

ORDINANCE NO. CO-23-12

AN ORDINANCE OF MORGAN COUNTY AMENDING THE FUTURE LAND USE MAP, FROM NATURAL RESOURCES AND REC TO RANCH RESIDENTIAL 10-ACRE MINIMUM, AND THE MORGAN COUNTY OFFICIAL ZONING MAP, FROM THE MULTIPLE USE DISTRICT (MU-160) ZONE TO RURAL RESIDENTIAL 10-ACRE MINIMUM ZONE (RR-10), OTHERWISE KNOWN AS THE THURSTON 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 Multiple Use to Ranch Residential 10; 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-10 zone in the Milton area; and

WHEREAS, it has been determined that Rural Residential ten-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, and the Morgan County Future Land Use 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 Natural Resources and Rec to Ranch Residential 10; and Morgan County Zoning Map is hereby amended for the property in the Milton area more particularly described in the attached Exhibit "A" from Multiple Use (MU-160) zone to Rural Residential Ten-acre minimum (RR-10) 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 5th DAY OF SEPTEMBER 2023.

ATTEST:

MORGAN COUNTY GOVERNING BODY

Leslie Hyde
Leslie Hyde
Morgan County Clerk

Mike Newton
Mike Newton, County Commission Chair

APPROVED AS TO FORM

Garrett Smith
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" THURSTON ZONING MAP AMENDMENT MU-160 TO RR-10 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 AGREED 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 FOL LN WH IS ADJACENT TO THIS PROP LYING W OF & CONTIGUOUS TO THE FNC LN BET THE BDY OF KBARSLEY & 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.