	N14°44'00"W
L2	21.18	S75°16'00"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	182.15	1512.54	6°54'00"	182.04	N11°17'00"W
C2	112.83	1512.54	4°16'27"	112.81	N09°58'14"W
C3	69.32	1512.54	2°37'33"	69.31	N13°25'14"W
C4	23.56	15.00	90°00'00"	21.21	N 30°16'00" E
C5	116.70	417.13	16°01'46"	116.32	N 83°16'53" E

*** FILED AS RECORD OF SURVEY NO. S000.

MORGAN COUNTY SURVEYOR

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

SIGNED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY SURVEYOR

CERTIFICATE OF SURVEYOR

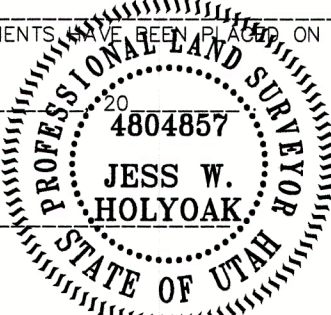
I, JESS W. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 4804857, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYOR'S LICENSING ACT, AND BY AUTHORITY OF THE OWNERS, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREWITH, IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; AND HAVE HEREBY SUBDIVIDED SAID TRACT INTO 2 LOTS, KNOW HEREFTER AS:

ROSE HILL SUBDIVISION NO. 4
AMENDED PLAT NO. 1

AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN PLACED ON THE GROUND AS REPRESENTED ON THE PLAT HEREON.

SIGNED THIS ____ DAY OF _____, 20____.

JESS W. HOLYOAK, P.L.S.
UTAH LAND SURVEYOR REGISTRATION NO. 4804857.



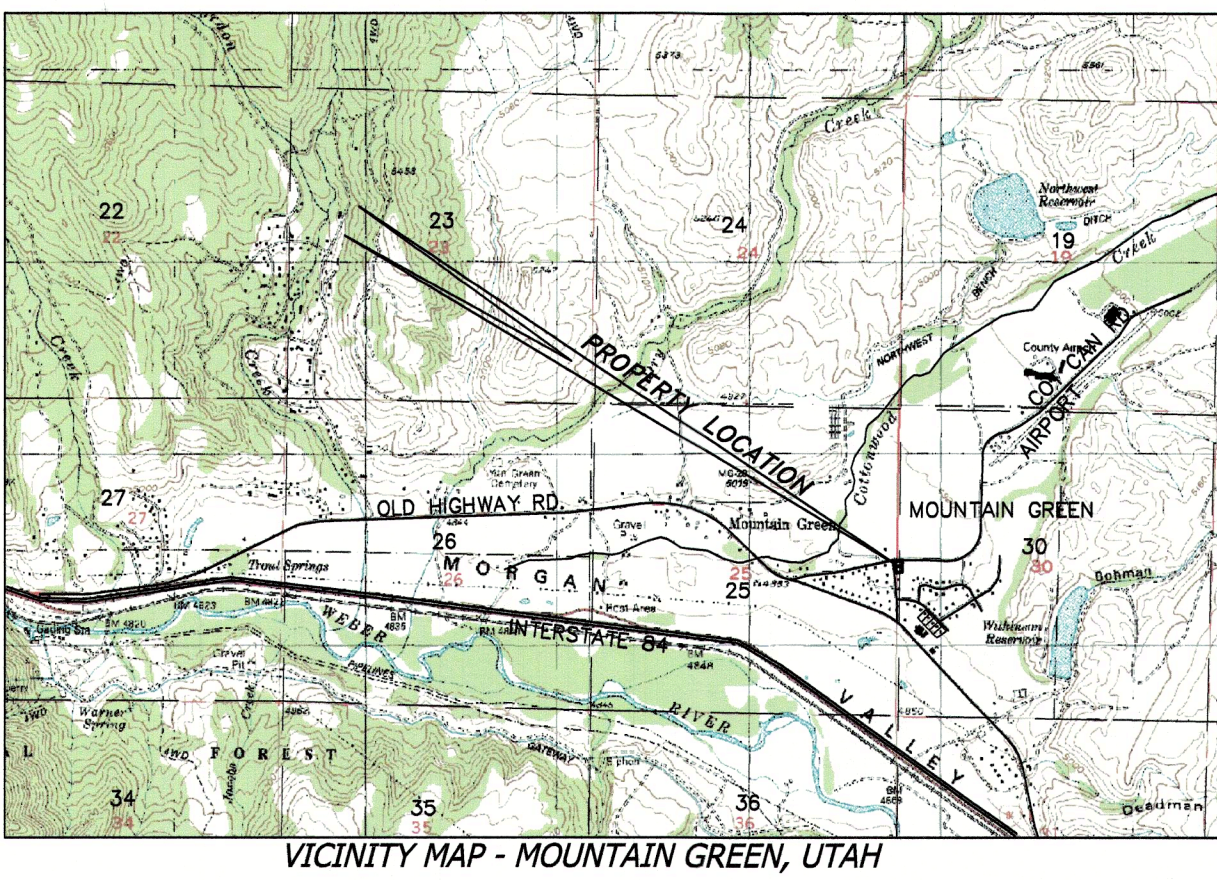
MORGAN COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____
FILED FOR RECORD AND RECORDED _____ AT _____

IN BOOK _____ OF THE OFFICIAL RECORDS,
PAGE _____

RECORDED FOR: _____

MORGAN COUNTY RECORDER
BY: _____ DEPUTY.



BOUNDARY DESCRIPTION

A TRACT OF LAND, BEING ALL OF LOT 73, ROSE HILL SUBDIVISION NO. 4, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MORGAN COUNTY RECORDER'S OFFICE, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 30, MONUMENTED BY A MORGAN COUNTY SURVEYOR'S BRASS CAP ON THE SOUTH LINE OF COTTONWOOD ROAD WHICH BEARS NORTH 88°42'14" WEST (BASIS OF BEARING) 2731.49 FEET FROM THE CENTER QUARTER CORNER OF SAID SECTION 25 AS MONUMENTED BY A REBAR AND CAP;
THENCE SOUTH 01°17'46" WEST 213.30 FEET;
THENCE SOUTH 82°10'00" WEST 104.17 FEET TO THE EAST LINE OF GARNET DRIVE;
THENCE 182.15 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1512.54 FEET AND A CHORD BEARING NORTH 11°17'00" WEST 182.04 FEET ALONG SAID EAST LINE;
THENCE NORTH 14°44'00" WEST 12.00 FEET ALONG SAID EAST LINE;
THENCE 23.56 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CHORD BEARING NORTH 30°16'00" EAST 21.21 FEET TO THE SOUTH LINE OF COTTONWOOD ROAD;
THENCE NORTH 75°16'00" EAST 21.18 FEET ALONG SAID SOUTH LINE;
THENCE 116.70 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 417.13 FEET AND A CHORD BEARING NORTH 83°16'53" EAST 116.32 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING;

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 0.62 ACRES.

THE BASIS OF BEARING IS THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 EAST AS MONUMENTED.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREON DESCRIBED, HAVE CAUSED SAID TRACT TO BE SUBDIVIDED INTO TWO LOTS TO BE KNOWN HEREAFTER AS:

ROSE HILL SUBDIVISION NO. 4
AMENDED PLAT NO. 1

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND, OTHER UTILITIES, OR EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, 2023.

WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011

WENDY WILKINSON, TRUSTEE

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF MORGAN)

ON THIS, _____ DAY OF _____, 2022, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011, WHO SIGNED THE ABOVE OWNER'S DEDICATION, AND DULY ACKNOWLEDGE TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

_____, A NOTARY PUBLIC COMMISSIONED IN UTAH
RESIDING IN _____ COUNTY, UTAH
HAVING COMMISSION NUMBER _____
MY COMMISSION EXPIRES _____

ACKNOWLEDGMENT OF RESPONSIBILITY

KNOW ALL MEN BY THESE PRESENTS THAT WE UNDERSIGNED OWNERS OF THE TRACT(S) OF LAND CONTAINED WITHIN THE SUBDIVISION BOUNDARY DESCRIBED HEREON, ACKNOWLEDGE THAT FAILURE OF THE LOCAL JURISDICTION OR PLANNING COMMISSION TO OBSERVE OR RECOGNIZE HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS, OR TO RECOMMEND DENIAL OF THE SUBDIVISION BECAUSE OF SAID UNRECOGNIZED HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS SHALL NOT RELIEVE THE DEVELOPER OR OWNER FROM RESPONSIBILITY FOR THE CONDITION OR DAMAGES RESULTING THEREFROM, AND SHALL NOT RESULT IN THE LOCAL JURISDICTION OR PLANNING COMMISSION, ITS OFFICERS OR AGENTS, BEING RESPONSIBLE FOR THE CONDITIONS AND DAMAGES RESULTING THEREFROM.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, 2023.

WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011

WENDY WILKINSON, TRUSTEE

LEGEND:

⊙	WELL HEAD
⊙	PERCOLATION TEST PIT
⊙	FOUND "MOUNTAIN ENGINEERING" REBAR AND CAP OR OTHER AS INDICATED
•	SET 5/8 REBAR W/CAP OR AS INDICATED
⊠	SET BY OTHERS AS INDICATED
•	SET NAIL AND WASHER
⊙	SECTION CONTROL OR U.D.O.T. RIGHT OF WAY MONUMENT, AS INDICATED
()	RECORD DATA

MORGAN COUNTY COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COMMISSION OF MORGAN COUNTY, UTAH.

SIGNED THIS ____ DAY OF _____, 2022.

CHAIRMAN, MORGAN COUNTY COMMISSION

ATTEST: MORGAN COUNTY CLERK

MORGAN COUNTY ATTORNEY

APPROVED AS TO FORM.

SIGNED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY ATTORNEY

WEBER-MORGAN HEALTH DEPARTMENT

THE WASTE DISPOSAL SYSTEM AND THE CULINARY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS ____ DAY OF _____, 20____.

DEPARTMENT HEALTH OFFICER

MORGAN COUNTY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS RECOMMENDED FOR APPROVAL BY THE MORGAN COUNTY PLANNING COMMISSION.

SIGNED THIS ____ DAY OF _____, 20____.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

MORGAN COUNTY ENGINEER

APPROVED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY ENGINEER

ROSE HILL SUBDIVISION NO. 4
AMENDED PLAT NO. 1

A PART OF THE SOUTHEAST QUARTER OF SECTION 25, T5N, R1E
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
MOUNTAIN GREEN, MORGAN COUNTY, UTAH

FOR: DANE WILKINSON, 5684 GARNET DRIVE, MOUNTAIN GREEN, UT

DRAWING NO.
ME 22-XX
SHEET 1 OF 1
FILE:wik_dane_rosehill

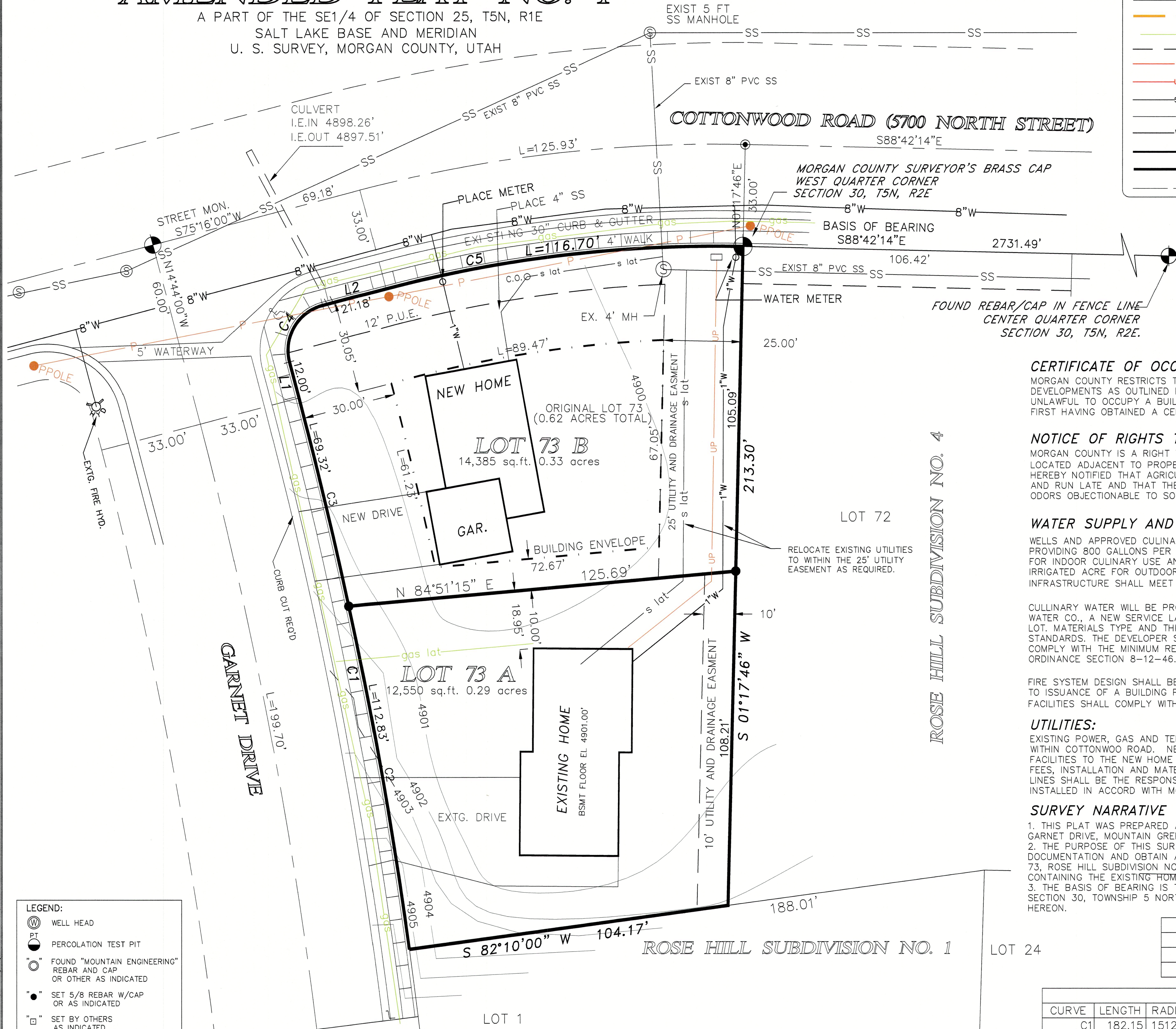
MOUNTAIN ENGINEERING

2250 W OLD HIGHWAY ROAD
MORGAN, UTAH 84050
TEL (801) 876-3978

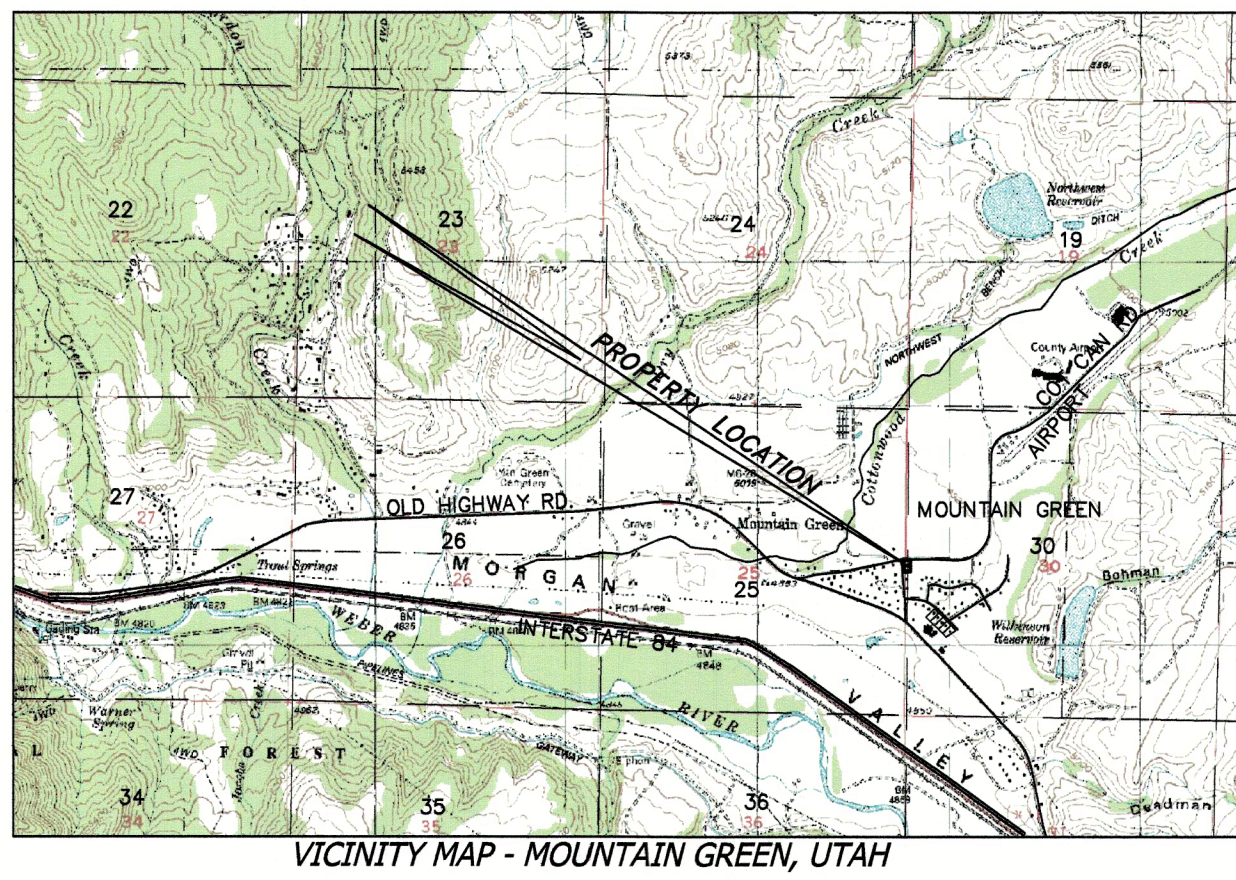
PRELIMINARY PLAN

ROSE HILL SUBDIVISION NO. 4 AMENDED PLAT NO. 1

A PART OF THE SE1/4 OF SECTION 25, T5N, R1E
SALT LAKE BASE AND MERIDIAN
U. S. SURVEY, MORGAN COUNTY, UTAH



LINE TYPE LEGEND	
	DESIGN CENTERLINE
	GEOLOGIC UNIT BOUNDARY
	NATURAL GAS PIPELINE
	UTILITY EASEMENT
	EXISTING AERIAL POWER LINE
	EXTG. UNDERGROUND POWER LINE
	EXISTING SECONDARY WATER LINE
	EXISTING SEWER MAIN
	EXISTING CULINARY WATER LINE
	PROPOSED PROP/LOT BOUNDARY
	SUBDIVISION BOUNDARY
	EXISTING PROP BOUNDARY



BOUNDARY DESCRIPTION

A TRACT OF LAND, BEING ALL OF LOT 73, ROSE HILL SUBDIVISION NO. 4, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE MORGAN COUNTY RECORDER'S OFFICE, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE WEST QUARTER CORNER OF SAID SECTION 30, BEING A MORGAN COUNTY SURVEYOR'S BRASS CAP ON THE SOUTH LINE OF COTTONWOOD ROAD;
THENCE SOUTH 01°17'46" WEST 213.30 FEET;
THENCE SOUTH 82°10'00" WEST 104.17 FEET TO THE EAST LINE OF GARNET DRIVE;
THENCE 182.15 FEET ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1512.54 FEET AND A CHORD BEARING NORTH 11°17'00" WEST 182.04 FEET ALONG SAID EAST LINE;
THENCE NORTH 14°44'00" WEST 12.00 FEET ALONG SAID EAST LINE;
THENCE 23.56 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET AND A CHORD BEARING NORTH 30°16'00" EAST 21.21 FEET TO THE SOUTH LINE OF COTTONWOOD ROAD;
THENCE NORTH 75°16'00" EAST 21.18 FEET ALONG SAID SOUTH LINE;
THENCE 116.70 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 417.13 FEET AND A CHORD BEARING NORTH 83°16'53" EAST 116.32 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING;;

THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 0.62 ACRES.

THE BASIS OF BEARING IS THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 EAST AS MONUMENTED.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREON DESCRIBED, HAVE CAUSED SAID TRACT TO BE SUBDIVIDED INTO TWO LOTS TO BE KNOWN HEREAFTER AS:

ROSE HILL SUBDIVISION NO. 4 AMENDED PLAT NO. 1

DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND, OTHER UTILITIES, OR EASEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, 2023.

WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011

WENDY WILKINSON, TRUSTEE

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF MORGAN)

ON THIS ____ DAY OF _____, 2022, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011, WHO SIGNED THE ABOVE OWNER'S DEDICATION, AND DULY ACKNOWLEDGE TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

_____, A NOTARY PUBLIC COMMISSIONED IN UTAH

RESIDING IN _____ COUNTY, UTAH

HAVING COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____

_____, A NOTARY PUBLIC COMMISSIONED IN UTAH

RESIDING IN _____ COUNTY, UTAH

HAVING COMMISSION NUMBER _____

MY COMMISSION EXPIRES _____

ACKNOWLEDGMENT OF RESPONSIBILITY

KNOW ALL MEN BY THESE PRESENTS THAT WE UNDERSIGNED OWNERS OF THE TRACT(S) OF LAND CONTAINED WITHIN THE SUBDIVISION BOUNDARY DESCRIBED HEREON, ACKNOWLEDGE THAT FAILURE OF THE LOCAL JURISDICTION OR PLANNING COMMISSION TO OBSERVE OR RECOGNIZE HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS, OR TO RECOMMEND DENIAL OF THE SUBDIVISION BECAUSE OF SAID UNRECOGNIZED HAZARDOUS, UNKNOWN OR UNSIGHTLY CONDITIONS SHALL NOT RELIEVE THE DEVELOPER OR OWNER FROM RESPONSIBILITY FOR THE CONDITION OR DAMAGES RESULTING THEREFROM, AND SHALL NOT RESULT IN THE LOCAL JURISDICTION OR PLANNING COMMISSION, ITS OFFICERS OR AGENTS, BEING RESPONSIBLE FOR THE CONDITIONS AND DAMAGES RESULTING THEREFROM.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS ____ DAY OF _____, 2023.

WENDY WILKINSON, or her successor, as Trustee of the WENDY WILKINSON REVOCABLE TRUST dated April 19th, 2011

WENDY WILKINSON, TRUSTEE

CERTIFICATE OF SURVEYOR

I, JESS W. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 4804857, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYOR'S LICENSING ACT, AND BY AUTHORITY OF THE OWNERS, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREWITH, IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS; AND HAVE HEREBY SUBDIVIDED SAID TRACT INTO 2 LOTS, KNOWN HEREAFTER AS:

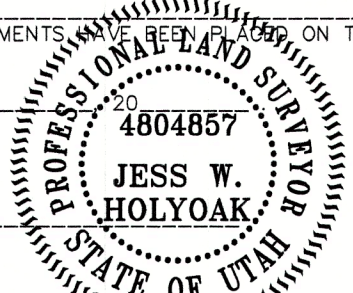
ROSE HILL SUBDIVISION NO. 4 AMENDED PLAT NO. 1

AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTED ACCORDING TO THE PLAT HEREON.

SIGNED THIS ____ DAY OF _____, 20____.

JESS W. HOLYOAK, P.L.S.

UTAH LAND SURVEYOR REGISTRATION NO. 4804857.



MORGAN COUNTY RECORDER

ENTRY NO. _____ FEE PAID _____

FILED FOR RECORD AND RECORDED _____ AT _____

IN BOOK _____ OF THE OFFICIAL RECORDS,

PAGE _____

RECORDED FOR: _____

MORGAN COUNTY RECORDER

DEPUTY: _____

LEGEND:	
	WELL HEAD
	PERCOLATION TEST PIT
	FOUND "MOUNTAIN ENGINEERING" REBAR AND CAP OR OTHER AS INDICATED
	SET 5/8 REBAR W/CAP OR AS INDICATED
	SET BY OTHERS AS INDICATED
	SET NAIL AND WASHER
	SECTION CONTROL OR U.D.O.T. RIGHT OF WAY MONUMENT, AS INDICATED
	RECORD DATA

MORGAN COUNTY COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COMMISSION OF MORGAN COUNTY, UTAH.

SIGNED THIS ____ DAY OF _____, 2022.

CHAIRMAN, MORGAN COUNTY COMMISSION

MORGAN COUNTY ATTORNEY

APPROVED AS TO FORM.

SIGNED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY ATTORNEY

WEBER-MORGAN HEALTH DEPARTMENT

THE WASTE DISPOSAL SYSTEM AND THE CULINARY WATER SYSTEM ARE HEREBY APPROVED.

SIGNED THIS ____ DAY OF _____, 20____.

DEPARTMENT HEALTH OFFICER

MORGAN COUNTY PLANNING COMMISSION

THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS RECOMMENDED FOR APPROVAL BY THE MORGAN COUNTY PLANNING COMMISSION.

SIGNED THIS ____ DAY OF _____, 20____.

CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

MORGAN COUNTY ENGINEER

APPROVED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY ENGINEER

MORGAN COUNTY SURVEYOR

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

SIGNED THIS ____ DAY OF _____, 20____.

MORGAN COUNTY SURVEYOR

Subdivision Amendment Application

Planning and Development Services
48 West Young Street, Morgan, UT 84050
(801) 845-4015 Fax (801) 845-6087
www.morgancountyutah.gov



Notice: The applicant must submit copies of the preliminary plans and final plat to be reviewed by the County in accordance with the terms of the Morgan County Code. Once a set of preliminary plans and final plat are submitted, the plans are subject to compliance reviews by the various county departments and contracted staff, and may be returned to the applicant for revision if the plans are found to be inconsistent with the requirements of the County Code and all other applicable laws. All submitted preliminary plan and final plat proposals shall be reviewed in accordance with Title 8 of the Morgan County Code. Submission of preliminary plans and final plat in no way guarantees placement of the application on any particular agenda of the County land use authority. It is **strongly** advised that all preliminary and final subdivision plans be submitted well in advance of any anticipated deadlines.

Project Information					
Date of Submission:		Zone:		Serial#(s):	
Project Name:		Parcel #(s):		Acres:	
Project Address: 5684 Garnet Drive Mtn. Green, UT 84050					
Project Description: New small lot subdivision					
Property Owner(s): Dane / Wendy Wilkinson			Applicant(s): Dane / Wendy Wilkinson		
Address: 5684 Garnet Drive			Address: 5684 Garnet Drive		
City: Mtn. Green	State: UT	Zip: 84050	City: Mtn. Green	State: UT	Zip: 84050
Phone: 801-791-8797			Phone: 801-791-8797		
Contact Person: Dane Wilkinson			Address: 5684 Garnet Drive		
Phone: 801-791-8797			City: Mtn. Green	State: UT	Zip: 84050
Cellular:		Fax:	Email: Dmilkman82@gmail.com		

*The application you are submitting may become a public record pursuant to the provisions of the Utah State Government Records Access and Management Act (GRAMA). You are asked to furnish the information on this form for the purpose of identification and to expedite the processing of your request. This information will be used only so far as necessary for completing the transaction. If you decide not to supply the requested information, you should be aware that your application may take a longer time to process or may be impossible to complete. If you are an "at-risk government employee" as defined in *Utah Code Ann. § 63-2-302.5*, please inform the County employee accepting this information. Morgan County does not currently share your private, controlled or protected information with any other person or government entity.

Subdivision Amendment Fees

Number of Lots: 2

Subdivision Amendment application fee.....	\$250.00 plus \$10.00/lot
Engineering review fees.....	\$Actual Cost
Surveyor review Fees.....	\$Actual Cost
Outside Consultants or Outsourced Staff Fee.....	\$ Actual Cost
Noticing Fee.....	\$60.00

For Office Use Only		
Received By:	Date Received:	App. #:



County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: 10 min

Name: Commissioner Vice Chair Blaine Fackrell

Phone: _____

Address: _____

Email: _____

Fax: _____

Associated County Department: _____

Commission

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion/Decision
Discussion of the Fairgrounds Plan

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

✓



County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: 10 min

Name: Commissioner Matt Wilson Phone: _____

Address: _____

Email: _____ Fax: _____

Associated County Department: _____ Commission

PURPOSE FOR THE AGENDA ITEM - MUST BE SPECIFIC:

Discussion/Decision

Discussion about a request by Young Ford to rent the Fairgrounds for July 14-16, 2023

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

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

Julie Rees

From: Matt Wilson
Sent: Wednesday, January 11, 2023 10:34 AM
To: Julie Rees
Subject: Young ford and dodge

Julie, could you please put a discussion for young ford renting the fairgrounds July 14-16 please?
Get [Outlook for iOS](#)

Fairground
Rental

July 14-16,
2023



2023

PUBLIC HEARING

48 W YOUNG ST MORGAN UTAH 84050 WWW.MORGANCOUNTYUT.COM



County Commission Agenda Request Form

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

Morgan County
Attn: Julie Rees
48 West Young Street
P O Box 886
Morgan, UT 84050
Phone: 801.845.4013

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

Email: jrees@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: 1/17/23 Time Requested: 20 min
Name: Joshua Cook Phone: (801) 845-4059
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:

M & D Nelson Rezone
Public Hearing/Discussion/Decision
Application No.: 22.065

Applicant/owner: Mark Nelson
Project Location: West of the Old Highway Road and Cottonwood Canyon Road
Intersection
Current Zoning: A-20
General Plan Designation: Commercial
Acreage: 44.75 acres
Request: Rezone 44.75 acres of land from A-20 zone to Town Center

WILL YOUR AGENDA ITEM BE FOR:

DISCUSSION
DECISION
BOTH
INFORMATION ONLY

✓

M & D Nelson Rezone
Public Hearing
December 22, 2022

Application No.:	22.065
Applicant/owner:	Mark Nelson
Project Location:	West of the Old Highway Road and Cottonwood Canyon Road Intersection
Current Zoning:	A-20
General Plan Designation:	Commercial
Acreage:	44.75 acres
Request:	Rezone 44.75 acres of land from A-20 zone to Town Center

PLANNIN COMMISSION MEETING AND RECOMMENDATION: The Planning Commission met and held a public hearing to discuss the proposed rezoning of approximately 45 acres of land from A-20 to Town Center zoning. After discussion and receiving several comments from the public the PC discussed their findings of fact and reasoning behind forwarding a **Negative** recommendation to the County Commission. The findings proposed by the PC are as follows:

Findings:

1. That the area was not meant to be zoned Town Center.
2. That the area was to be wholly commercial with no residential units.
3. That this proposed commercial area was the subject of much discussion during the last General Plan update.

STAFF RECOMMENDATION

County Staff recommended approval of the requested zoning map amendment. 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 proposed land uses in the area.
3. That the rezone will not adversely impact the adjacent properties.
4. That there is adequate facilities and services to service the property.

SUMMARY

Applicant is requesting approval of a proposed Zone Map Amendment of approximately 44.75 acres going from Zone A-20 to Town Center (TC). Property is located just West of Old Highway

Road intersecting at Cottonwood Canyon Road, also known as Parcel # 00-0003-3728 and serial # 03-005-034-03-NA in Mountain Green, Utah.

ANALYSIS

General Plan and Zoning:

The General Plan and Future Land Use Map anticipates the development of property in this area for commercial purposes. The General Plan designation is Commercial. The applicant wants to develop the property for commercial and multifamily development. The only commercial zoning category that would allow for this type of development is the Town Center Zoning. As the General Plan FLUM shows Commercial and the applicant is requesting a rezone to a commercial zone (TC) staff believes that the request is in conformance with the County's General Plan map and goals.

This land use demonstrates the desire of the County to allow for a denser environment, including residential units as part of the mixed-use development. The Town Center zoning will allow mixed-use development, including denser housing and commercial uses which are also compatible with the overall vision of the area as detailed in the General Plan. The current designation specifically notes that:

The Commercial category designation provides for commercial nodes on individual parcels and more intense commercial uses near major road corridors. The intent of the Commercial use category is to provide for commercial uses ranging from small-scale commercial uses which, through sensitive and creative building design, orientation of buildings, access, lighting, signs, parking, and landscaping can be made compatible with adjacent residential neighborhoods, to regional retail, neighborhood retail, family entertainment, office, and compatible employment uses in master planned developments.

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.

Further, the development will be required to adhere to a Development Agreement developed as part of the site plan review and platting process in the future. The Development Agreement will be required to go through the public hearing process as well.

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 Chapter 8-5 Article A). The purpose of the TC zoning district is as follows:

Town Center District (TC): To provide areas in appropriate locations where a combination of business, commercial, entertainment, residential and related activities may be established and maintained. Regulations of this district are designed to provide a compatible environment for commercial and residential uses. The district has strict design standards for architecture, landscaping, and other performance requirements as reflected in article K of this chapter. A mix of commercial and residential uses, in the same building or on the same site is allowed in this zoning district.

It is anticipated that the proposed zoning map amendment will meet these purposes and generally be in harmony with the General Plan. The impact on adjacent properties will be negligible.

ORDINANCE EVALUATION:

Morgan County ordinance anticipates amendments to the zoning map. Section 8-3-3: *Amendments to Title and Zoning Map* indicates that:

The county council may amend this title, including the zoning map, but only in accordance with the following procedure:

- A. The county council may instruct staff to study and make recommendations for amendments to this title 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 council regarding the proposed amendment pursuant to subsection 8-3-4D of this chapter.*
- B. The planning commission may instruct staff to study and make recommendations for amendments to this title 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 council regarding the proposed amendment pursuant to subsection 8-3-4D of this chapter.*
- C. Any property owner may initiate an amendment to this title 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 subsection 8-3-4A of this chapter.*

Section 8-3-4: Procedures for *Amendments and Rezonings* states:

D. Planning Commission Review and Recommendation: Upon receiving a recommendation from staff regarding an amendment to this title 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 council for review and decision. The planning commission shall recommend adoption of a proposed amendment only when the following findings are made:

- 1. The proposed amendment is in accordance with the county's general plan, goals, and policies of the county.*
- 2. Changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in this title.*

E. County Council Review: The county council shall schedule and hold a public hearing on the application as provided in section 8-3-12 of this chapter. Following the public hearing the county council 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 council 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 subsection D of this section.

F. Approval Standards: A decision to amend the text of this title or the zoning map is a matter committed to the legislative discretion of the county council and is not controlled by any one standard. However, in making an amendment, the county council 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.*

This meeting is in fulfillment of subsection (D) above. In response to Section 8-3-4(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 mixed use development in the Mountain Green area.

RECOMMENDED MOTION

Recommended Motion for Approval – “I move we forward a positive recommendation to the County Commission for M&D Nelson Rezone Map Amendment, application number 22.065, changing 44.75 acres from A-20 to TC, based on the findings listed in the staff report dated December 22, 2022.”

Recommended Motion for Denial – “I move we deny M&D Nelson Rezone Map Amendment, application number 22.065, changing 44.75 acres from A-20 to TC, based on the following findings:”

1. List any additional findings...

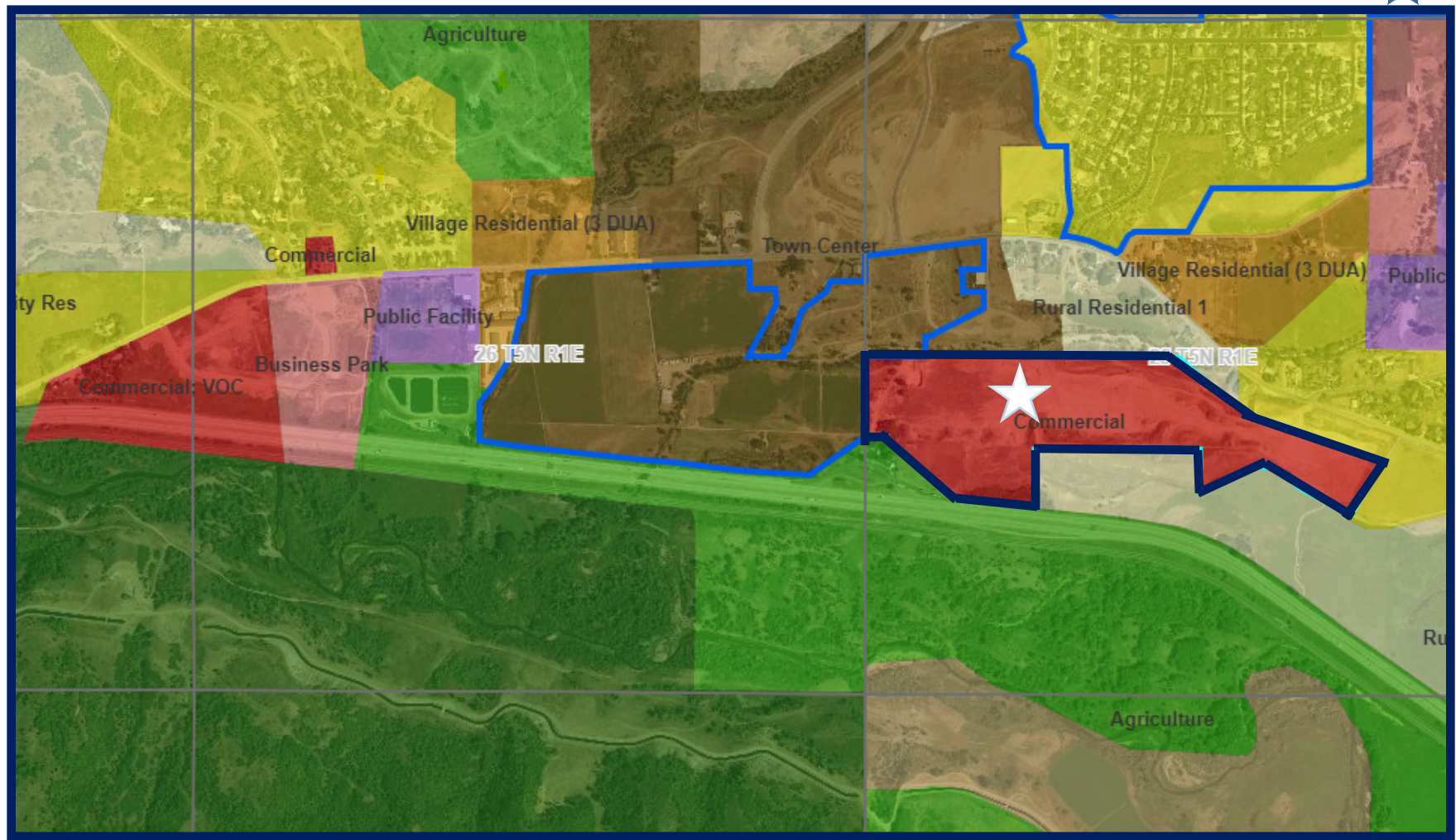
Supporting Information

Exhibit A: Future Land Use Map
Exhibit B: Existing Zoning Map
Exhibit C: Boundary Description
Exhibit D: Applicant’s Narrative
(Application)

Staff Contact

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

Exhibit A: Future Land Use Map



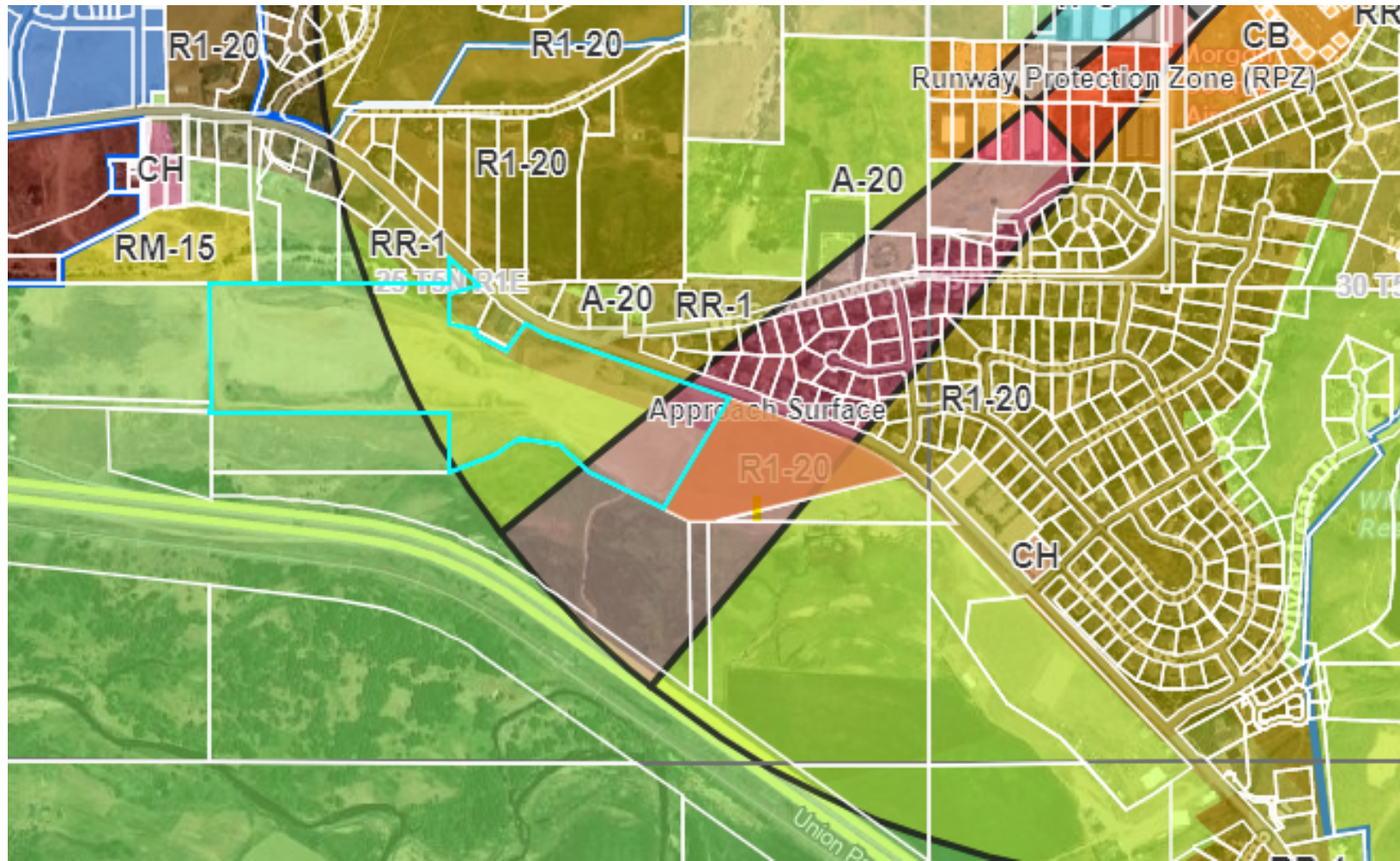


Exhibit C: Property Boundary Description

A TRACT OF LAND SIT IN THE SE1/4 OF SEC 25, T5N, R1E, SLB&M, U.S. SUR, MORGAN COUNTY, UTAH. COM AT THE E1/4 COR OF SD SEC 25, A REBAR & CAP; TH S 89*30'37" W 2427.67 FT ALG THE 1/4 SEC LN, TH S 00*00'00" E 85.06 FT TO A PT ON THE S LN OF OLD HIGHWAY ROAD & THE NE COR OF THE J. TODD VOGT PROP AS RECORDED IN THE MORGAN COUNTY RECORDER'S OFFICE M127-507; TH S 25*50'00" W 198.00 FT ALG THE E'LY LN OF SD PROP TO THE SE COR OF SD VOGT PROP, THE T.POB; TH S 62*44'49" E 203.12 FT; TH S 35*47'54" W 29.30 FT; TH N 62*44'49" W 198.05 FT; TH N 25*50'00" E 28.98 FT TO THE SE COR OF THE J. TODD VOGT PROP & THE POB. THE B.B. IS THE N LN OF THE SE1/4 OF SD SEC 25 CALLED: S 89*30'37" W AS MON. CONT 0.133 / 0.13 AC, M. OR L

Exhibit D: Applicant's Narrative (Application)



ZONE MAP/FUTURE LAND USE MAP AMENDMENT APPLICATION

NOTE: Please Read Chapter 4 of the Land Use Management Code as well as any other pertinent sections of the Code/General Plan/Area Plan in detail before submitting any type of Code Amendment Application. The applicant should realize that the typical time frame for a Zoning Ordinance Amendment may be lengthy, depending upon the complexity and issues. Any fees accrued on behalf of this application, by outsourced professionals employed by the county, shall be the responsibility of the applicant.

PARCEL to be amended (attach legal description):					
Name of Owner(s): M & D Nelson, L.L.C				Date of Submission:	
Owner(s) Address: 2316 E 5950 S			Owner(s) Mailing Address (if different): 2316 E 5950 S Ogden, UT 84403		
City: Mountain Green	State: Ut	Zip: 84050	City: Mountain Green	State: Ut	Zip: 84050
Phone: 801-664-4724			Email: thomas.hunt@hunt-engineering.com		
Name of Applicant or Authorized Agent: Thomas Hunt					
Agent Address: 6619 Willowcreek Rd			Agent Mailing Address (if different): 6619 Willowcreek Rd		
City: Mountain Green	State: Ut	Zip: 84050	City: Mountain Green	State: Ut	Zip: 84050
Phone: 801-664-4724			Email: thomas.hunt@hunt-engineering.com		
Owner(s): Signature of Authorization to file: M and D Nelson LLC By Mark H. Nelson			10/12/2022 8:17 PM PDT		
Describe proposed MAP amendment:					
Current zoning is A-20, the future land use map has this property designated as commercial. This application will match the future land use map with a TC district specification.					
Existing Zone: A-20					
Proposed Zone: TC					
Describe how this change will affect the general character of the zone:					
This matches the future land use zoning map, so it matches the intended future use.					
Any additional information that may be useful:					
To create a zone to enhance the economic viability and aesthetic value of Morgan County areas as an essential core for the county.					
Pre-Application Conference Date (if applicable or necessary):					

RECEIVED

OCT 14 2022



2023

**END OF
COMMISSION
MEETING
PACKET
2023**