



MORGAN COUNTY'S OFFICIAL PROPOSITION INFORMATION PAMPHLET

For the referendum that has been filed against Ordinance CO-23-06 – An Ordinance amending the Future Land Use Map, from Agriculture to Ranch Residential 5, and the Morgan County Official Zoning Map, from the Agriculture (A-20) Zone to Rural Residential Five-Acre Minimum (RR-5) Zone, otherwise known as the Rich Zone Map Amendment, and Establishing an Effective Date.

WHATS IN THIS PAMPHLET?

- Referendum Application
- Legal & Fiscal Impact Statement – Leslie A. Hyde, County Clerk/Auditor & Garrett T. Smith, County Attorney

Rec 5.9.2023

11:58 am

Ratt

WZ

APPLICATION TO CONDUCT REFERENDUM

(Utah Code Ann. § 20A-7-601)

Amended

5.9.2023

1:53 pm

Ratt

JSJ

To: Leslie Hyde, Morgan County Clerk

Dear Ms. Hyde:

We, the undersigned citizens of Morgan County, Utah, respectfully apply to circulate a referendum petition, pursuant to Utah Code, Title 20A, Chapter 7, Section 602.

Specifically, we desire to circulate a referendum petition for the legislative action granting Application No.: 23.005 ("Application"), that was approved by an affirmative vote of the County Commission on May 2, 2023 (the "Law").

The undersigned citizens respectfully request you order that the County Commission's approval of the Application be referred to the voters for their approval or rejection.

As required by Utah Code Ann. § 20A-7-602(2), this application is:

- a. Signed by five sponsors;
- b. Each sponsor is registered to vote in Utah;
- c. The sponsors anticipate that persons gathering signatures for the petition may be paid for gathering signatures; and
- d. A copy of the Law is attached hereto as Exhibit "A".

[Space left intentionally blank - Notarized signatures of the Sponsors are included below]

ORDINANCE NO. CO-23-06

AN ORDINANCE OF MORGAN COUNTY AMENDING THE FUTURE LAND USE MAP, FROM AGRICULTURE TO RANCH RESIDENTIAL 5, AND THE MORGAN COUNTY OFFICIAL ZONING MAP, FROM THE AGRICULTURE (A-20) ZONE TO RURAL RESIDENTIAL FIVE-ACRE MINIMUM (RR-5) ZONE, OTHERWISE KNOWN AS THE RICH ZONE MAP AMENDMENT, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, pursuant to State law, Morgan County has adopted a General Plan and a Future Land Use Map as an advisory guide to orderly development and growth within the County; and

WHEREAS, the 2010 General Plan Land Use Map designates areas of the unincorporated Morgan County within the Milton Area that are changing from Agriculture to Ranch Residential 5; and

WHEREAS, a landowner, owning land in said certain area of unincorporated Morgan County, as better described in Exhibit “A,” has petitioned the County for a zone change for a portion of their land to the RR-5 zone in the Milton area; and

WHEREAS, it has been determined that Rural Residential five-acre minimum is a type of rural residential zoning; and

WHEREAS, it has been determined that the zone change is in conformance with the Morgan County General Plan and that changed or changing conditions exist to merit the request; and

WHEREAS, the Planning Commission held a public hearing, received meaningful input, and formulated a recommendation to present to the County Commission; and

WHEREAS, the County Commission held a public hearing, and received meaningful input; and

WHEREAS, all required notices have been provided and public hearings have been held in accordance with State law and County Ordinances to amend the Morgan County Zoning Map.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COMMISSION OF MORGAN COUNTY, STATE OF UTAH, AS FOLLOWS:

Section 1. Map Amendment. The Morgan County Future Land Use Map is hereby amended for the property as described in the legal description attached as Exhibit A below from Agriculture to Ranch Residential 5; and

Morgan County Zoning Map is hereby amended for the property in the Milton area more particularly described in the attached Exhibit “A” from Agriculture District (A-20) zone to Rural

Residential Five-acre minimum (RR-5) zone in the Milton area.

Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, and provisions of this Ordinance shall be severable.

Section 3. Effective Date. This ordinance shall become effective after subsequent publication in accordance with State Law, but not before 15 days after passage.

PASSED AND ADOPTED BY THE COUNTY COMMISSION OF MORGAN COUNTY, STATE OF UTAH, THIS 2nd DAY OF MAY 2023.

ATTEST:

MORGAN COUNTY GOVERNING BODY

Leslie Hyde
Morgan County Clerk

Mike Newton, County Commission Chair

APPROVED AS TO FORM

Garrett Smith
Morgan County Attorney

| Commission members | Voting: | | |
|--------------------|---------|-------|--------|
| | AYE | NAY | ABSENT |
| Robert McConnell | _____ | _____ | _____ |
| Mike Newton | _____ | _____ | _____ |
| Matthew Wilson | _____ | _____ | _____ |
| Jared Anderson | _____ | _____ | _____ |
| Blaine Fackrell | _____ | _____ | _____ |

Exhibit A

RICH ZONING MAP AMENDMENT A-20 TO RR-5 LEGAL DESCRIPTION:

Exhibit A: Property Boundary Description

BOUNDARY DESCRIPTION

A TRACT OF LAND SITUATED IN THE NORTHWEST QUARTER OF SECTION 28 AND THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 28, WHICH BEARS SOUTH 89°57'51" WEST (BASIS OF BEARING) 5194.91 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 28;

THENCE NORTH 89°57'51" EAST 1303.68 FEET ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 28;

THENCE SOUTH 00°29'20" WEST 23.47 FEET;

THENCE SOUTH 40°25'48" WEST 217.19 FEET;

THENCE SOUTH 42°09'22" WEST 330.43 FEET;

THENCE SOUTH 24°09'22" WEST 84.78 FEET;

THENCE NORTH 25°08'39" WEST 77.87 FEET;

THENCE SOUTH 70°23'47" WEST 201.13 FEET;

THENCE SOUTH 13°33'32" WEST 127.29 FEET;

THENCE SOUTH 39°10'40" EAST 133.38 FEET;

THENCE SOUTH 18°51'38" WEST 318.06 FEET;

THENCE SOUTH 77°18'22" EAST 105.58 FEET;

THENCE SOUTH 12°41'38" WEST 147.64 FEET;

THENCE NORTH 77°42'50" WEST 89.09 FEET;

THENCE SOUTH 12°17'10" WEST 233.98 FEET;

THENCE SOUTH 45°36'08" WEST 276.74 FEET;

THENCE SOUTH 51°15'19" WEST 508.82 FEET TO THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 28;

THENCE NORTH 00°45'49" EAST 1924.51 FEET ALONG SAID WEST LINE OF THE NORTHWEST QUARTER OF SECTION 28 TO THE POINT OF BEGINNING;

CONTAINING 30.49 acres.



MORGAN COUNTY ESTIMATED FISCAL & LEGAL IMPACT STATEMENT

Date: May 30, 2023

Re: Application for Referendum of Morgan County Ordinance CO-23-06

At this time, and pursuant to UCA 20A-7-602.5(2)(a), the aforementioned referendum will have the following fiscal and legal impacts:

1. No significant effects on a person's vested property rights determined at this time.
2. No significant effects on other Morgan County laws or ordinances currently.
3. No significant legal liability incurred by Morgan County determined at this time.
4. No other significant legal impact as determined by county budget officer and legal counsel at this time.
5. A highly variable fiscal impact. Difficult to reasonably express.
6. Estimated fiscal impact of repealing the law: \$16,000.00

Leslie A. Hyde
Morgan County Clerk/Auditor

Garrett T. Smith
Morgan County Attorney