

ORDINANCE CO 26-__

AN ORDINANCE REPEALING SECTION 155.464, “AMENDING THE CONCEPTUAL DEVELOPMENT PLAN,” OF THE MORGAN COUNTY CODE; PROVIDING FOR CODIFICATION; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Morgan County Commission desires to repeal Section 155.464 of the Morgan County Code; and

WHEREAS, following proper notice, the Morgan County Planning Commission held a public hearing on _____, 2026, and recommended _____ of the proposed repeal; and

WHEREAS, the Morgan County Commission considered the proposed repeal at a duly noticed public meeting on _____, 2026;

NOW, THEREFORE, the County Legislative Body of Morgan County ordains as follows:

Section 1. Repeal. Section 155.464 of the Morgan County Code, entitled “Amending the Conceptual Development Plan,” including all subdivisions thereof, is hereby repealed in its entirety.

Section 2. Codification. The County Clerk is directed to cause this repeal to be reflected in the Morgan County Code. Section 155.464 shall be designated as “Reserved.”

Section 3. Severability. If any provision of this ordinance is held invalid by a court of competent jurisdiction, that determination shall not affect the validity of the remaining provisions.

Section 4. Effective Date. This ordinance shall take effect as provided by Utah law following passage and publication or posting as required by law.

ADOPTED AND PASSED this ____ day of _____, 2026.

MORGAN COUNTY COMMISSION:

Matthew Wilson, County Commission Chair

APPROVED AS TO FORM:

Garrett Smith, Morgan County Attorney

ATTEST:

Leslie A. Hyde, Morgan County
Clerk/Auditor

COMMISSION MEMBERS VOTING:

Commissioner**AYE****NAY****ABSENT**

Michael Newton

Vaughn Nickerson

Blaine Fackrell

Raelene Blocker

Matthew Wilson

DRAFT

§ 155.464 RESERVED. AMENDING THE CONCEPTUAL DEVELOPMENT PLAN.

~~—(A) Except as provided below in division (B) amendments to the P-C zone overlay, all associated development agreements, and existing PRUD subdivisions shall be treated as a rezone and shall require submittal of a new application including forms, fees, public notice requirements, public hearings, recommendation by the Planning Commission, and final decision by the County Commission.~~

~~—(B) Minor amendments shall be allowed administratively according to the determination of the Zoning Administrator as long as the amendments or changes do not exceed the following restrictions (no more than two minor amendments may be approved):~~

~~—(1) Less than 5% change in the total square feet of the proposed buildings, or total number of units (plus or minus);~~

~~—(2) Less than ten% change in the building height or permitted number of stories;~~

~~—(3) Rearrangement of the proposed lot and street layouts, structures or development elements as long as there is no change in height, square feet, or total number of units to be development that exceeds divisions (1) and (2) above; or~~

~~—(4) Less than a 10% increase or decrease in setback requirements within the original conceptual development plan.~~

~~—(5) No open space requirements shall be reduced.~~

~~—(6) That no other minor amendments in excess of that allowed in division (B) above have been granted for the development. Additional minor amendment requests shall result in being treated as a major amendment requiring new submittal as detailed in division (A) above.~~

(Ord. 23-19, passed 12-19-2023)

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