

ORDINANCE NO. CO-23-11

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 AND THE RURAL RESIDENTIAL 1-ACRE MINIMUM ZONE (RR-1) TO RURAL RESIDENTIAL FIVE-ACRE MINIMUM (RR-5) ZONE, OTHERWISE KNOWN AS THE PETERSEN 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 and Rural Residential One-acre minimum (RR-1) zone to Rural Residential Five-acre minimum (RR-5) zone.

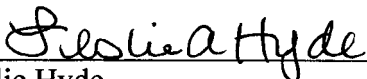
Section 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, and provisions of this Ordinance shall be severable.

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 15th DAY OF AUGUST 2023.

ATTEST:

MORGAN COUNTY GOVERNING BODY

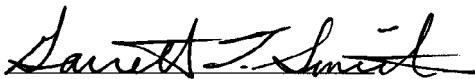


Leslie Hyde
Morgan County Clerk



Mike Newton, County Commission Chair

APPROVED AS TO FORM



Garrett Smith
Morgan County Attorney

Commission Members	Voting:		
	AYE	NAY	ABSENT
Robert McConnell	_____	_____	<u> X </u>
Mike Newton	<u> X </u>	_____	_____
Matthew Wilson	<u> X </u>	_____	_____
Jared Anderson	<u> X </u>	_____	_____
Blaine Fackrell	<u> X </u>	_____	_____

Exhibit "A" PETERSEN ZONING MAP AMENDMENT A-20 TO RR-5 LEGAL DESCRIPTION:

PARCEL #B (#00-0086-7006)

THE S1/2 SW1/4 OF SEC 4 T3N R2E SLB&M. CONT 80.00 AC M. OR L. EXCEPT THEREFRM: A PT OF THE SE1/4 SW1/4 OF SEC 4 T3N R2E SLB&M. BEG AT A PT 384 FT W OF THE NE COR OF SD SE1/4 SW1/4 & RUN TH S 57°25' W 584 FT; TH N 35°50' W 386.2 FT M. OR L TO THE N LN OF SD SE1/4 NW1/4; TH E 719.09 FT M. OR L TO BEG. CONT 2.60 AC M. OR L. SUBJ TO R. OF W TO AUGUST & MARJORIE ROSE. ALSO: SUBJ TO & TOG/W THAT BDY LN AGREE RECORDED AS ENT 145307 IN BK 345 PG 22 & DESC CORRECTED BY AFF RECORDED AS ENT 149330 IN BK 355 AT PG 1407 (0.308 AC M. OR L. GOING TO: 01-003-072-02-1) (0.338 AC M. OR L. GOING TO: 01-003-072-03-1) & (0.761 AC M. OR L. GOING TO: 01-003-072-04-1) THAT PORT OF THE POL LN WH IS ADJACENT TO THIS PROP LYING W OF & CONTIGUOUS TO THE FNC LN BET THE BDY OF KEARSLEY & THURSTON DESC AS N 00°16'41" W 1320.49 FT. LEAV A NET BAL OF 75.993 AC / 75.99 AC M. OR L.