



Planning and Development Services

48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT

December 4, 2013

To: Morgan County Planning Commission
Business Date – December 12, 2013

From: Ronda Kippen

Re: **Final Plat Approval of the Coventry Cove Subdivision a Planned Unit Development Amendment# 2**

Application No.: 13.002

Applicant: Coventry Cove Properties, LLC/Rex Wilkinson

Location: 5521 N Coventry Circle

Current Zoning: R1-20 PUD & R1-20 Zone

Acreage: 0.24 acres (10,276 Sq. Ft.)

Request: Final plat approval for the Coventry Cove Subdivision a Planned Unit Development, Amendment #2, amending Lot 10 by adding additional acreage to the lot and subdivision footprint.

SUMMARY & BACKGROUND

The applicant is seeking approval of an amendment to an existing subdivision. The proposal was reviewed for process steps and standards under the current subdivision code. The proposed amendment will integrate 0.10 acres from an adjacent tract of land outside of the original subdivision boundaries and combine the additional acreage with an already approved building lot. The amendment will increase the overall size of Lot 10 in the Coventry Cove Subdivision to 0.24 acres. The current subdivision was approved under the PUD ordinance that allowed for design flexibility as well as a mix of residential and commercial uses. The typical setbacks that have been approved for the Coventry Cove Subdivision PUD and implemented through the Development Agreement differ from the underlying R1-20 zone requirements. By combining the two tracts of land, it allows for a more desirable building lot.

With the recommended conditions herein, the request appears to meet the requirements of the zoning ordinance, PUD ordinance and the subdivision ordinance. Staff is recommending approval with the findings and conditions herein. Staff's evaluation of the request is as follows.

ANALYSIS

General Plan and Zoning:

Pursuant to the Future Land Use Map of the area the future land use designation is Village Low-Density Residential. The Village Low Density Residential designation provides for a lifestyle with planned single family residential communities, which include open space, recreation and cultural opportunities, including schools, churches and neighborhood facilities located in established village areas or master planned communities. The residential density is a maximum of 2 units per acre.

The current zoning designation on the property is R1-20 with 0.14 acres in the adopted Coventry Cove PUD overlay district. The additional 0.10 acres of property is not included in the adopted PUD overlay and will need to adhere to the current County adopted zoning ordinances (Exhibit A).

The Morgan County Code (MCC) 8-5B-1 identifies the purpose of the R1-20 zone is:

1. To provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character.

The purpose of the Coventry Cove PUD overlay district pursuant to MCC 8-13C-1 is:

To allow substantial flexibility in planning and designing a proposal for land use development. This flexibility often occurs in the form of relief from compliance with conventional zoning ordinance site and design requirements. Ideally, this flexibility results in a development that is better planned, contains more amenities, and ultimately a development that is more desirable to live in than one produced in accordance with typical zoning and subdivision controls. These provisions are intended to create more attractive and more desirable environments within the county and to encourage the following:

- A. Allow creative use of the land and encourage the preservation of permanent open space and sensitive areas;
- B. Permit and support higher development densities to encourage utilization of clustered neighborhoods;
- C. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of the land than is possible through strict application of standard zoning and subdivision controls;
- D. Permit developers to vary architectural styles and land use on a project by project basis, rather than on the basis of tunnel zoning and sprawl zoning concepts, in a manner that may provide for a limited additional development right in density or land use;
- E. Permit developers to locate the various features of their developments in harmony with the natural features of the land.

The proposal is in compliance with the General Plan, Zoning and the Coventry Cove PUD Overlay District purpose statements.

The purpose statements in the General Plan, Zoning Ordinance and the Coventry Cove PUD Overlay District do not provide actual development regulations, but present the zoning context in which the proposed subdivision is located. The specific regulations found in the adopted County Code govern development of the subject property.

Layout:

The amendment to the existing subdivision combines a tract of land outside of the approved subdivision boundary to an existing approved building lot (see Exhibit B). The proposed combination of property is approximately 0.24 acres of land. The proposed lot appears to conform to the adopted Coventry Cove PUD Overlay District Ordinance MCC 8-13C. The setbacks differ from the existing R1-20 requirements outlined in MCC 8-5B-7 due to the overlying PUD ordinance and Development Agreement that allows for smaller lot configurations as well as front and rear setbacks of 15', and a side setback of 5'. The area of the proposed amended lot that is not in the PUD overlay conforms with the R1-20 zone setbacks (MCC 8-5B-7) requirements that allow for a side setback of 10'/14' and rear setback of 30'. There is an easement for an existing sewer line dedicated along the north lot line as well as a 10' utility easement running along the exterior boundary line of the proposed lot.

Roads and Access:

Coventry Circle will serve as access for the proposed amended lot. A note has been placed on the plat stating that Lot 10 shall not have access onto Silver Leaf Drive. The frontage has not been altered from

the previously approved frontage of approximately 115.61'. The frontage meets the current R1-20 zone minimum width requirement of 50' as outlined in MCC 8-5B-6.

Previous Platting:

The property was originally subdivided as the Coventry Cove Subdivision, a Planned Unit Development and amended in 2007 as Coventry Cove Subdivision, a Planned Unit Development Amendment #1 (Exhibit B).

Grading and land disturbance:

Minor grading of the lot can be expected, but none so much that it will trigger the excavation review thresholds. Any land owner choosing to re-grade the resulting lot may need additional review and engineering of the proposal at that time.

County Engineer:

The County Engineer (see Exhibit D) has recommended approval once the following items have been addressed:

- Proof Lot 10 has water sufficient to meet the subdivision ordinance requirements
- Proof that Lot 10 conforms to the County adopted fire code.

Surveyor:

The County Surveyor (see Exhibit E) has reviewed the proposal and is recommending approval with no additional comments and/or recommendations.

Sensitive Areas, Geology, and Geotechnical Considerations:

Based on the geotechnical report prepared by Earthtec Testing & Engineering, dated December 16, 2004, the engineering company, Mountain Engineering, has placed a note on the plat requiring conformance with the Geotechnical Report's findings and conditions. This will be a condition of Building Permit.

Utilities:

The original "will-serve" letter from the Wilkinson Cottonwood Mutual Water Company (see Exhibit F) indicates that the necessary water rights must be dedicated to the water company for each lot. Staff feels that requiring the applicant to provide proof that the water company is able to serve Lot 10 with the additional acreage will mitigate potential harmful impact. All other utility "will-serve" letters from the original subdivision application have been found adequate for the proposed use (see Exhibit G). No further modifications for street lighting or other applicable utilities have been proposed at this time.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the County Council for the Coventry Cove Subdivision, a Planned Unit Development, Amendment #2, file# 13.002, subject to the following conditions:

1. That an updated title report is submitted with the final Mylar.
2. That staff can make a positive finding that all administrative plat corrections and other information have been provided to the satisfaction of respective reviewers, and that all conditions have been satisfied prior to the final Mylar.
3. That written verification of the proposed water source for both culinary and irrigation supplies that conform to the County adopted subdivision ordinance requirements be provided to the County prior to the final Mylar.
4. That written approval from the Mountain Green Fire District is provided prior to the final Mylar.
5. That all outstanding fees for outside reviews are paid in full prior to recording the final Mylar.
6. That all local, State and federal laws are upheld.

This recommendation is based on the following 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 the current Development Agreement for the Coventry Cove Subdivision, a Planned Unit Development.
4. Those certain conditions herein are necessary to ensure compliance with adopted laws prior to subdivision plat recording.
5. The additional infrastructure improvements are not necessary at this time to protect the public's health, safety, and welfare.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – “I move we forward a positive recommendation to the County Council for the Coventry Cove Subdivision, a Planned Unit Development Amendment# 2, file# 13.002, subject to the conditions and based on the findings presented in the staff report dated December 4, 2013, and as modified by the conditions below:”

1. List any additional findings and/or conditions...

Sample Motion for a Negative Recommendation – “I move we forward a negative recommendation to the County Council for the Coventry Cove Subdivision, a Planned Unit Development, Amendment# 2, file# 13.002, based on the following findings:”

1. List all findings...

SUPPORTING INFORMATION

Exhibit A: Zoning & PUD Overlay Map

Exhibit B: Coventry Cove Subdivision, a Planned Unit Development, Amendment# 2 Final Plat

Exhibit C: Coventry Cove Subdivision, a Planned Unit Development, Original Plat & Amendment# 1

Exhibit D: Engineer Memo

Exhibit E: Surveyor Approval

Exhibit F: 2004 “Will-Serve” Letter from Wilkinson Cottonwood Mutual Water Company

Exhibit G: Original Utility “Will-Serve” Letters

Exhibit A- Zoning and PUD Overlay Map



COVENTRY COVE SUBDIVISION, A PLANNED UNIT DEVELOPMENT AMENDMENT NO. 2

MOUNTAIN GREEN, MORGAN COUNTY, UTAH
LYING AND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN

SOILS NOTES:

LOT 10 SLOPES GRADUALLY FROM NORTH TO SOUTH AT ABOUT 0.50 % SLOPE. TOPOGRAPHY WOULD NOT BE PRACTICAL FOR THIS PROPERTY AS TOPO LINES WOULD NOT SHOW UP DUE TO THE LIMITED ELEVATION CHANGE ACROSS THE LOT.

TOPSOIL, UNDOCUMENTED FILL, AND SOILS LOOSENED BY CONSTRUCTION ACTIVITIES SHOULD BE REMOVED (STRIPPED) FROM BUILDING PADS, PAVEMENT AREAS AND CONCRETE FLAT WORK AREAS PRIOR TO FOUNDATION EXCAVATION AND PLACEMENT OF SITE GRADING FILLS.

DURING CONSTRUCTION OF BASEMENTS AND/OR FOOTINGS AND FOUNDATIONS, THE CONTRACTOR MAY LOCATE DELETERIOUS MATERIALS WHICH MAY NOT BE SUITABLE FOR THE STABILITY OF THE HOME. THIS MATERIAL SHALL BE REMOVED AND A SITE SPECIFIC SOIL TEST WILL BE PERFORMED AND PROVIDED TO THE MORGAN COUNTY BUILDING OFFICIAL BY A GEOTECHNICAL ENGINEER LICENSED IN THE STATE OF UTAH PRIOR TO THE COMMENCEMENT OF CONSTRUCTION TO ENSURE ADEQUATE SITE STABILITY. ALL BUILDING FOUNDATIONS SHALL BE PLACED ON NATIVE, UNDISTURBED SOIL EXCEPT AS DIRECTED AND OVERSEEN BY SAID GEOTECHNICAL ENGINEER.

RESIDENTIAL BUILDING ENVELOPE
ALL RESIDENCES MUST BE CONTAINED WITHIN THE DESIGNATED ENVELOPE.

BOUNDARY DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NUMBER 5 REBAR AND CAP STAMPED "MTN ENGINEERING" MONUMENTING THE CENTER OF SAID SECTION 30;
THENCE NORTH 88°42'14" WEST 1178.86 FEET ALONG THE CENTER SECTION LINE OF SAID SECTION 30;
THENCE SOUTH 00°00'00" WEST 2628.94 FEET TO A NUMBER 5 REBAR AND CAP STAMPED "147581" MONUMENTING THE NORTHWEST CORNER OF "COVENTRY COVE SUBDIVISION" ACCORDING TO THE OFFICIAL PLAT THEREOF;
THENCE NORTH 61°36'23" EAST 247.64 FEET ALONG SAID SUBDIVISION;
THENCE NORTH 05°13'48" WEST 75.99 FEET ALONG SAID SUBDIVISION TO THE TRUE POINT OF BEGINNING.

THENCE NORTH 29°27'13" WEST 136.74 FEET ALONG SAID SUBDIVISION TO THE SOUTHERLY LINE OF "THE COTTONWOODS AT ROSE HILL SUBDIVISION" ACCORDING TO THE OFFICIAL PLAT THEREOF;
THENCE SOUTH 80°32'47" EAST 61.52 FEET ALONG SAID SOUTHERLY LINE;
THENCE NORTH 05°13'48" EAST 44.60 FEET;
THENCE NORTH 57°07'13" EAST 46.74 FEET TO THE WESTERLY LINE OF COVENTRY CIRCLE;
THENCE THE FOLLOWING THREE COURSES ALONG SAID WESTERLY LINE OF COVENTRY CIRCLE:
SOUTHEASTERLY 64.91 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 134.50 FEET AND A CHORD BEARING SOUTH 19°03'17" EAST 64.28 FEET;
SOUTH 05°13'48" EAST 37.52 FEET;
SOUTHEASTERLY 13.21 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 56.00 FEET AND A CHORD BEARING SOUTH 11°59'09" EAST 13.18 FEET;
THENCE SOUTH 71°15'29" WEST 59.97 FEET TO THE POINT OF BEGINNING;
CONTAINING 10,276 SQ. FT. OR 0.24 ACRES.

THE BASIS OF BEARING IS A LINE BETWEEN THE CE1/16 CORNER OF SECTION 30 AND THE CENTER QUARTER CORNER OF SAID SECTION 30 CALLED NORTH 88°42'14" WEST.

OWNERS DEDICATION

Know all men by these present that I/we, the undersigned owner(s) of the above described tract of land having caused the same to be subdivided into lots and private streets, as shown on this plat for the Coventry Cove Subdivision a Planned Unit Development, Amendment no. 2, hereby convey and dedicate all roadways in the residential subdivision, detention basins and all open space to Coventry Cove Home Owners Association, Inc. (hereafter "Home Owners Association") and further dedicate to Morgan County those certain strips designated as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, police and fire protection, garbage collection, mail delivery, drainage and other uses as may be authorized by Morgan County. Also -

OWNER'S ACKNOWLEDGMENT OF RESPONSIBILITIES

Know all men by these present that we, the 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 thereof,
we have hereunto set our hands this _____ day of _____ 2013.

Coventry Cove Properties, L.L.C.

Rex G. Wilkinson, President.

ACKNOWLEDGMENT

STATE OF UTAH } s.s.
COUNTY OF MORGAN }

On the _____ day of _____, 2013, personally appeared before me, the undersigned notary public, Rex G. Wilkinson, President, Coventry Cove Properties, L.L.C., and I/vo he signed it freely and voluntarily and for the use and purposes therein mentioned.

Notary Public _____
My commission expires _____
Residing in _____

RECEIVED
NOV 26 2013
Morgan County

NOTES:

- All streets in the subdivision are private roadways and common area owned and maintained, including snow removal, by the Home Owners Association and are for the common use of all residential lot owners and their guests. All open space is owned and maintained by the Home Owners Association. Conditions, Covenants and Restrictions apply to all open space, and private roadways and common area in the housing area.
- All roadways are Public Utility Easements.
- The Storm Drain Detention Basins will be cleaned and maintained by the Homeowner's Association.
- Street parking only on non-sidewalk side of street.
- MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE INTERNATIONAL BUILDING CODE, AS ADOPTED. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY.
- LOT 10 SHALL HAVE NO ACCESS ONTO SILVER LEAF DRIVE.
- ALL IMPROVEMENTS WILL CONFORM TO THE GEOTECHNICAL REPORT PREPARED BY EARTHTEST TESTING & ENGINEERING, P.C. JOB NO. 04-2102, DATED DECEMBER 16, 2004.
- This P.U.D. is subject to the recorded Development Agreement.
- EXCEPTION 11, UNDER SCHEDULE B - SECTION 2 COMMITMENT CASE NO. 122826 ISSUED BY MOUNTAIN VIEW TITLE AND ESCROW CO., IS A 10' FOOT WIDE RIGHT OF WAY FOR THE PURPOSE OF CONSTRUCTION, REPAIR AND MAINTENANCE OF SANITARY SEWER FACILITIES. RECORDED AS ENTRY NO. 112834 IN BOOK 266 PAGE 737 RECORDS OF MORGAN COUNTY.

| CURVE TABLE | | | | | |
|-------------|--------|--------|------------|---------------|-------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD |
| C2 | 72.39 | 150.00 | 27°38'59" | N19°03'17"W | 71.69 |
| C3 | 56.28 | 150.00 | 21°29'52" | S22°07'51"E | 55.95 |
| C4 | 16.11 | 150.00 | 6°09'07" | S08°18'22"E | 16.10 |
| C5 | 64.91 | 134.50 | 27°38'59" | S19°03'17"E | 64.28 |
| C6 | 24.97 | 169.50 | 8°26'27" | N28°39'33"W | 24.95 |
| C7 | 29.64 | 21.00 | 80°52'11" | S64°52'25"E | 27.24 |
| C8 | 29.29 | 21.00 | 79°55'18" | S34°43'51"W | 26.98 |
| C27 | 81.39 | 40.50 | 115°08'17" | S62°47'57"E | 68.37 |
| C29 | 50.72 | 56.00 | 51°53'23" | S44°41'12"E | 49.00 |
| C30 | 13.21 | 56.00 | 13°30'43" | S11°59'09"E | 13.18 |
| C31 | 42.20 | 21.00 | 115°08'17" | S62°47'57"E | 35.45 |

SOUTH 2,628.94'

West 1/4 Corner Section 30, T5N, R2E. THIS CORNER, IN RECENT HISTORY, WAS MONUMENTED BY A B.L.M. BRASS CAP. THE MONUMENT IS NOW BURIED DUE TO SIDEWALK CONSTRUCTION AND ITS LOCATION IS NOT KNOWN. LOCATION SHOWN IS BASED ON PREVIOUS SURVEYS.

LEGEND:
● SET 5/8 REBAR W/CAP OR AS INDICATED
○ 5/8" RB/CAP STAMPED "147581" (REBAR IN PLACE POSITION NOT SURVEYED BY THIS SURVEY)
* SET NAIL AND WASHER
⊙ SECTION CONTROL AS INDICATED
() RECORD DATA

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 ATTORNEY

APPROVED AS TO FORM

SIGNED THIS _____ DAY OF _____, 20____

MORGAN COUNTY ATTORNEY

CERTIFICATE OF SURVEYOR

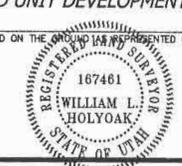
I, WILLIAM L. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 167461, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, AND BY AUTHORITY OF THE OWNERS, HAVE COMPLETED A SURVEY 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 1 LOTS, KNOWN HEREAFTER AS:

COVENTRY COVE SUBDIVISION A PLANNED UNIT DEVELOPMENT AMENDMENT NO. 2

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____

WILLIAM L. HOLYOAK, PE & PLS
UTAH LAND SURVEYOR REGISTRATION NO. 167461.



MORGAN COUNTY RECORDER

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

IN BOOK _____ OF THE OFFICIAL RECORDS,
PAGE _____

RECORDED FOR: _____

MORGAN COUNTY RECORDER

BY: _____ DEPUTY.

WILKINSON-COTTONWOOD MUTUAL WATER COMPANY
THE CULINARY WATER AND SECONDARY WATER FACILITIES ARE HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 20____

TITLE: _____

MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
THE WASTE DISPOSAL SYSTEM IS HEREBY APPROVED.

SIGNED THIS _____ DAY OF _____, 20____

TITLE: _____

MORGAN COUNTY ENGINEER

I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE COUNTY ENGINEER OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.

SIGNED THIS _____ DAY OF _____, 20____

MORGAN COUNTY ENGINEER

MORGAN COUNTY COUNCIL

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

SIGNED THIS _____ DAY OF _____, 20____

CHAIRMAN, MORGAN COUNTY COUNCIL

ATTEST: MORGAN COUNTY CLERK

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

C:\Land Projects\coventry_cove\dwg\coventry_cove_lot10_plat2.dwg 11/25/2013 3:14:31 PM PM MST

COVENTRY COVE SUBDIVISION, A PLANNED UNIT DEVELOPMENT, AMENDMENT NO. 2
FOR THE ENLARGEMENT OF LOT 10 A
A PART OF THE SW1/4 OF SEC. 30, TOWNSHIP 5 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY,
MOUNTAIN GREEN, MORGAN COUNTY, UTAH.
REX WILKINSON, 3990 WEST OLD HIGHWAY ROAD, MORGAN, UT, 84050
DOB NO. _____ ME 06-72



| DATE | BY | REVISIONS |
|-------|-----|--------------------------------|
| 10/13 | JMH | REVISED PER COUNTY PREFERENCES |

MOUNTAIN ENGINEERING
P. O. BOX 309
MORGAN, UTAH 84050
TEL (801) 876-3978 FAX 876-3979

COVENTRY COVE SUBDIVISION, A PLANNED UNIT DEVELOPMENT MOUNTAIN GREEN, MORGAN COUNTY, UTAH

LYING AND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30, AND THE NORTHWEST QUARTER OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN

WILKINSON FAMILY FARM, L.L.C.
(NOT A PART)

| LOT No. | AREA |
|---------|--------------------------|
| 1 | 3,472 sq. ft. 0.08 ac. ± |
| 2 | 4,724 sq. ft. 0.11 ac. ± |
| 3 | 4,732 sq. ft. 0.11 ac. ± |
| 4 | 3,639 sq. ft. 0.08 ac. ± |
| 5 | 3,446 sq. ft. 0.08 ac. ± |
| 6 | 8,453 sq. ft. 0.19 ac. ± |
| 7 | 9,728 sq. ft. 0.22 ac. ± |
| 8 | 3,181 sq. ft. 0.07 ac. ± |
| 9 | 3,343 sq. ft. 0.08 ac. ± |
| 10 | 3,464 sq. ft. 0.08 ac. ± |
| 11 | 3,463 sq. ft. 0.08 ac. ± |
| 12 | 4,628 sq. ft. 0.11 ac. ± |
| 13 | 5,389 sq. ft. 0.12 ac. ± |
| 14 | 4,810 sq. ft. 0.11 ac. ± |
| 15 | 3,200 sq. ft. 0.07 ac. ± |
| 16 | 3,161 sq. ft. 0.07 ac. ± |
| 17 | 4,767 sq. ft. 0.11 ac. ± |
| 18 | 5,100 sq. ft. 0.12 ac. ± |
| A | 1,110 sq. ft. 0.03 ac. ± |
| B | 2,714 sq. ft. 0.17 ac. ± |

NOTES:

- All streets in the housing area are private roadways and common area owned and maintained, including snow removal, by the Home Owners Association and are for the common use of all residential lot owners and their guests. All open space is owned and maintained by the Home Owners Association. Conditions, Covenants and Restrictions apply to all open space, and private roadways and common area in the housing area.
- All roadways are Public Utility Easements.
- The Storm Drain Detentions Basins located on Lot 20 will be cleaned and maintained by the Home Owners Association.
- Site contains no public improvements.
- Street parking only on non-sidewalk side of street.
- Entrance to Lots 19 & 20 are detailed on the Construction and Landscape Plans.

DRAINAGE & MAINTENANCE EASEMENT

LOTS 2 THROUGH 10 AND 13 THROUGH 15 CONTAIN A SEVEN (7) FOOT ROOF DRAINAGE AND MAINTENANCE EASEMENT RUNNING COINCIDENT TO THE COMMON LOT LINE FOR ROOF RUNOFF AND STRUCTURE MAINTENANCE WHERE A ZERO BUILDING LINE EXISTS.

| No. | Bearing |
|-----|-------------|
| RB1 | N10°46'48"W |
| RB2 | N23°55'53"W |
| RB3 | N44°17'36"W |
| RB4 | N77°04'13"E |
| RB5 | N18°54'52"W |
| RB6 | S05°46'19"W |
| RB7 | S07°41'37"E |
| RB8 | S20°44'38"E |
| RB9 | S73°25'00"W |

| No. | Bearing | Distance |
|-----|-------------|----------|
| L1 | N14°53'28"W | 16.00' |
| L2 | S77°24'59"E | 15.00' |
| L3 | S77°24'59"E | 4.00' |
| L4 | S44°21'51"E | 34.88' |
| L5 | S19°22'06"W | 19.00' |
| L6 | S36°01'49"W | 22.66' |
| L8 | S84°34'16"W | 4.00' |

| No. | Length | Radius | Delta | Chord Brng.—Dist. | No. | Length | Radius | Delta | Chord Brng.—Dist. |
|-----|---------|---------|------------|---------------------|-----|---------|---------|------------|---------------------|
| C1 | 72.39' | 150.00' | 27°38'59" | S19°03'17"E 71.69' | C31 | 126.65' | 134.50' | 11°21'12" | N10°54'24"W 26.61' |
| C2 | 22.10' | 150.00' | 08°26'27" | S28°39'33"E 22.08' | C32 | 149.14' | 169.00' | 50°33'43" | N84°54'46"E 144.35' |
| C3 | 34.18' | 150.00' | 13°03'24" | S17°54'38"E 34.11' | C33 | 107.22' | 56.00' | 109°41'47" | S62°47'57"E 94.53' |
| C4 | 16.11' | 150.00' | 06°09'07" | S06°53'42"E 29.73' | C34 | 48.61' | 56.00' | 49°44'11" | N84°30'00"E 47.10' |
| C5 | 81.39' | 40.50' | 113°08'17" | S62°47'57"E 68.37' | C35 | 50.72' | 56.00' | 51°53'23" | N44°41'12"W 49.00' |
| C6 | DELETED | DELETED | DELETED | DELETED | C36 | 13.21' | 56.00' | 13°30'43" | N11°59'09"W 13.18' |
| C7 | DELETED | DELETED | DELETED | DELETED | C37 | DELETED | DELETED | DELETED | DELETED |
| C8 | 162.82' | 184.50' | 50°33'43" | N84°54'46"E 157.58' | C38 | 29.29' | 21.00' | 79°55'18" | N34°43'51"E 26.98' |
| C9 | 81.73' | 40.50' | 115°37'22" | N52°22'57"E 68.58' | C39 | 16.71' | 265.50' | 03°36'21" | N72°53'19"E 16.71' |
| C10 | 80.55' | 45.50' | 114°01'29" | N62°26'28"W 76.33' | C40 | 48.84' | 265.50' | 10°32'21" | N65°48'58"E 48.77' |
| C11 | 161.72' | 250.00' | 14°08'42" | S67°37'08"W 61.56' | C41 | 59.70' | 30.00' | 114°01'29" | S62°26'28"E 50.33' |
| C12 | 24.97' | 169.50' | 08°26'27" | S28°39'33"E 24.95' | C42 | 42.38' | 21.00' | 115°37'22" | N52°22'57"E 35.54' |
| C13 | 29.64' | 21.00' | 80°52'11" | N64°52'25"W 27.24' | C43 | 51.35' | 204.00' | 14°25'19" | S77°01'02"E 51.21' |
| C14 | 27.98' | 21.00' | 76°20'28" | S62°36'34"E 25.96' | C44 | 47.94' | 204.00' | 13°27'51" | S89°02'24"W 47.83' |
| C15 | 1.66' | 21.00' | 04°31'43" | N76°57'21"E 1.66' | C45 | 46.47' | 204.00' | 13°03'06" | S75°46'55"W 46.37' |
| C16 | 34.69' | 230.50' | 08°37'22" | N70°20'48"E 34.66' | C46 | 34.27' | 204.00' | 09°37'28" | S64°26'39"W 34.23' |
| C17 | 22.22' | 230.50' | 05°31'20" | N63°18'27"E 22.21' | C47 | 42.20' | 21.00' | 115°08'17" | S62°47'57"W 35.45' |
| C18 | 7.97' | 21.00' | 21°48'19" | S49°40'38"W 7.92' | C48 | 64.91' | 134.50' | 27°38'59" | S19°03'17"E 64.28' |
| C19 | 5.44' | 21.00' | 14°50'23" | N53°07'35"E 5.42' | C49 | DELETED | DELETED | DELETED | DELETED |
| C20 | 2.53' | 21.00' | 06°53'56" | N42°15'26"E 2.53' | C50 | DELETED | DELETED | DELETED | DELETED |
| C21 | 34.21' | 54.00' | 36°18'04" | N56°57'30"E 33.64' | C51 | DELETED | DELETED | DELETED | DELETED |
| C22 | 32.40' | 54.00' | 34°22'39" | S87°42'08"E 31.92' | C52 | DELETED | DELETED | DELETED | DELETED |
| C23 | 27.61' | 54.00' | 29°17'37" | S55°52'01"E 27.31' | C53 | 133.20' | 150.00' | 50°52'41" | S69°33'40"E 128.87' |
| C24 | 26.68' | 54.00' | 28°17'26" | S27°04'30"E 26.39' | C54 | 48.57' | 100.00' | 27°48'07" | S18°54'03"E 48.05' |
| C25 | 2.58' | 54.00' | 14°11'22" | S01°41'24"W 2.26' | C55 | DELETED | DELETED | DELETED | DELETED |
| C26 | 148.44' | 54.00' | 157°30'07" | N62°26'28"W 105.93' | C56 | 23.56' | 15.00' | 90°00'00" | S50°00'00"E 21.21' |
| C27 | 7.97' | 21.00' | 21°44'22" | S05°26'25"W 7.92' | C57 | 23.56' | 15.00' | 90°00'00" | S40°00'00"W 21.21' |
| C28 | 18.86' | 60.00' | 18°00'45" | S03°34'38"W 18.79' | | | | | |
| C29 | 95.40' | 56.00' | 87°36'37" | N61°23'19"E 84.28' | | | | | |
| C30 | 38.28' | 134.50' | 16°17'47" | N24°43'54"W 38.13' | | | | | |

THE COTTONWOODS AT ROSE HILL SUBDIVISION (NOT A PART)

Center Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian. (Fnd. MTN Eng Rebar/Cap)

CHRISTOPHER M. AND SANDY KAY WILKINSON (NOT A PART)

LOT 20 111,154 sq. ft. 2.55 acres ±

NOTE: ALL IMPROVEMENTS WILL CONFORM TO THE GEOTECHNICAL REPORT PREPARED BY EARTHTEC TESTING & ENGINEERING, P.C. JOB NO. 04-2102, DATED DECEMBER 16, 2004.

LEGEND

- SECTION CORNER (NOT FND.) & SECTION LINE
- 5/8" BAR & CAP & PROPERTY LINE
- RIGHT OF WAY LINE (ROW)
- PERPETUAL OPEN SPACE & COMMON AREA
- ADJOINING PARCEL BOUNDARY
- 10' PUBLIC UTILITY & DRAINAGE EASEMENT (P.U.E.)
- CENTER LINE STREET & MONUMENT (TO BE SET)
- LOT LINE
- DIMENSION AND RADIAL LINES
- FOUND MTN. ENG. REBAR & CAP & SECTION LINE
- BUILDING FOOTPRINT
- COMMON AREAS
- (R) = RADIAL

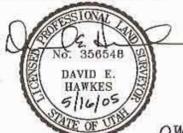


SURVEYORS CERTIFICATE

I, David E. Hawkes do hereby certify that I am a Professional Land surveyor, and that I hold certificate Number 356548 as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into Lots and Streets, hereinafter to be known as COVENTRY COVE SUBDIVISION A PLANNED UNIT DEVELOPMENT, and that the same has been correctly surveyed and staked on the ground as shown on this plat.

BOUNDARY DESCRIPTION

A parcel of land lying and situated in the Southwest Quarter of Section 30, and the Northwest Quarter of Section 31, Township 5 North, Range 2 East, Salt Lake Base and Meridian, Morgan County, Utah, comprising 9.84 acres of the Wilkinson Family Farm L.L.C. parcel known as Tax ID Numbers 02-005-120 and 03-005-120. Basis of Bearing for subject parcel being South 88°42'14" East 1342.01' (measured) between the number 5 rebar and cap stamped "MTN ENGINEERING" monumentizing the Center and CEI/16 Corners of Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian. Subject parcel being more particularly described as follows:
Commencing at the number 5 rebar and cap stamped "MTN ENGINEERING" monumentizing the Center of said Section 30, thence North 88°42'14" West 1178.86 feet coincident with the center of section line of said Section 30; thence SOUTH 2628.94 feet to a number 5 rebar and cap stamped "147581" and the Southwest corner of that particular parcel of land owned in fee simple by Christopher M. and Sandy Kay Wilkinson, and the True Point of Beginning. Thence the following two (2) courses coincident with the perimeter of said Wilkinson parcel: (1) North 61°36'23" East 247.64 feet; (2) North 05°13'48" West 225.93 feet to a point on the Southwesterly line of "The Cottonwoods at Rose Hill Subdivision" according to the Official Plat thereof. Thence North 60°32'47" East 478.93 feet coincident with said Southwesterly line and the prolongation thereof to a number 5 rebar and cap stamped "PLS 356548". Thence South 05°25'44" East 1006.59 feet to a number 5 rebar and cap stamped "PLS 356548", said point lying South 0.22 feet and West 0.84 feet of a number 5 rebar and cap stamped "ENGIN" monumentizing the Southeast corner of that certain Wilkinson Rezone Parcel," as shown on that particular Boundary Survey filed as Survey Number 000387 in the Morgan County Recorder's Office. Thence South 80°02'00" West 277.45 feet to a number 5 rebar and cap stamped "147581" and a point on the arc of a 1005.40 foot non-tangent curve; Thence Northwesterly 173.91 feet coincident with the Northeastly Right of Way Line of Old Highway 30 and along the arc of said 1005.40 foot non-tangent curve to the left (center bears South 59°53'43" West) through a central angle of 09°54'39" to a number 5 rebar and cap stamped "PLS 356548"; Thence North 44°07'19" West 469.42 feet coincident with said Right of Way Line to the point of beginning. Contains 9.84 acres more or less.



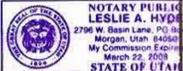
OWNERS DEDICATION

Know all men by these present that I/we, the undersigned owner(s) of the above described tract of land having caused the same to be subdivided into lots and private streets, as shown on this plat for the Coventry Cove Subdivision a Planned Unit Development, hereby convey and dedicate all roadways in the residential subdivision and all open space to Coventry Cove Home Owners Association, Inc. (hereinafter "Home Owners Association") and further dedicate to Morgan County those certain strips designated as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, police and fire protection, garbage collection, mail delivery, drainage and other uses as may be authorized by the Morgan County. In witness I/we have hereunto set my/our signature.

Signed this 25 day of MAY, 2005.
Coventry Cove, LLC, by Rex G. Wilkinson President
Corporate

ACKNOWLEDGMENT

STATE OF UTAH } S.S.
COUNTY OF MORGAN }



On the 25 day of May, 2005 personally appeared before me, the undersigned notary public in and for the County of Morgan in said State of Utah the signer of the above Owner's Certificate one in number, who duly acknowledged to me that he, Rex G. Wilkinson, is president of Coventry Cove, L.L.C. and that he signed it freely and voluntarily for the use and purpose therein mentioned.

MY COMMISSION EXPIRES March 22, 2008
Notary Public Residing in Morgan Utah

OWNER'S ACKNOWLEDGMENT OF RESPONSIBILITIES

Know all men by these present that we, the 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 thereof, we have hereunto set our hands this 25 day of MAY, 2005.

Coventry Cove, LLC, by Rex G. Wilkinson President
Coventry Cove, L.L.C., by Rex G. Wilkinson it's President

COVENTRY COVE SUBDIVISION, P.U.D.
MOUNTAIN GREEN, MORGAN COUNTY, UTAH
LYING AND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30, AND THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN

Boundary Specialists

When Quality Matters

7920 South Highway 89, Willard Utah 84340
(801) 792-1569 Fax (435) 723-5512

Developer: Coventry Cove, L.L.C. (Rex Wilkinson)
3990 West Old Highway Road, Morgan Utah 84050

COUNTY ENGINEER'S APPROVAL

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. I ALSO CERTIFY THAT A COPY OF ALL ACCEPTED IMPROVEMENT PLANS FOR THIS SUBDIVISION HAVE BEEN SUBMITTED TO THIS OFFICE EACH AFFIXED WITH A STAMP AND SIGNATURE OF A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF UTAH WHO IS IN THE EMPLOY OF THE OWNER OR DEVELOPER.

SIGNED THIS 17 DAY OF MAY, 2005

COUNTY COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE MORGAN COUNTY COUNCIL THIS 17th DAY OF May A.D. 2005, AT WHICH TIME THIS SUBDIVISION AND THE OWNER'S DEDICATION WAS APPROVED AND ACCEPTED.

ATTEST: *Stacy Spivey* CLERK
Maureen White CHAIRMAN

MORGAN COUNTY PLANNING COMMISSION

APPROVED THIS 5 DAY OF May A.D. 2005.

BY THE MORGAN COUNTY PLANNING COMMISSION.
Willie Whittier CHAIRMAN

COUNTY ATTORNEY'S APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 17 DAY OF May A.D., 2005.

Kelly W. Wright MORGAN COUNTY ATTORNEY

MORGAN COUNTY RECORDER

ENTRY NUMBER 99371
FEE PAID \$5600
FILED FOR RECORD AND RECORDED THIS 25 DAY OF MAY 2005, IN BOOK 216 AT PAGE 1103 OF THE OFFICIAL RECORDS.

Bonnie D. Thomas DEPUTY COUNTY RECORDER

AN AMENDMENT OF COVENTRY COVE SUBDIVISION, A PLANNED UNIT DEVELOPMENT MOUNTAIN GREEN, MORGAN COUNTY, UTAH

LYING AND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 30, AND THE NORTHWEST QUARTER OF SECTION 31,
TOWNSHIP 5 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN

WILKINSON FAMILY FARM, L.L.C.
(NOT A PART)

BOUNDARY DESCRIPTION

A parcel of land lying and situate in the Southwest Quarter of Section 30, and the Northwest Quarter of Section 31, Township 5 North, Range 2 East, Salt Lake Base and Meridian, Morgan County, Utah. Comprising 9.84 acres of the Wilkinson Family Farm L.L.C. parcel known as Tax ID Numbers 02-005-120 and 03-005-120. Basis of Bearing for subject parcel being South 88°42'14" East 1342.01' (measured) between the number 5 rebar and cap stamped "MTN ENGINEERING" monumentizing the Center and CE1/16 Corners of Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian. Subject parcel being more particularly described as follows:

Commencing at the number 5 rebar and cap stamped "MTN ENGINEERING" monumentizing the Center of said Section 30, then North 88°42'14" West 1178.86' feet coincident with the center of section line of said Section 30; Thence South 2828.94' feet to a number 5 rebar and cap stamped "147581" and the Southwest corner of that particular parcel of land owned in fee simple by Christopher M. and Sandy Kay Wilkinson, and the True Point of Beginning. Thence the following two (2) courses coincident with the perimeter of said Wilkinson parcel thereof to a number 5 rebar and cap stamped "PLS 356548"; Thence South 03°25'44" East 1006.59' feet to a number 5 rebar and cap stamped "PLS 356548", said point lying South 0.22 feet and West 0.84 feet of a number 5 rebar and cap stamped "ENSGN" monumentizing the Southeast corner of that certain "Wilkinson Rezone Parcel" as shown on that particular Boundary Survey filed as Survey Number 000387 in the Morgan County Recorder's Office; Thence South 80°02'00" West 277.45' feet to a number 5 rebar and cap stamped "147581" and a point on the arc of a 1005.40 foot non-tangent curve; Thence Northwest 173.91' feet coincident with the Northeast Right of Way Line of Old Highway 30 and along the arc of said 1005.40 foot non-tangent curve to the left (center bears South 53°34'3" West) through a central angle of 05°43'39" to a number 5 rebar and cap stamped "PLS 356548"; Thence North 44°07'19" West 469.42' feet coincident with said Right of Way Line to the point of beginning. Contains 9.84 acres more or less.

OWNERS DEDICATION

Know all men by these present that I/we, the undersigned owner(s) of the above described tract of land having caused the same to be subdivided into lots and private streets, as shown on this plat for the Coventry Cove Subdivision a Planned Unit Development, hereby convey and dedicate all roadways in the residential subdivision and all open space to Coventry Cove Home Owners Association, Inc. (hereafter "Home Owners Association") and further dedicate to Morgan County those certain strips designated as easements for public utility and drainage purposes as shown hereon, the same to be used for the installation, maintenance and operation of public utility service lines, police and fire protection, garbage collection, mail delivery, drainage and other uses as may be authorized by the Morgan County. Also -

OWNER'S ACKNOWLEDGMENT OF RESPONSIBILITIES

Know all men by these present that we, the 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 thereof, we have herunto set our hands this 21st day of December, 2006.

Signed this 21st day of December, 2006.

Coventry Cove Properties, L.L.C., by Rex G. Wilkinson, its President
by *Rex G. Wilkinson*
by *Michael C. Erickson and Joann H. Erickson*
Michael C. Erickson and Joann H. Erickson by *Cade Erickson, Attorney in Fact*

Rynell Properties, L.L.C., by Ryan C. Nye, Managing Member
by *Darfen W. Woodard*
Darfen W. Woodard and Aubrey K. Woodard

ACKNOWLEDGMENTS

STATE OF UTAH
COUNTY OF MORGAN } s.s.

On the 21st day of December, 2006, personally appeared before me, the undersigned notary public, Rex G. Wilkinson, President, Coventry Cove Properties, L.L.C.; Michael C. Erickson & Joann H. Erickson, Ryan C. Nye, Managing Member, Rynell Properties, & Darfen W. Woodard and Aubrey K. Woodard, and that they signed it freely and voluntarily and for the use and purposes therein mentioned.
by *Cade Erickson, Attorney in Fact*
by *Darfen W. Woodard, Attorney in Fact*

Notary Public
My commission expires 12-31-2012
Residing in *Utah*



WILKINSON-COTTONWOOD MUTUAL WATER COMPANY

THE CULINARY WATER AND SECONDARY WATER FACILITIES ARE HEREBY APPROVED.

SIGNED THIS 3rd DAY OF *Jan*, 2007

TITLE: *Rex G. Wilkinson*

MORGAN COUNTY RECORDER

ENTRY NO. 106180 FEE PAID \$49.00
FILED FOR RECORD AND RECORDED
JAN 2 2007 AT 4:51 PM
IN BOOK 242 OF THE OFFICIAL RECORDS,
PAGE 2164

RECORDED FOR *Coventry Cove Properties, LLC*

RECORDED BY *Ronda O. Tyson*
MORGAN COUNTY RECORDER DEPUTY

NOTE:
This P.U.D. is subject to the recorded Development Agreement.

NOTE:
ALL IMPROVEMENTS WILL CONFORM TO THE GEOTECHNICAL REPORT PREPARED BY EARTHTEC TESTING & ENGINEERING, P.C. JOB NO. 04-2102, DATED DECEMBER 16, 2004.

PROJECT STATISTICS

| | |
|--------------------------------|---------------|
| ACREAGE RR-1 ZONE | 3.838 ACRES |
| ACREAGE RR-20 | 5.805 ACRES |
| TOTAL | 9.643 ACRES |
| STREAM SENSITIVE AREAS | |
| ZONE RR-1 | 0.063 ACRES |
| ZONE RR-20 | 0.085 ACRES |
| TOTAL | 0.148 ACRES |
| SLOPES OVER 25% (RR-1) | 0.075 ACRES |
| SLOPES OVER 25% (RR-20) | 0.073 ACRES |
| BUILDABLE AREA BY ZONE (UNITS) | |
| RR-1 ZONE | 3,585 UNITS |
| RR-20 ZONE | 10,862 UNITS |
| TOTAL | 14,547 UNITS |
| TOTAL OPEN SPACE | 3,808 ACRES |
| CENTRAL AREA | 0.033 ACRES |
| PARCEL #1 | 0.241 ACRES |
| PARCEL #2 | 0.275 ACRES |
| TOTAL | 4,400 ACRES |
| STREAM SENSITIVE AREA | (0.148 ACRES) |
| TOTAL OPEN SPACE | 4,252 ACRES |
| REQUIRED OPEN SPACE (40%) | 3,838 ACRES |

HOME EXCAVATION:

DURING CONSTRUCTION OF BASEMENTS AND/OR FOOTINGS AND FOUNDATIONS, THE CONTRACTOR MAY LOCATE TERTIARY MATERIALS WHICH MAY NOT BE SUITABLE FOR THE STABILITY OF THE HOME. THIS MATERIAL SHALL BE REMOVED AND THE SITE INSPECTED BY THE COUNTY ENGINEER PRIOR TO COMMENCEMENT OF FURTHER CONSTRUCTION. ALL BUILDING FOUNDATIONS SHALL BE PLACED ON NATIVE, UNDISTURBED SOIL.

CERTIFICATE OF SURVEYOR

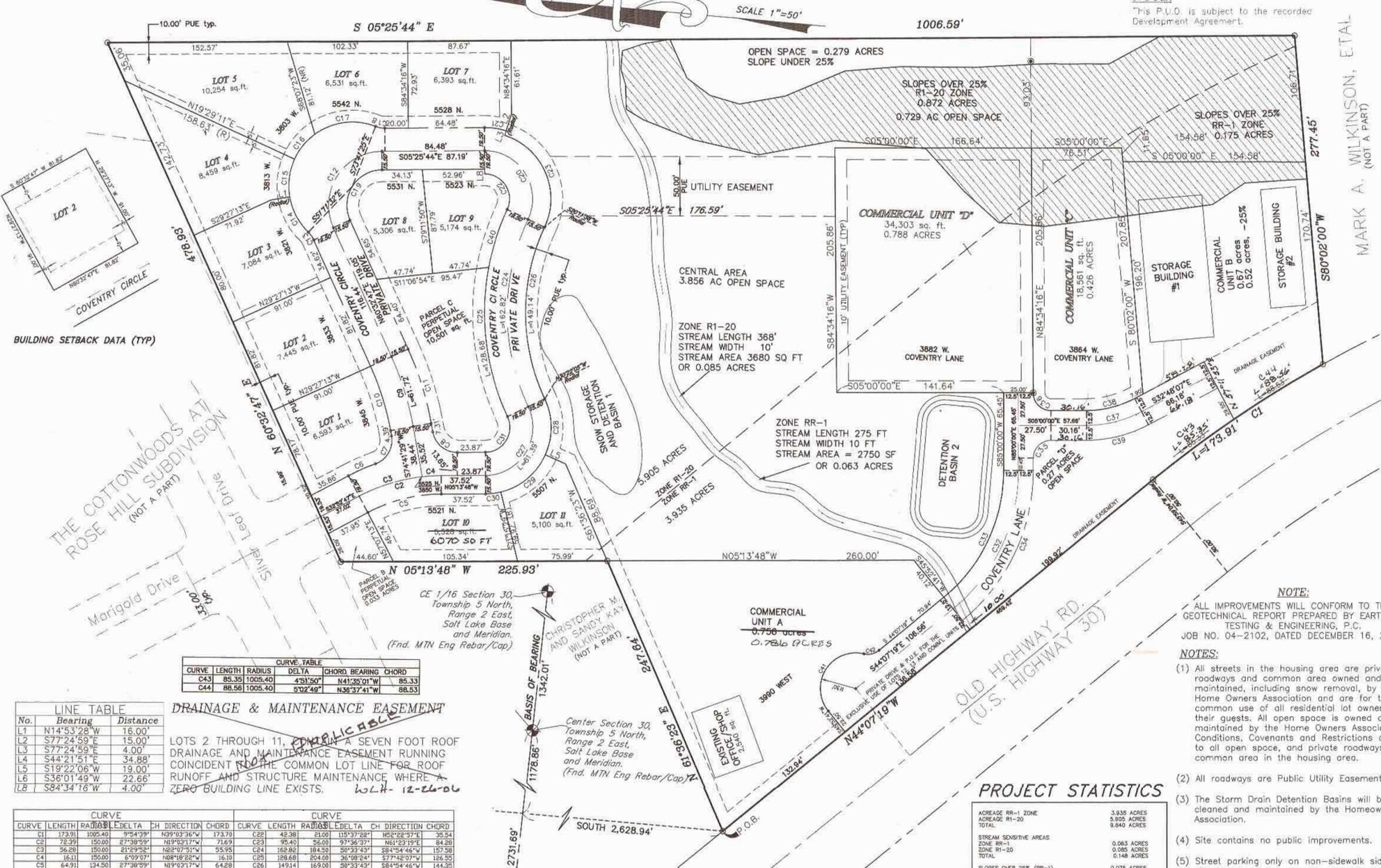
I, WILLIAM L. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 167461, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 19B, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, AND BY AUTHORITY OF THE OWNERS, HAVE COMPLETED A SURVEY OF THE TRACT OF LAND DESCRIBED HEREIN, IN ACCORDANCE WITH SECTION 17-2-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE SUBDIVIDED SAID TRACT INTO LOTS AND 4 COMMERCIAL UNITS. TO BE KNOWN HEREAFTER AS:

AN AMENDMENT TO COVENTRY COVE SUBDIVISION - A PLANNED UNIT DEVELOPMENT

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

SIGNED THIS 27th DAY OF SEPTEMBER, 2006

WILLIAM L. HOLYOAK, PE & PLS
UTAH LAND SURVEYOR REGISTRATION NO. 167461.



CURVE TABLE

| CURVE | LENGTH | RADIUS | DELTA | CHORD BEARING | CHORD |
|-------|--------|---------|---------|---------------|-------|
| C43 | 85.35 | 1005.40 | 431°50' | N41°38'01"W | 85.33 |
| C44 | 88.96 | 1005.40 | 502°49' | N38°37'41"W | 88.53 |

LINE TABLE

| No. | Bearing | Distance |
|-----|-------------|----------|
| L1 | N14°53'28"W | 16.00' |
| L2 | S77°24'59"E | 15.00' |
| L3 | S77°24'59"E | 4.00' |
| L4 | S44°21'57"E | 34.88' |
| L5 | S19°22'06"W | 19.00' |
| L6 | S36°01'49"W | 22.66' |
| L8 | S84°34'16"W | 4.00' |

DRAINAGE & MAINTENANCE EASEMENT

LOTS 2 THROUGH 11, CONTAIN A SEVEN FOOT ROOF DRAINAGE AND MAINTENANCE EASEMENT RUNNING COINCIDENT TO THE COMMON LOT LINE FOR ROOF RUNOFF AND STRUCTURE MAINTENANCE WHERE A ZERO BUILDING LINE EXISTS.

| CURVE | | | | | | CURVE | | | | | |
|-------|--------|---------|-------------|--------------|-------|--------|--------|------------|-------------|--------------|-------|
| CURVE | LENGTH | RADIUS | DELTA | CH DIRECTION | CHORD | CURVE | LENGTH | RADIUS | DELTA | CH DIRECTION | CHORD |
| C1 | 17.33 | 1005.40 | N89°03'36"W | 173.78 | C23 | 48.38 | 21.00 | 119°37'07" | N82°28'27"E | 35.54 | |
| C2 | 78.29 | 150.00 | E7°38'59"W | 71.69 | C25 | 95.40 | 56.00 | 97°36'37" | N61°53'19"E | 84.28 | |
| C3 | 56.28 | 150.00 | E21°29'32"W | 55.95 | C24 | 162.82 | 184.50 | S0°33'43" | S84°54'46"W | 157.58 | |
| C4 | 16.11 | 150.00 | E6°09'07"W | 16.10 | C25 | 128.68 | 204.00 | S6°08'24" | S77°42'07"W | 126.50 | |
| C5 | 64.93 | 134.50 | E7°38'59"W | 64.89 | C26 | 143.14 | 169.00 | S0°33'43" | S84°54'46"W | 144.56 | |
| C6 | 24.97 | 169.50 | E8°26'27"W | 24.93 | C27 | 81.99 | 43.50 | 115°08'17" | S68°47'37"E | 68.37 | |
| C7 | 29.64 | 21.00 | E8°32'11"W | 27.24 | C28 | 48.61 | 56.00 | 49°44'11" | N84°38'30"E | 47.30 | |
| C8 | 29.29 | 21.00 | E7°03'19"W | 29.28 | C29 | 36.72 | 56.00 | S1°23'27" | S44°41'17"E | 49.00 | |
| C9 | 61.78 | 250.00 | E4°08'42"W | 61.56 | C30 | 13.21 | 56.00 | 13°30'43" | S11°59'09"E | 13.18 | |
| C10 | 56.91 | 230.50 | E4°08'42"W | 56.76 | C31 | 42.20 | 21.00 | 115°08'17" | S68°47'37"E | 39.45 | |
| C11 | 63.58 | 263.50 | E4°08'42"W | 63.38 | C32 | 133.80 | 150.00 | S0°33'43" | S84°54'46"W | 128.97 | |
| C12 | 90.55 | 45.50 | E4°08'42"W | 76.33 | C33 | 122.10 | 137.50 | S0°33'43" | S84°54'46"W | 118.13 | |
| C13 | 7.97 | 21.00 | E14°41'19"W | 7.92 | C34 | 144.30 | 162.50 | S0°33'43" | S84°54'46"W | 139.60 | |
| C14 | 34.25 | 54.00 | E8°18'54"W | 33.44 | C35 | 23.56 | 15.00 | S0°00'00" | N89°30'00"W | 23.21 | |
| C15 | 32.40 | 54.00 | E8°18'54"W | 31.92 | C36 | 23.56 | 15.00 | S0°00'00" | S40°00'00"W | 23.21 | |
| C16 | 27.61 | 54.00 | E9°17'37"W | 26.58 | C37 | 48.52 | 100.00 | E7°48'07" | S18°54'03"E | 48.05 | |
| C17 | 54.28 | 54.00 | E7°48'07"W | 51.97 | C38 | 42.45 | 87.50 | E7°48'07" | S18°54'03"E | 42.04 | |
| C18 | 7.97 | 21.00 | E14°41'19"W | 7.92 | C39 | 54.59 | 118.50 | E7°48'07" | S18°54'03"E | 54.00 | |
| C19 | 59.70 | 30.00 | E14°41'19"W | 50.33 | C40 | 51.95 | 204.00 | E7°48'07" | S18°54'03"E | 51.21 | |
| C20 | 81.74 | 40.50 | E11°39'18"W | 66.56 | C41 | 74.52 | 30.00 | E12°19'48" | N68°59'28"E | 56.79 | |
| C21 | 18.86 | 66.00 | E8°07'42"W | 18.79 | C42 | 13.70 | 15.00 | S21°19'48" | S17°52'28"E | 13.23 | |

MORGAN COUNTY ATTORNEY
APPROVED AS TO FORM
SIGNED THIS 21 DAY OF December, 2006
Joann S. Davis
MORGAN COUNTY ATTORNEY

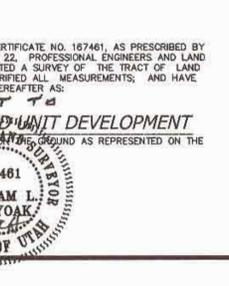
MOUNTAIN GREEN SEWER IMPROVEMENT DISTRICT
THE WASTE DISPOSAL SYSTEM IS HEREBY APPROVED.
SIGNED THIS 23rd DAY OF January, 2007
W.S. Baldwin
TITLE: Administrator

MORGAN COUNTY ENGINEER
THIS IS TO CERTIFY THAT I HAVE INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING PLAT LEGAL DESCRIPTION OF THE LAND EMBRACED THEREIN AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE LINES AND MONUMENTS ON RECORD IN THIS OFFICE AND THE MORGAN COUNTY RECORDER'S OFFICE.
SIGNED THIS 21 DAY OF December, 2006
Rex G. Wilkinson
MORGAN COUNTY ENGINEER

MORGAN COUNTY PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY PLANNING COMMISSION THIS 2nd DAY OF Nov, 2006
SIGNED THIS 2nd DAY OF Nov, 2006
Wendy Hill
CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION

MORGAN COUNTY COUNCIL
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COUNCIL OF MORGAN COUNTY, UTAH THIS 19th DAY OF December, 2006
SIGNED THIS 19th DAY OF December, 2006
Wendy Hill
CHAIRMAN, MORGAN COUNTY COUNCIL
Attest: *Rex G. Wilkinson*
MORGAN COUNTY CLERK

WILLIAM L. HOLYOAK, PE & PLS
UTAH LAND SURVEYOR REGISTRATION NO. 167461.



MORGAN COUNTY RECORDER
ENTRY NO. 106180 FEE PAID \$49.00
FILED FOR RECORD AND RECORDED
JAN 2 2007 AT 4:51 PM
IN BOOK 242 OF THE OFFICIAL RECORDS,
PAGE 2164
RECORDED FOR *Coventry Cove Properties, LLC*
RECORDED BY *Ronda O. Tyson*
MORGAN COUNTY RECORDER DEPUTY

AMENDED
SACD PRODUCTS - NEW HEEPE, MINNESOTA
RECORDED BY PARTY NUMBER 0000
MOUNTAIN GREEN, MORGAN COUNTY, UTAH
MOUNTAIN ENGINEERING
P. O. BOX 309
MORGAN, UTAH 84050
TEL (801) 876-3978 FAX 876-3979

REVISIONS
DATE BY COMMENTS

REGISTERED LAND SURVEYOR
167461
WILLIAM L. HOLYOAK
STATE OF UTAH

DESIGNED BY: W.L.H.
DRAWN BY: W.L.H.
DATE: JULY, 2006

COVENTRY COVE SUBDIVISION - AN AMENDMENT OF
A PLANNED UNIT DEVELOPMENT
A PART OF THE SW 1/4 OF SEC. 30 & THE NW 1/4 OF SEC. 31,
TOWNSHIP 5 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN, U.S. SURVEY,
MOUNTAIN GREEN, MORGAN COUNTY, UTAH.

ME 06-72
SHEET 1 OF 1
FILE:coventry cove 07-03

Exhibit D: Engineer's Memo



Memorandum

To: Charles Ewert, Planning and Development Director
Morgan County

From: Mark T. Miller, P.E.
Wasatch Civil Consulting Engineer

Date: October 29, 2013

Subject: **Amended Plat No. 2 - Coventry Cove Subdivision**

We have reviewed the plat for the subject project and recommend approval once the following items have been addressed:

1. Proof that lot 10 has water sufficient to meet the subdivision ordinance requirements should be submitted for our review.
2. Proof that lot 10 conforms to the County adopted fire code.

If you have any questions, please call.

Exhibit E-Surveyor Approval

Ronda Kippen

From: Von Hill <vrhill@hillargyle.com>
Sent: Wednesday, November 27, 2013 9:53 AM
To: 'Ronda Kippen'
Subject: RE: Coventry Cove Amendment re-review

Hi Ronda
I am ok with the most current version.
Von

From: Ronda Kippen [<mailto:rkippen@morgan-county.net>]
Sent: Tuesday, November 26, 2013 10:17 AM
To: vrhill@hillargyle.com
Subject: Coventry Cove Amendment re-review

Hi Von,

Here are the corrected plans for the Coventry Cove Subdivision Amendment for Lot 10A. Let me know if you need anything else.

Have a great day,

Ronda Kippen

Morgan County
Planning Technician
Planning & Zoning Dept
P# 801-845-4014
F# 801-845-6087

Exhibit F: Will Serve Letter from Water Company

Wilkinson Cottonwood Mutual Water Company
2985 South Old Highway Road
Morgan, Utah 84050

October 18, 2004

Via Fax: (801) 876-2006

Rex Wilkinson
3910 W. Old Highway Road
Morgan, Utah 84050

RE: WILL SERVE LETTER

Dear Rex:

The Wilkinson Cottonwood Mutual Water Company can and will serve the Coventry Cove project with 18 culinary water connections for the 18 residential lots. We will require the necessary water rights be dedicated to the Water Company for each lot, either through Weber Basin water or recorded rights.

We will study the storage and source capacity necessary for your project and future developments served by the WCMWC. We will also continue to review the system to find it is in compliance with the State and County standards. In the event the drought continues or water supply is limited, we will request residents to limit their outside watering.

Sincerely,



Rulon C. Gardner
President

RCG/cm
Wayne Wilkinson

Exhibit G: Original Utility Will Serve Letters

1438 West 2550 South
Ogden, Utah 84401
(801) 629-4302
FAX (801) 629-4379

TUS 9.00



09-12-2004

Morgan County Planning Commission

To Whom It May Concern:

Utah Power has received a request from Rex Wilkinson for power to serve the Coventry Cove Subdivision. However no property markers have been established. Utah power facilities in the area which could be used to serve this property. However it will require a line extension in order to serve this customer. This would all be done at the customer's expense, which is required up front before any work can commence.

The customer or developer furnishes all trenching, shading, backfill and all required conduits.

Should you have any questions please feel free to call.

Curtis Galvez

A handwritten signature in cursive script, appearing to read "Curtis Galvez".

Estimator
1438 W. 2550 S.
Ogden, Utah 84401
801-629-4318

Exhibit G: Original Utility Will Serve Letters



Rex Wilkinson

I have review my Records , there is a telephone service running in front of your property that has the capacity to feed your "Coventry Cove Sub with 19 lots including the Bed and Breakfast. This development is located at approx.3990 W Old Hwy Rd. If you have any questions call me at 626-5406.

Thanks
Dale McCrary

Exhibit G: Original Utility Will Serve Letters



MOUNTAIN GREEN FIRE PROTECTION DISTRICT

4565 W. Old Hwy Mountain Green, Utah 84050-9728
Station: (801) 876-2277 Fax: (801) 876-3341

26 March 2005

Morgan County Planning Department:

REF: Coventry Cove

The Mountain Green Fire District has reviewed the plans submitted to us by Rex Wilkinson in regards to the Coventry Cove subdivision. As with any small subdivision, and homes that are so close together, the chances for conflagration fires is enhanced. Our main concern was fire hydrants and Kent Wilkerson has told us there will be two hydrants within the circle. This would allow the District to try and alleviate fires spreading through radiant heat with an adequate supply of water and not having to establish lengthy hose lays.

In talking with Mr. Wilkinson, I expressed my concerns as to a hydrant location near the proposed Bed & Breakfast. It is my understanding an 8" main would be available for a hydrant to be placed near the B & B. Mr. Wilkinson told me that the B & B was about two years away from actual construction, but agreed to my proposal of a hydrant. This would supply needed water to the proposed storage sheds as well.

If you have any questions, please feel free to contact the undersigned or Brian Doyle at (801) 781-0334. Thanking you in advance for your time.

Sincerely,

Les Stone
Fire Chief
Mountain Green Fire Protection District
801-829-2023

Exhibit G: Original Utilitiy Will Serve Letters

Wilkinson Cottonwood Mutual Water Company
2985 South Old Highway Road
Morgan, Utah 84050

October 18, 2004

Via Fax: (801) 876-2006

Rex Wilkinson
3910 W. Old Highway Road
Morgan, Utah 84050

RE: WILL SERVE LETTER

Dear Rex:

The Wilkinson Cottonwood Mutual Water Company can and will serve the Coventry Cove project with 18 culinary water connections for the 18 residential lots. We will require the necessary water rights be dedicated to the Water Company for each lot, either through Weber Basin water or recorded rights.

We will study the storage and source capacity necessary for your project and future developments served by the WCMWC. We will also continue to review the system to find it is in compliance with the State and County standards. In the event the drought continues or water supply is limited, we will request residents to limit their outside watering.

Sincerely,



Rulon C. Gardner
President

RCG/cm
Wayne Wilkinson

Exhibit G: Original Utility Will Serve Letters
MOUNTAIN GREEN
SEWER IMPROVEMENT DISTRICT

5455 West Old Highway Road
Mountain Green, UT 84050
801-876-3416 / Fax 801-876-3358

November 13, 2004

Rex Wilkinson
3910 West Old Highway Road
Mountain Green, UT 84050

Mr. Wilkinson:

The Board of Trustees has reviewed your application for nineteen (19) connections in the Coventry Cove development at approximately 4000 West Old Highway Road. The M.G.S.I.D. currently has sufficient capacity and can provide service to these lots.

This agreement is contingent upon the following conditions:

1. That the Board receives a set of concept-approved plans showing the sewer lines;
2. That no rain runoff or sump connections are made to the system;
3. That all other District residential sewer line requirements are met.
4. That you obtain from the County Council final approval of your development within one (1) year of the date of this letter.

If additional information is required, please contact Ron Lawson at 801-829-6805 or Janet Boudrero at 801-876-3416.

Sincerely,



Mountain Green Sewer Improvement District
Ron Lawson, Chairman
Janet Boudrero, Secretary

QUESTAR

Questar Gas Company
25 Washington Blvd.
Ogden, UT 84401
(801)395-6726 Office
(801)395-6799 Fax

Exhibit G: Original Utility Will Serve Letter

November 5, 2004

REX WILKINSON
OLD HWY RD
MOUNTAIN GREEN, UT

Dear Rex

Re: Natural Gas Service Availability Letter

Natural gas can be made available to serve the COVENTRY COVE development when the following requirements are met:

1. Developer provides plat maps, drawings, construction schedules, average size of homes, units, and/or buildings that will be served by natural gas, and any and all other relevant information regarding commercial and residential uses, including but not limited to, proposed natural gas appliances (number and type of appliances per unit, home, building).
2. Review and analysis by Questar Gas= Engineering and/or Preconstruction Department to determine load requirements, system reinforcement requirements and estimated costs to bring natural gas to the development.
3. List of street names & address's.

Upon completion of Questar Gas= review of the development=s natural gas requirements, agreements will be prepared, as necessary, for high pressure, intermediate high pressure and/or service line extensions required to serve the development. These service extensions must be paid in advance, but may qualify for credits or refunds, as provided in Questar Gas= tariff.

To accommodate your construction schedule and provide cost estimates to you, please contact me at your earliest convenience.

Sincerely,



Robert Comeau – 710-3755

Preconstruction Specialist

Memo

TO: Planning Commission
FROM: Ronda Kippen
DATE: December 4, 2013
SUBJECT: K2 Building Solutions Conditional Use Permit Staff Report dated October 17, 2013

Agenda item# 6 was tabled during the November 14, 2013 Planning Commission meeting for further discussion with the applicant. Staff has not modified or altered the Staff Report dated October 17, 2013 as reviewed in the November 14, 2013 Planning Commission meeting.



48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT
October 17, 2013

To: Morgan County Planning Commission
Business Date: November 14, 2013

Prepared By: Ronda Kippen, Planning Technician

Re: **K2 Building Solutions Conditional Use Permit Request**

Application No.: 13.120
Applicant: Mike Babcock/Cottonwood Commercial Inc. and
Sean Dorius/K2 Building Solutions, Inc.
Project Location: 4070 West 5800 North (Cottonwoods Commercial Park Parcel #D)
Zoning: CB Zone
Acreage: A portion of 2.90 acres (approximately 0.25 acre)
Request: Conditional Use Permit for the general contract construction services

SUMMARY

This application is for a commercial use in the CB zone. The proposed business will be in the west end of an existing commercial building located on Parcel C&D in the Cottonwoods Commercial Park. The applicant, Cottonwood Commercial Inc., owned by Mike Babcock, would like to rent/lease a portion of the commercial building to K2 Building Solutions, Inc. owned and operated by Sean Dorius. The scope of work will include metal framing, Styrofoam cutting, and assembly of walls for construction located offsite. The application is to consider the portion of property to be used as “Services: General contract construction services” and “Retail Trade: Lumber and other building material”.

The proposed uses in the CB zone are allowed by conditional use permit. Conditional use permits should be approved as long as any harmful impact is mitigated. The County Code already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application appears to meet these standards. The following is staff’s evaluation of the request.

ANALYSIS

General Plan. The Future Land Use Map identifies this property as “Business Park” which is intended to

“provide for areas for the development of uses that provide employment involving light manufacturing, assembling, warehousing, and wholesale activities and associated office space and support uses. Typical uses may also include construction contractors, small, screened storage yards and small warehousing spaces”. The 2010 General Plan has identified the need to *“support growth of retail and other commercial activity in Morgan County-particularly Mountain Green-in order to provide goods and services to County residents”.*
(See 2010 General Plan page 12-13, Future Land Use Map and Land Use Strategic Objectives)

Zoning. The property is zoned CB (see Exhibit A). The proposed uses are allowed in the CB zone through a conditional use permit. Morgan County Code (MCC) 8-5C-3 identifies this as at least two uses the proposal may be considered under: “Services: General contract construction services” and “Retail trade-lumber and other building material. Both of these uses require a conditional use permit in the CB zone.

8-5C-3: USE REGULATIONS: 

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the commercial and industrial districts, except as provided in this article. Accessory uses and buildings customarily incidental to uses authorized by conditional use permit in any district are also authorized by issuance of a conditional use permit in any such district. "Temporary uses", as defined in section [8-2-1](#) of this title, are authorized in any district upon issuance of a conditional use permit for the same.

| | | Districts | | | | | | |
|--------------------|----------------------------------------|-----------|-----|-----|-----|-----|-----|-----|
| | | CB | C-N | C-S | C-H | C-G | M-D | M-G |
| COMMERCIAL: | | | | | | | | |
| Services: | | | | | | | | |
| | General contract construction services | C | - | - | - | P | P | P |
| Retail Trade: | | | | | | | | |
| | Lumber and other building materials | C | - | P | C | P | C | - |

Building Code Requirements. The proposed business will be located in an existing commercial building located on the subject property. Prior to the business license approval the portion of the building with the proposed use will need to be inspected by the Morgan County Building Inspector.

Conditional Use Requirements.

- *Vehicles:* MCC 8-8-4 identifies potential conditions related to safety for persons and property concerning the numbers and types of vehicles per time period associated with the conditional use activities. The applicant indicates that the site has an existing asphalt driveway which should adequately accommodate the increase in traffic. All construction material will be hauled to and from the proposed location with a typical pickup truck and trailer.
- *Off Street Parking:* MCC 8-11-4 identifies the calculations for all off street parking as follows: one space for each employee projected for the highest employment shift is required. K2 Building Solutions, Inc. currently has three employees. The applicant has identified both hard surface parking location and unimproved parking across the access driveway. Staff feels adequate hard surface parking is being proposed and that further conditions at this time are unnecessary.

- *Hours of operation:* MCC 8-8-4 states “time of day and days of week a conditional use may operate”. Staff recommends that the proposed business limits hours of operation within the timeframe of 6:00 AM to 10:00 PM.
- *Landscaping:* MCC 8-8-4 and 8-6-27 have specific landscaping standards. Landscaping is encouraged to ensure compatibility with the intended characteristics of the district and to enhance, conserve and stabilize property values by preventing litter and providing an attractive neighborhood. Considering that this is an existing site, requiring new or more landscaping may not be necessary. If the Planning Commission feels more landscaping is needed in order to comply with the provisions of both of these codes, then a Landscape Plan should be submitted and approved by the Zoning Administrator (see Exhibit B).

Property Layout. The existing property is a combination of three commercial lots within the Cottonwood Commercial Park (see Exhibit C). It appears that the portion of the existing building that will be utilized by K2 Building Solutions is located on Parcel D within the Cottonwood Commercial Park. It is surrounded by similar commercial uses (see Exhibit D). It fronts 5800 North with approximately 130 feet of frontage.

Setbacks. The front setback for uses in the CB zone is 25 feet. The side yard is 10 feet and rear setback of 20 feet. The existing building was presumably previously approved by Morgan County with a setback that is now nonconforming. The proposed use does not adversely affect that nonconformity.

Fire Protection. Due to the commercial use of the property, staff recommends a site inspection and approval from the local fire official prior to the issuance of a business license.

STAFF RECOMMENDATION

Staff recommends approval of the K2 Building Solutions, Inc. Conditional Use permit for general contract construction services, file #13.120 subject to the following conditions:

1. That approval is based on the information in the application and Planning Commission staff report dated 10/17/13. Any impactful changes to the business from the information presented therein may require additional future review and approval.
2. That a business license for K2 Building Solutions, Inc. be obtained prior to commencement of onsite operations.
3. That all past due taxes along with all penalties and interest owed to Morgan County for Serial# 03-005-123-BCD are paid current prior to the review of the business license for K2 Building Solutions, Inc. located at 4070 West 5800 North Morgan, UT.
4. That the proposed business limits the hours of operation within the timeframe of 6:00 AM to 10:00 PM.
5. That the building official performs a site inspection to ensure code conformance prior to the issuance of a business license, including address and unit numbering and identification consistent with area addressing methods.
6. That a building permit is required to be issued for any electrical, plumbing, heating, and framing etc. during any renovation period.
7. That the applicant schedules a site inspection with the local fire official and receives approval prior to the issuance of a business license.
8. That the business adheres to all other County, State, and Federal requirements.

This recommendation is based on the following findings:

1. That the request conforms to the 2010 General Plan.
2. That the request conforms to the requirements of the Morgan County Code.
3. That the hours of operation may be a conditional use to operate.
4. That Morgan County Code has specific landscaping standards. If the Planning Commission feels additional landscaping is required in order to comply with code, staff would recommend a landscaping design to be submitted for approval by the Zoning Administrator.

MODEL MOTION

Sample Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Council for the K2 Building Solutions, Inc. Conditional Use permit for general contract construction services, file #13.120 subject to the findings and conditions listed in the October 17, 2013 staff report, and as modified by the conditions and findings below:”

1. List any additional findings and conditions...

Sample Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Council for the K2 Building Solutions, Inc. Conditional Use permit for general contract construction services, file #13.120 subject to the following findings:

1. List any additional findings...

SUPPORTING INFORMATION

Exhibit A: Zoning Map
Exhibit B: Site Photo
Exhibit C: Plat Map
Exhibit D: Property Layout

Exhibit A-Zoning Map



Google earth



Exhibit B-Site/Street View

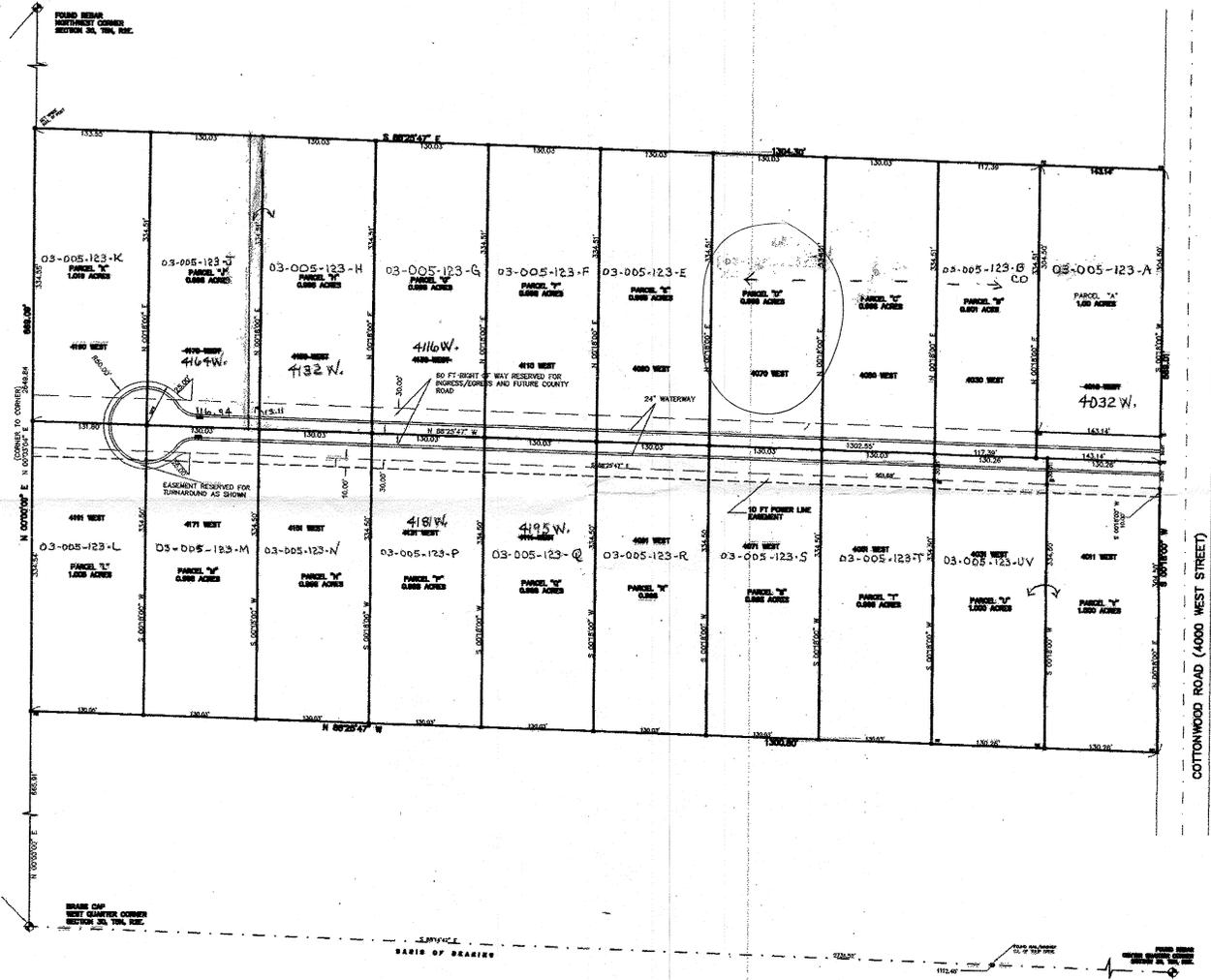


© 2013 Google
© 2013 Google

Google earth

Exhibit C-Plat Map

(UNRECORDED)
COTTONWOOD COMMERCIAL PARK
A PART OF THE NW1/4 OF SECTION 30, T5N, R2E.
SALT LAKE BASE AND MERIDIAN
MORGAN COUNTY, UTAH



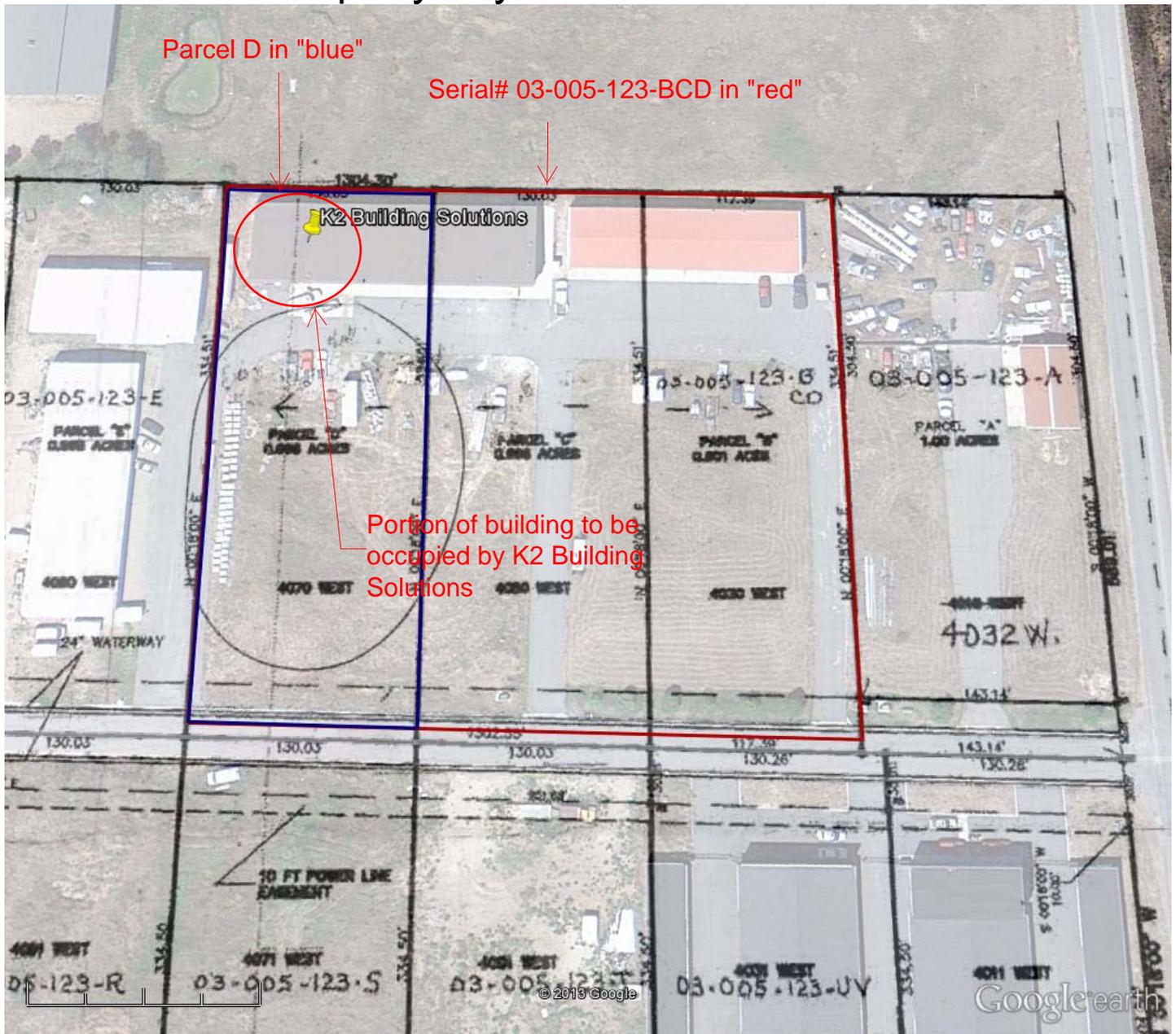
| | | | |
|------------------------------------------|------------|------------------|-----------|
| APPROVED UTAH STATE TAX COMMISSION | REVISIONS: | DATE AND INITIAL | IN PENCIL |
| | | | |
| DATE | BY | | |

MORGAN COUNTY, UTAH

SCALE 100
COTTONWOOD FT
COMMERCIAL RG
03-005-123 2E

MOUNTAIN ENGINEERING

Exhibit D-Property Layout



Memo

TO: Planning Commission
FROM: Ronda Kippen
DATE: December 4, 2013
SUBJECT: Revisions to the Sauer Conditional Use Permit Staff Report dated November 6, 2013

Per the County Engineer, the following items identified in red have been revised and/or added to the Staff Report dated November 6, 2013 and reviewed in the November 14, 2013 Planning Commission meeting:

Page 3:

County Engineer's Review. The County Engineer has completed a ~~review~~ **several reviews** of the proposal and is recommending approval once the applicant can provide acceptable erosion control designs (See Exhibit D). The County Engineer has determined that all final comments/corrections can be accomplished administratively prior to a preconstruction meeting with the applicant.

Page 4-5:

STAFF RECOMMENDATION

Staff recommends approval of the Sauer Conditional Use Permit for the excavation for a residential building pad located at 6502 N Highland Drive, application 13.012, with the following conditions:

1. That all work shall be conducted in compliance with the approved Engineering plans.
2. That the applicant will hold a preconstruction meeting with the County Engineer, **Geologist, Engineer for the Rock Walls**, Zoning Administrator and contractor prior to commencement of any on site work.
3. That all final administrative comments/corrections from the County Engineer are complied with prior to any on site improvements.
4. That an access easement is executed and recorded on Lot 51 of the Highlands Addition No. 1Subdivision for the proposed driveway access to Lot 50 of the Highlands Addition No. 1Subdivision prior to beginning on site improvements.
5. That an erosion control and revegetation/reseeding plan be submitted to the Morgan County Planning Department for review and approval by the County Engineer and Zoning Administrator.
6. That a cash bond for the erosion control and revegetation/reseeding plan is submitted to the County with a Cash Escrow agreement and Engineer's Cost Estimate in an amount and on forms as are acceptable by the County Engineer, County Attorney, and County Zoning Administrator.
7. That all graded or disturbed surfaces of excavations, and all equipment materials and driveways on the site shall be dampened or suitably treated, managed or contained to prevent the deposit of debris, dust or dirt on neighboring streets and properties; all materials transported to or from the site shall be so contained during transportation as to prevent spillage on streets or other property outside of the site, and all vehicles going to or from the site shall be clean and free from dirt or debris that may track into the public right of way.
8. That all County outsourced review costs are paid current prior to commencement of construction.

9. That enforcement of these conditions may be attained by the issuance of a stop work order until infractions are corrected, among any other legal means.
10. That the applicant will adhere to MCC§ 8-5I-12 “submittal and certification of geologic hazards reports” prior to any work commencing on site.
11. That the applicant will provide a letter from a structural engineering certifying that the proposed residence on Lot 50 of the Highlands Addition No.1Subdivision has been designed based on the recommendations and conditions of the Geotechnical Engineer and Geologist.
12. That the project adheres to all other local, state, and federal requirements.
13. That if additional information becomes available regarding the unsatisfactory site conditions related to geologic or geotechnical issues as determined by the County Engineer, then the Conditional Use Permit may be re-reviewed for additional conditions or revocation.

SUPPORTING INFORMATION

Exhibit A: Zoning

Exhibit B: Engineered Site Plan & Site Photos

Exhibit C: Geotechnical Reports

Exhibit D: Wasatch Civil Memo dated 11/5/13 & 11/14/13



48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT
November 6, 2013

To: Morgan County Planning Commission
Business Date: November 14, 2013

Prepared By: Ronda Kippen, Planning Technician

Re: Sauer Conditional Use Permit Request

Application No.: 13.012
Applicant: Randy Sauer
Project Location: 6502 & 6522 N Highland Drive
Zoning: R1-20
Acreage: 1.28 Acres; Limits of Disturbance: 0.27 Acres
Request: Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.

SUMMARY

The proposed project is a combination of imported and native material to retain soils for a residential building pad on Lot 50 in the Highlands Addition No. 1 Subdivision. The proposed grading exceeds the permitted threshold allowed under Title 8 in the Morgan County Code (MCC) prompting the conditional use permit process. The conditional use process will ensure adequate site engineering to mitigate harmful impact for the property owner as well as the public infrastructure. The proposed project is being reviewed as a "Land Excavation" which is allowed in the R1-20 zone by a conditional use permit.

Conditional Use Permits are administrative actions and as such should be approved as long as harmful impact as provided for in adopted ordinances can be mitigated. The County Code already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. With the recommended conditions, the proposal appears to meet these standards. The following is staff's evaluation of the request.

BACKGROUND

The Highlands Addition No. 1 Subdivision was approved by Morgan County in 1964. It appears geologic issues within Morgan County did not become a concern until the mid-1980s. On May 16, 2006, the County Council adopted a temporary zoning ordinance which enacted a moratorium on the issuance of building permits within the Highlands West, Woodland Heights, and Highlands Additions 1-6 Subdivisions due to significant landslides and slope stability issues. The County Council passed two ordinances in 2006 which created a regulatory framework for review of building permit and development applications in sensitive geologic hazard areas. The County Council initiated a code re-write in 2009 to address the County's sensitive lands and geologic hazard needs. The County Council adopted CO-10-02 that repealed CO-06-022 and enacted the Geologic Hazard Chapter of the Morgan County Land Use Regulations Code.

ANALYSIS

Zoning

The property falls within the R1-20 zone (see Exhibit A). In the R1-20 zone, land excavations that exceed the identified thresholds in MCC §8-8-7 (5)(3) are conditional allowed.

Residential District R1-20: To provide areas for very low density, single-family residential neighborhoods of spacious and uncrowded character.

8-5B-3: USE REGULATIONS:

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained in the rural residential district, single-family residential district or multiple residential district, except as provided in this article.

| | Districts | | | | |
|------------------------|-----------|-------|------|------|-------|
| | R1-20 | R1-12 | R1-8 | RM-7 | RM-15 |
| Dwellings: | | | | | |
| Single-family dwelling | P | P | P | P | P |
| Land excavations | C | C | C | C | C |

8-8-7: LANDFILLS AND LAND EXCAVATIONS:

B. Permit Required; Exceptions:

- 3. A conditional use permit shall be required in all cases where development comes under any one or more of the following provisions, unless such work is otherwise exempted elsewhere in this chapter:
 - a. Excavation, fill or any combination thereof exceeding one thousand (1,000) cubic yards.
 - b. Fill exceeding five feet (5') in vertical depth at its deepest point measured from the adjacent undisturbed ground surface.
 - c. An excavation exceeding five feet (5') in vertical depth at its deepest point.

Ordinance Evaluation.

MCC §8-8-7(F) outlines the standards and specific requirements for the proposed improvements that shall be complied with. Staff feels that the conditions outlined in MCC §8-8-7(F) are necessary in order to mitigate harmful impact.

Property Layout.

Lot 50 in the Highlands Addition No. 1 Subdivision lies north of the Sierra Drive/Highland Drive intersection and runs along the east side of Highland Drive. The proposed improvements will be confined to approximately 100' from Highland Drive on Lot 50 of the Highlands Addition No. 1 Subdivision with a portion of the access running along the front property line of Lot 51 of said Subdivision. The proposed improvements will cover approximately 0.27 acres of the 1.28 acre parcel (see Exhibit B). According to the reports provided as part of the application, it appears that the

proposal may be affected by known geologic hazard study areas (see Exhibit C). Staff recommends that the applicant adheres to MCC §8-5I-12 to ensure that the public right of way will not be negatively impacted due to the proposed improvements.

Setbacks. The setbacks for the R1-20 zone are 30' Front Setback, 30' Rear Setback, 10'/14' Side Setback. It appears that the proposed improvements will conform to the required setbacks.

Roads and Access. The applicant is proposing to utilize a portion of Lot 51 of the Highlands Addition No. 1 Subdivision to access Lot 50 from Highland Drive. Staff feels that an access easement should be executed and recorded on Lot 51 of the Highlands Addition No. 1 Subdivision in order to ensure adequate access for Lot 50.

Grading and Land Disturbance. The land proposed to be disturbed is approximately 0.27 acres or roughly 11,747 square feet. The applicant anticipates importing approximately 48 cubic yards in addition to the onsite material to create a residential building pad.

Landscaping. The applicant has not proposed a revegetation and reseeding plan in accordance with MCC §8-8-7(F)(7) and MCC §8-8-7(F)(10) which states that:

7. Finished Cuts And Slopes: The exposed or finished cuts or slopes of any fill or excavation shall be smoothly graded. All exposed slopes of any cut or fill shall be protected by approved planting, crib walls or walls and planting, terracing, or combination thereof.

10. Erosion Control And Landscaping: All cut and fill surfaces created by grading, except for firebreak purposes, shall be planted with a ground cover that is compatible with the natural ground covers in the county. Topsoil is to be stockpiled during rough grading and used on cut and fill slopes...

Staff feels that a revegetation and reseeding plan for the disturbed areas will assist in the required erosion control as per the County Engineer (Exhibit D).

Bonding. To ensure that sufficient revegetation and reseeding is installed, the Planning Commission should consider requiring a completion bond as a condition of approval of this required site improvement, pursuant to MCC §8-8-5(H). The bond amount should be for 100% of the total cost of the revegetation/reseeding plans as verified in an Engineer's Cost Estimate.

County Engineer's Review. The County Engineer has completed several reviews of the proposal and is recommending approval once the applicant can provide acceptable erosion control designs (See Exhibit D). The County Engineer has determined that all final comments/corrections can be accomplished administratively prior to a preconstruction meeting with the applicant.

NOTICING

Pursuant to MCC§ 8-3-13(I), a conditional use permit is a public comment item and requires certain noticing within 10 calendar days of the first public meeting. Further, pursuant to MCC §8-3-13(C) the following noticing requirements have been met for this application:

C. Notice To Third Parties: For site specific land use applications which require a public hearing or public comment, the county shall mail notice to the record owner of each parcel within a one thousand foot (1,000') radius of the subject property, and the applicant shall post a sign on the property according to the following regulations:

1. Post a county provided sign along each street on which the subject property has frontage. If the subject property does not abut a street, then the sign should be posted on a nearby street as determined by the zoning administrator. Sign shall be of sufficient size, durability, print quality and location that it is reasonably calculated to give notice to those passing by. It shall be the responsibility of the applicant to remove and dispose of the sign(s) within five (5) calendar days after the final hearing or meeting regarding the application. Third party property owners who live within the one thousand foot (1,000') radius but outside of Morgan County boundaries shall be sent notice equivalent to that sent to property owners within Morgan County.
2. The applicant shall submit a signed affidavit of public posting.
3. The affidavit shall include a photograph verifying that the sign has been installed, at least ten (10) days prior to the required public hearing or meeting.
4. Failure to post the public notice sign and provide the required verification at least ten (10) days prior to the required public hearing will cause a delay in the processing of the application, to allow for the required public hearing notice.
5. If the sign is destroyed or damaged the applicant shall replace the sign within twelve (12) hours upon being notified.

STAFF RECOMMENDATION

Staff recommends approval of the Sauer Conditional Use Permit for the excavation for a residential building pad located at 6502 N Highland Drive, application 13.012, with the following conditions:

1. That all work shall be conducted in compliance with the approved Engineering plans.
2. That the applicant will hold a preconstruction meeting with the County Engineer, Geologist, Engineer for the Rock Walls, Zoning Administrator and contractor prior to commencement of any on site work.
3. That all final administrative comments/corrections from the County Engineer are complied with prior to any on site improvements.
4. That an access easement is executed and recorded on Lot 51 of the Highlands Addition No. 1Subdivision for the proposed driveway access to Lot 50 of the Highlands Addition No. 1Subdivision prior to beginning on site improvements.
5. That an erosion control and revegetation/reseeding plan be submitted to the Morgan County Planning Department for review and approval by the County Engineer and Zoning Administrator.
6. That a cash bond for the erosion control and revegetation/reseeding plan is submitted to the County with a Cash Escrow agreement and Engineer's Cost Estimate in an amount and on forms as are acceptable by the County Engineer, County Attorney, and County Zoning Administrator.
7. That all graded or disturbed surfaces of excavations, and all equipment materials and driveways on the site shall be dampened or suitably treated, managed or contained to prevent the deposit of debris, dust or dirt on neighboring streets and properties; all materials transported to or from the site shall be so contained during transportation as to prevent spillage on streets or other property outside of the site, and all vehicles going to or from the site shall be clean and free from dirt or debris that may track into the public right of way.
8. That all County outsourced review costs are paid current prior to commencement of construction.
9. That enforcement of these conditions may be attained by the issuance of a stop work order until infractions are corrected, among any other legal means.
10. That the applicant will adhere to MCC§ 8-5I-12 "submittal and certification of geologic hazards reports" prior to any work commencing on site.
11. That the applicant will provide a letter from a structural engineering certifying that the proposed residence on Lot 50 of the Highlands Addition No. 1Subdivision has been designed based on the recommendations and conditions of the Geotechnical Engineer and Geologist.
12. That the project adheres to all other local, state, and federal requirements.

13. That if additional information becomes available regarding the unsatisfactory site conditions related to geologic or geotechnical issues as determined by the County Engineer, then the Conditional Use Permit may be re-reviewed for additional conditions or revocation.

This recommendation is based on the following findings:

1. That the request conforms to the requirements of the Morgan County Code.
2. That the requested uses are conditionally allowed in the R1-20 zone.
3. That with the proposed conditions, the proposal will mitigate potential detrimental effects it may cause to the public, particularly with respect to the dust and debris control.
4. That an erosion control and revegetation/reseeding plan is essential to mitigating the harmful effects of erosion, slope instability, and will mitigate the negative aesthetic effects of the hillside excavation.

MODEL MOTION

Sample Motion for a *Positive* Recommendation – “I move we forward a positive recommendation to the County Council for the Sauer Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive, application 13.012, subject to the findings and conditions listed in the November 6, 2013 staff report, and as modified by the conditions and findings below:”

1. List any additional findings and conditions...

Sample Motion for a *Negative* Recommendation – “I move we forward a negative recommendation to the County Council for the Sauer Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive, application 13.012, subject to the following findings:

1. List any additional findings...

SUPPORTING INFORMATION

Exhibit A: Zoning

Exhibit B: Engineered Site Plan & Site Photos

Exhibit C: Geotechnical Reports

Exhibit D: Wasatch Civil Memo dated 11/5/13 & 11/14/13

Exhibit A: R1-20 Zoning

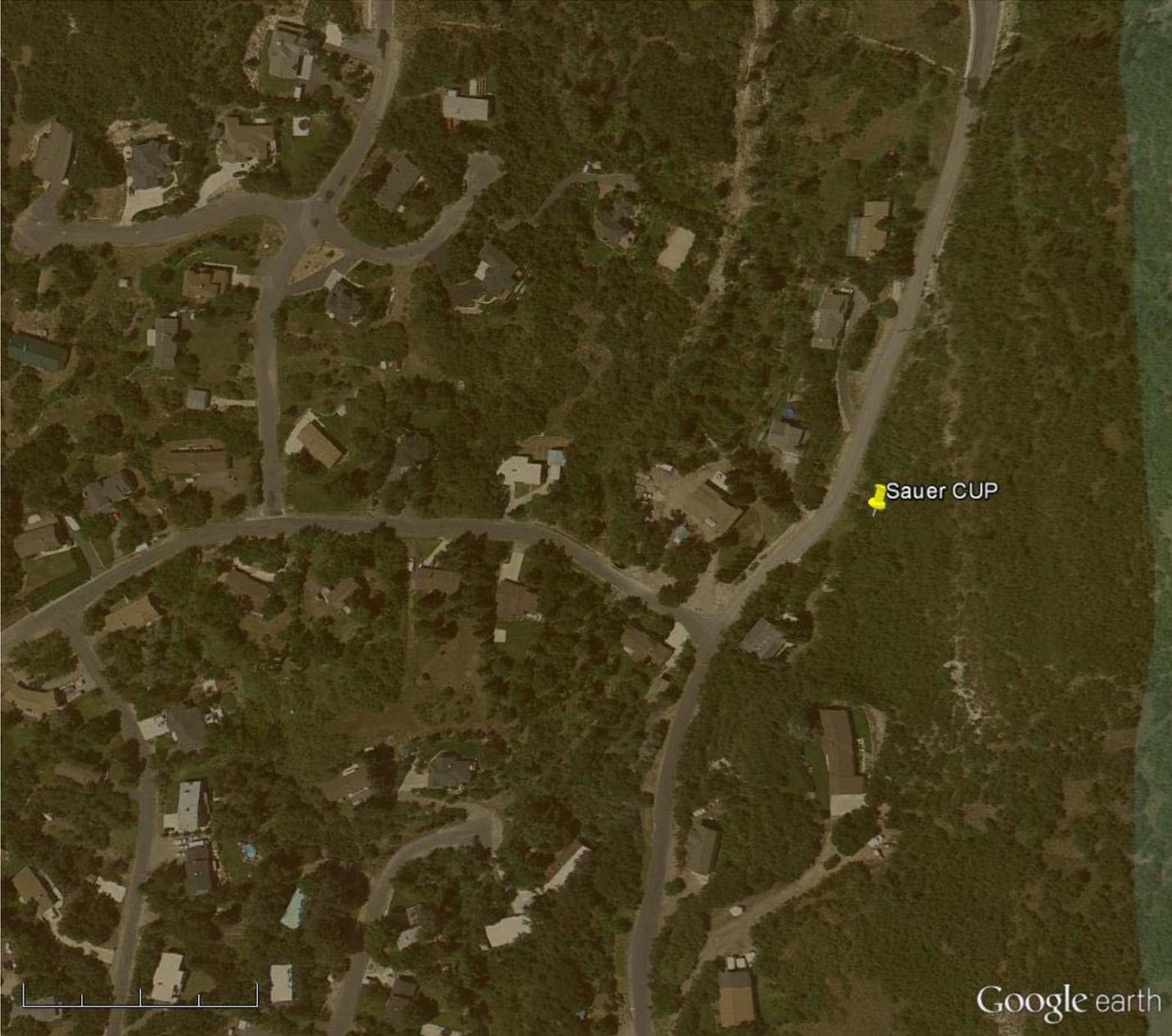
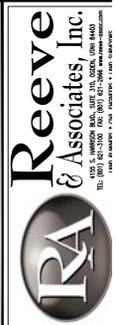
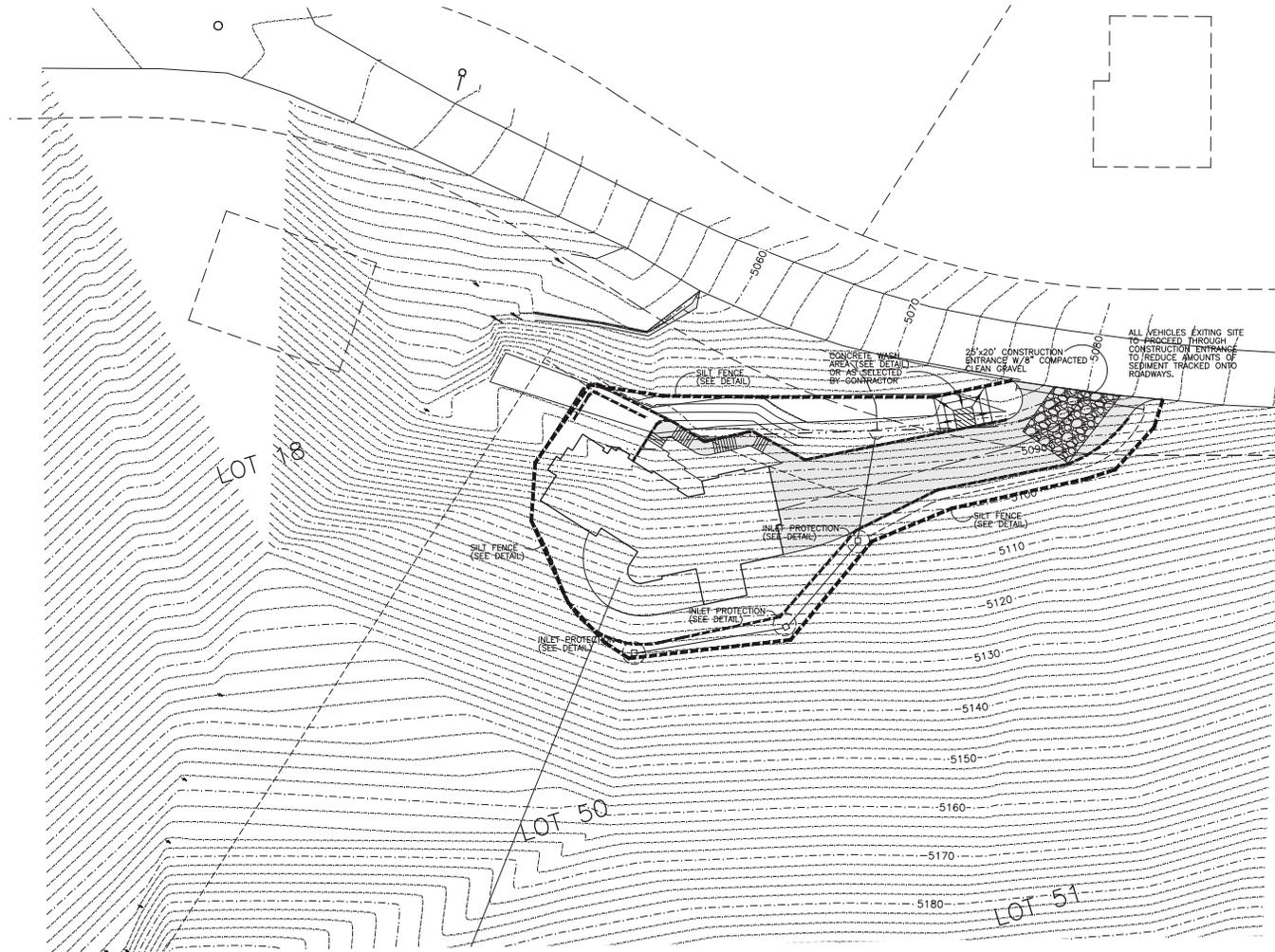


Exhibit B- Engineered Site Plans

Reeve & Associates, Inc. - Solutions You Can Build On

RANDY SAUER RESIDENCE Storm Water Pollution Prevention Exhibit

CITY OF MOUNTAIN GREEN, MORGAN COUNTY, UTAH
OCTOBER, 2013



| REVISIONS | DESCRIPTION |
|-----------|-------------|
| DATE | |
| | |
| | |
| | |

Randy Sauer Property
Lot 50, Highlands Addition #1 Subd.
MOUNTAIN GREEN CITY, MORGAN COUNTY, UTAH
Storm Water Pollution Prevention Plan



Project Info.
Engineer: NATE REEVE, P.E.
Drafted: R. HANSEN
Begin Date: JULY 2, 2009
Name: RANDY SAUER
SITE PLAN
Number: 5762-01

Sheet **1**
1 Sheets

Reeve & Associates, Inc. - Solutions You Can Build On

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Exhibit C- Geotechnical/Geological Reports



Engineering & Geosciences

14425 S. Center Point Way, Bluffdale, Utah 84065 ~ T: (801) 501-0583 ~ F: (801) 501-0584

September 24, 2013

Randy Sauer

**Subject: Retaining Wall Analysis and Design
Highland Addition #1 Subdivision – Lot 50
Mountain Green, Utah
GeoStrata Project No. 894-001**

Mr. Sauer

As requested, GeoStrata has evaluated a proposed geotextile reinforced retaining wall as well as two rockery retaining walls to be constructed to the north and east of the proposed residence to be constructed to on Lot 50 of the Highland Addition #1 subdivision located in Mountain Green, Utah. Information concerning the location and geometry of the proposed retaining walls was provided by the client in a drawing dated July 2, 2009 and entitled “Randy Sauer Property, Lot 50, Highlands Addition #1 Subd” prepared by Reeve and Associates. Based on this drawing, we understand that the following retaining walls are to be constructed at the subject site;

| Wall Type | Height (ft) | General Location | Segment |
|-----------------------|-------------|--------------------|---------|
| Geotextile Reinforced | 32 | West of residence | C |
| Rockery | 10 | North of residence | A |
| Rockery | 8 | East of residence | B |

The geotextile reinforced retaining wall will consist of two 16 foot tiers separated by an 8 foot wide horizontal bench. The rockeries will each consist of single tiers. Locations of the proposed retaining walls are shown on the Site Plan, Plate 1. A cross section of the geotextile reinforced retaining wall can be found on Plate 2. Cross sections of the proposed rockery retaining walls can be found on Plates 3 and 4. General recommendations for the construction of the rockery retaining walls can be found on Plate 5.

The retaining wall analysis included in this report was completed in accordance with the accepted industry standards of care including global stability and internal stability. The retaining wall design was based on discussions with the Client as well as through the drawing discussed above, our understanding of the project site geometry as observed during site visits, and laboratory testing of a sample of on-site soils. A geotechnical investigation was previously completed for the subject property by Bruce N Kaliser Consultant, the results of which are summarized in a report dated October 21, 1997. A landslide hazards reconnaissance was completed for the subject property by Western Geologic, the results of which are summarized in a letter dated March 12, 2006. Information

Exhibit C- Geotechnical/Geological Reports

obtained from these reports was also utilized in the design of the proposed retaining walls. The following paragraphs further describe the analysis and design procedures.

Field Investigation and Laboratory Testing

To assist in our analysis a test pit was excavated near the northwest corner of the proposed house. The test pit was excavated to a depth of about 12 feet below existing site grade with a tracked excavator. Subsurface soil conditions as encountered in the exploration was logged at the time of our investigation by a qualified geotechnical engineer and are presented on the enclosed Test Pit Log, Plate 6 in Appendix B. A Key to USCS Soil Symbols and Terminology is presented on Plate 7.

Soils encountered in the test pit consisted of Approximately 1½ feet of clayey topsoil overlying Sandy Fat CLAY (CH) to a depth of 8 feet. At 8 feet Tuffaceous Sandstone was encountered through the depth explored. Groundwater was not encountered in our test pit at the time of excavation.

Relatively undisturbed block samples of the native soil was retrieved from the test pit and transported to our laboratory for testing. Laboratory testing consisted of a direct shear test. The direct shear test indicated that the native soil has a angle of internal friction of 29 degrees and cohesion of 200 psf.

Soil Parameters

As indicated above, strength testing completed as part of our investigation consisted of a direct shear test completed on a relatively undisturbed sample obtained from the test pit. Results of our direct shear testing indicate that the near-surface soils have an angle of internal friction (ϕ) of 29 degrees and a cohesion of 200 psf. Results of the direct shear test may be found on Plate 8.

The retained soils within the reinforced zone are to consist of excavated bedrock, which was observed to consist of tuffaceous sandstone. Due to the anticipated coarse-grained nature of these soils, laboratory testing was not feasible. Strength parameters consisting of an angle of internal friction (ϕ) of 36 degrees and a cohesion of 0 psf were assumed for this material.

Strength testing on the in-place bedrock was also not feasible. As such, strength parameters consisting of an angle of internal friction (ϕ) of 1 degree and a cohesion of 2,000 psf.

Evidence of shallow groundwater, such as seeps, springs, or wetlands were not observed at the subject property, and based on past projects within the vicinity of the site groundwater is assumed to be relatively deep. As such, groundwater was not included as part of our stability modeling.

Exhibit C- Geotechnical/Geological Reports

Horizontal Ground Acceleration

Seismic screening was completed using one-half of the deterministic median (50th percentile) peak ground acceleration (PGA) for the area resulting from a *characteristic* earthquake on the Weber segment of the Wasatch fault. These values typically correspond to a two percent probability of exceedance in 50 years (for non-critical structures). A PGA of 0.42g was calculated for the subject site when site soil conditions (site class C) are accounted for.

Global Stability Analysis

The global stability analysis included both static and pseudo-static (seismic) analysis of the maximum sections of the proposed retaining walls. The stability analyses were completed using the geometric conditions, soil strengths and assumed retaining wall construction as observed on site and described in previous paragraphs. The investigated sections of the proposed retaining walls were typically the critical sections. Minimum factors of safety of 1.5 and 1.0 for static and seismic conditions, respectively, were considered acceptable.

Global stability of the slopes were modeled using SLIDE, a computer program incorporating (among others) Bishop's Simplified Method of Slices analysis. Calculations for stability were developed by searching for the minimum factor of safety for a circular-type failure. Homogeneous earth materials (Clay and weathered bedrock) and arcuate failure surfaces were assumed. Stability analyses were conducted on the cross-sections shown on Plates 9 through 14.

Geotextile Reinforced Retaining Wall Construction Specifications

Based on the analysis and the constraints presented in this report and in accordance with the manufacturer's recommendations, the attached drawing and specifications presented in the Appendix (Plate 2) were developed. For design of the geotextile reinforced retaining wall, our analysis assumed a geotextile with a long term wide width of at least 2,277 lbs/ft (such as Mirafi HS 400) and that the native and retained soils have strength values described above. Our analysis assumed a batter on the order of 1H:4V (horizontal to vertical). Based on our analysis we recommend the following;

1. The geotextile should extend laterally into the slope a minimum of 20 feet behind the wall facing.
2. The geotextile should be spaced every 2 feet.
3. The geotextile should have a top lap length at the top of at least 3 feet.
4. Backfill for the retaining wall should consist of excavated bedrock material, which should consist of angular gravel. Fill should be placed in maximum 12-inch loose lifts. Due to the granular nature of this material, it may not be feasible to complete density testing during placement. Visual observations should be made by a qualified geotechnical engineer of the compactive effort to ensure that a firm, unyielding surface is achieved during fill placement.
5. To prevent the accumulation of water behind the retaining wall, a perforated pipe and a continuously placed prefabricated drainage composite has been included in the section drawings and should be installed as shown.

Exhibit C- Geotechnical/Geological Reports

6. Facing should be placed in front of the geotextile retaining wall to provide UV protection.

Our analysis indicates that the proposed geotextile reinforced retaining wall described above has adequate safety factors against failure.

Rockery Construction Specifications

Based on the analysis and the constraints presented in this report and in accordance with the Associated Rockery Contractors (ARC) *Rock Wall Construction Guidelines*, the attached drawings and specifications presented in the Appendix were developed. The following paragraphs further describe design elements that should be incorporated into the rockery construction.

Test pits excavate by Bruce Kaliser and GeoStrata indicate that bedrock is 6 to 8 feet below existing grade at the site. Based on this information, excavations made for the rockeries at the site will extend down into the tuffaceous sandstone bedrock. Given the fracturing orientation observed it is our opinion that the bedrock excavations will stand nearly vertical; however, the exposed bedrock should be battered on the order of 0.25 to 1 (horizontal to vertical) and some raveling should be anticipated. The planned rockeries should be constructed above the bedrock to retain the exposed soils above. A horizontal shelf should be excavated at the top of the bedrock and the rockeries should be placed at least 2 feet back from the exposed bedrock face.

Section drawings of the proposed rockeries are included in the Appendix as Plates 3 and 4. Based on our design analyses, the rock facing should not be placed steeper than 0.5 to 1 (horizontal to vertical) and the bottom rocks of the rockeries should be keyed into the ground a minimum of 12 inches. Rock facing should be placed in general accordance with the ARC *Rockery Construction Guidelines* as summarized in the attached Construction Specifications, Plate 5. The guidelines state:

- Rocks should be placed so that there are no continuous joint planes in either the vertical or lateral direction.
- Rocks should be staggered such that each rock bears on the two rocks below it.
- The upper plane of each rock between courses (the top surface of rock), should slope back towards the slope face and away from the face of the rock wall.

A channel lined with a minimum of 6 inches of low permeability soil should be constructed above the top course of rock and should slope away from the top of the rockeries. The purpose of the channel is to prevent surface water such as precipitation or irrigation from flowing over the top of the rockery or infiltrating the soil above and behind the rockery.

A perforated drainage pipe and a 1.0-foot partition of gravel wrapped in geotextile fabric or alternatively a continuously placed prefabricated drainage composite has been included in the section drawings to provide some drainage behind the walls.

Our analysis indicates that the proposed rockery retaining walls described above has adequate safety factors against failure.

Exhibit C- Geotechnical/Geological Reports

Conclusions and Limitations

The retaining walls should be constructed as shown in the attached drawings.

It should be noted that conditions such as leaky or broken irrigation lines, cracked gutters, leaking storm drains, and ponding of precipitation or runoff can lead to saturation of the soil behind the retaining walls, which can lead to slope failure. Erosion and scouring of soils at the toe of the retaining wall can undermine the retaining wall which may also eventually lead to slope failure. The Owner/Client should be aware of the risks if these or other conditions occur that could jeopardize the stability of the retaining wall.

Inspection Scheduling

In order to facilitate inspection of the retaining wall during construction and observe compliance with our design documents, we propose the following schedule:

1. Inspect the first course of rocks for size, embedment, and back drain construction.
2. Inspect the second or third course of rocks for size, position and placement, and drainage.
3. Inspect finished rockeries for conformance to design requirements such as maximum heights, batter, front and back slope geometries, and rock sizing, positioning and placement.
4. Compaction testing (or visual observation) of all structural fill should be completed on a regular basis. All soils should be compacted in accordance with the recommendations of the original geotechnical report (if applicable).

The contractor, owner or developer is responsible for informing GeoStrata of the construction schedule to facilitate the inspections. The reviewing engineer also reserves the right to increase the frequency of inspections if conditions warrant.

The design recommendations contained in this report are based on our previous field exploration, laboratory testing, and our understanding of the proposed construction. It is possible that variations in subsurface conditions could exist beyond the point explored. The nature and extent of variations may not be evident until construction occurs. If any conditions are encountered at this site that are different from those described in this report, we should be immediately notified so that we may make any necessary revisions to the recommendations contained in this report. In addition, if the scope of the proposed construction changes from that described in this report, we should be notified.

Exhibit C- Geotechnical/Geological Reports

This report was prepared in accordance with the generally accepted standard of practice at the time the report was written. No warranty, expressed or implied, is made.

It is the Client's responsibility to see that all parties to the project including the Designer, Contractor, Subcontractors, etc. are made aware of this report in its entirety. The use of information contained in this report for bidding purposes should be done at the Contractor's option and risk.

We appreciate the opportunity to provide you with our services. If you have any questions please don't hesitate to contact us at your convenience.

Respectfully,
GeoStrata



J. Scott Seal, E.I.T.
Staff Engineer

Reviewed by

9/25/13



Mark I. Christensen, P.E.
Senior Engineer

Exhibit C- Geotechnical/Geological Reports

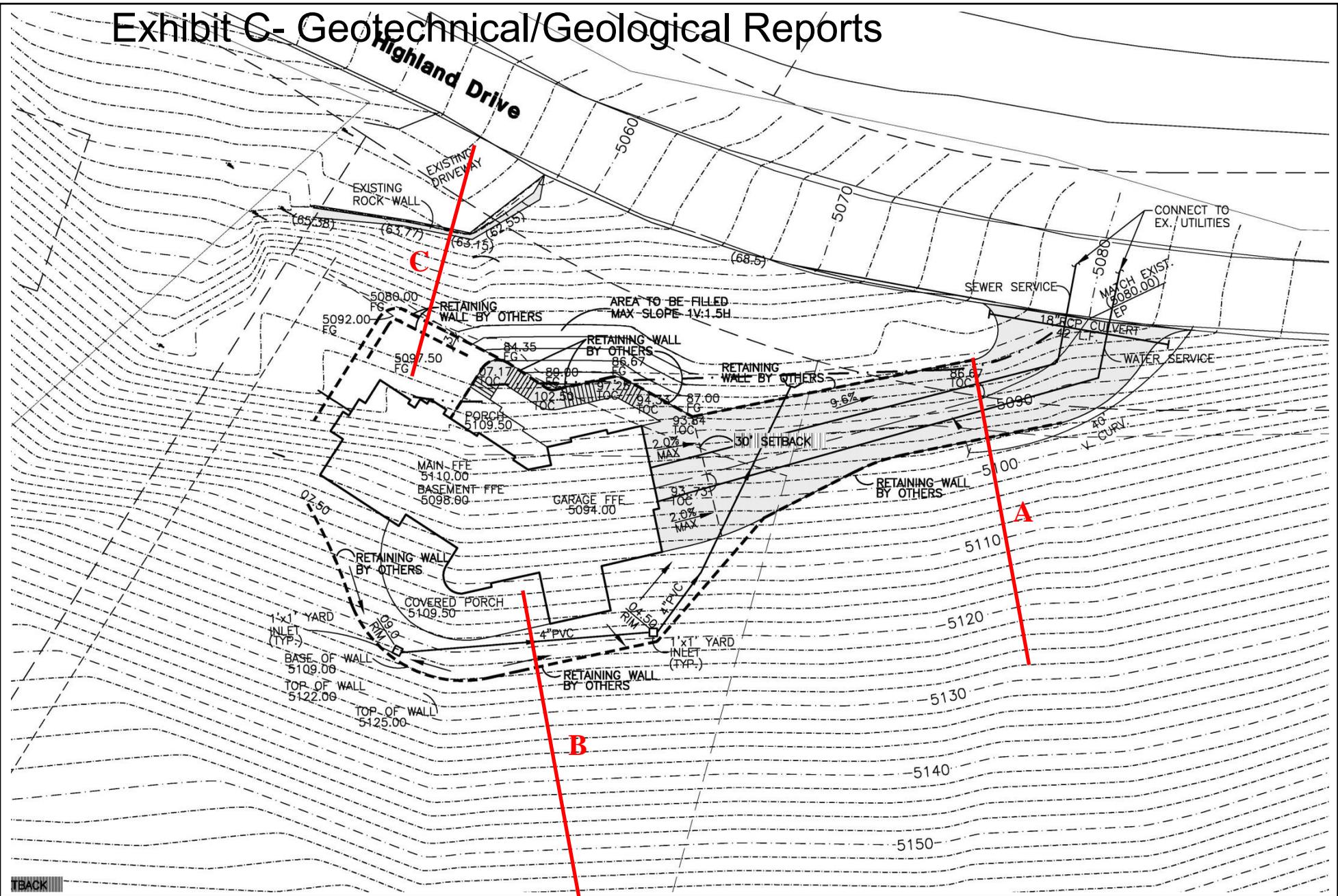


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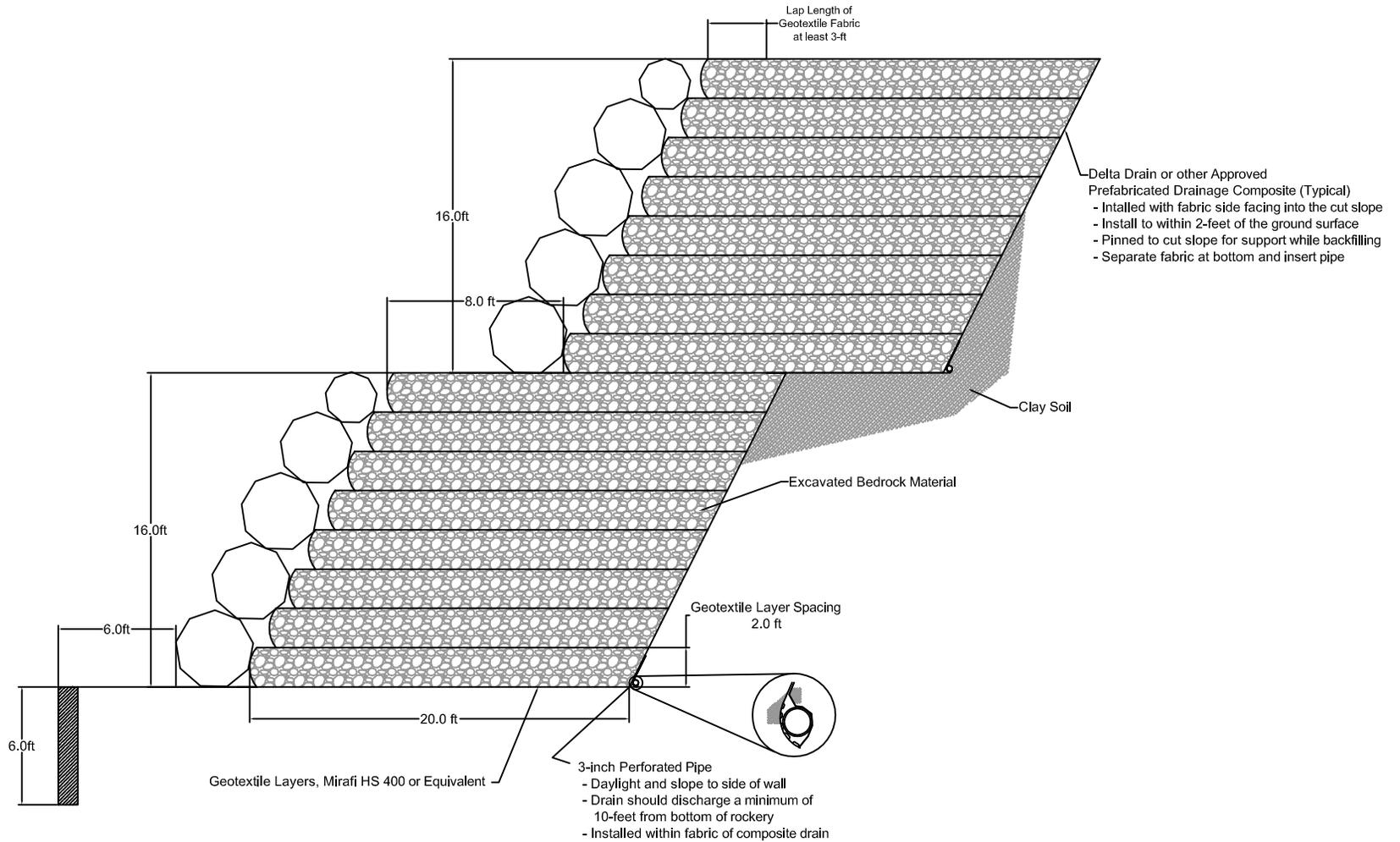
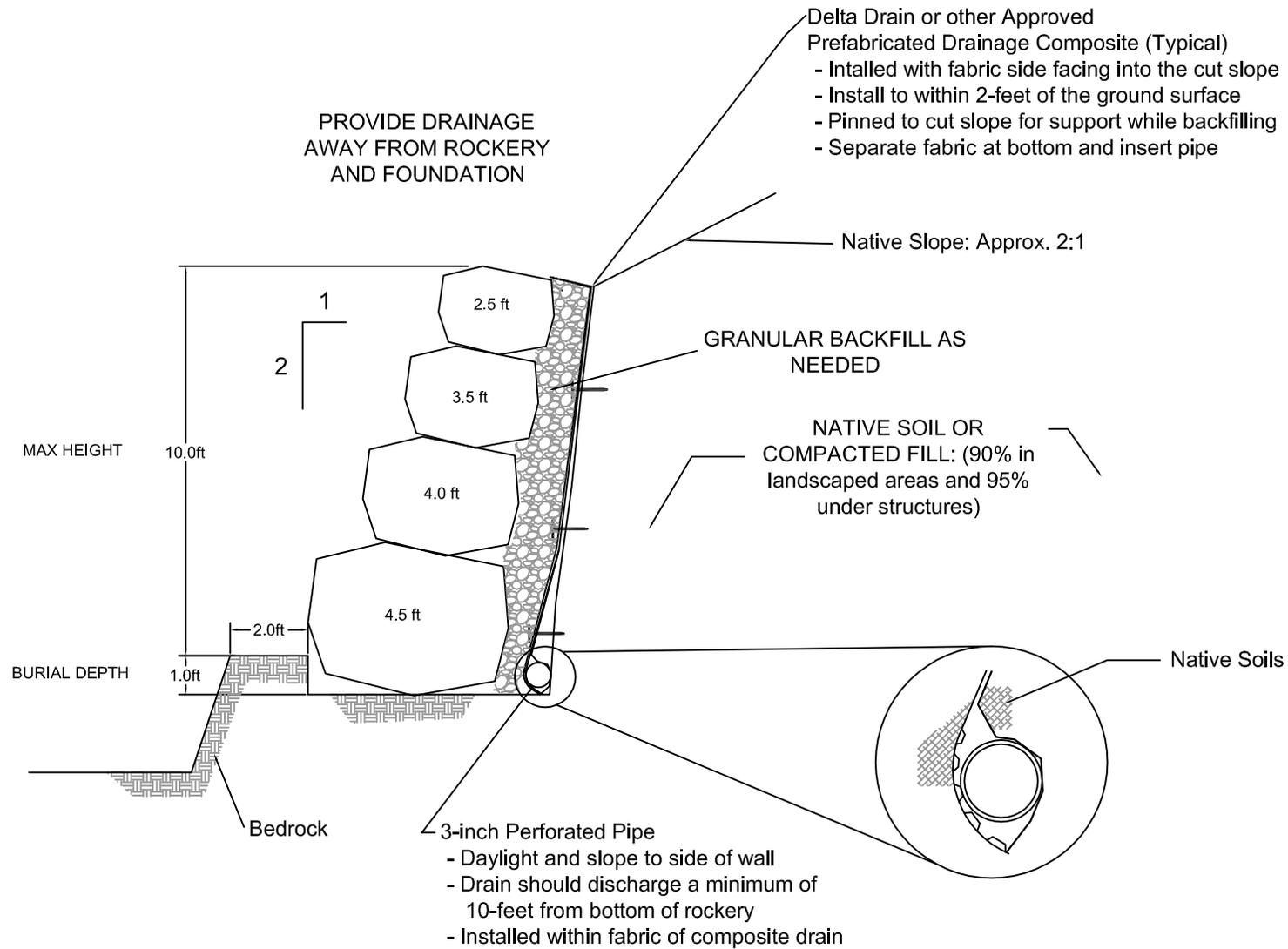


Exhibit C- Geotechnical/Geological Reports



GeoStrata

Copyright, 2013

Randy Sauer - Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

Plate
 3

Exhibit C- Geotechnical/Geological Reports

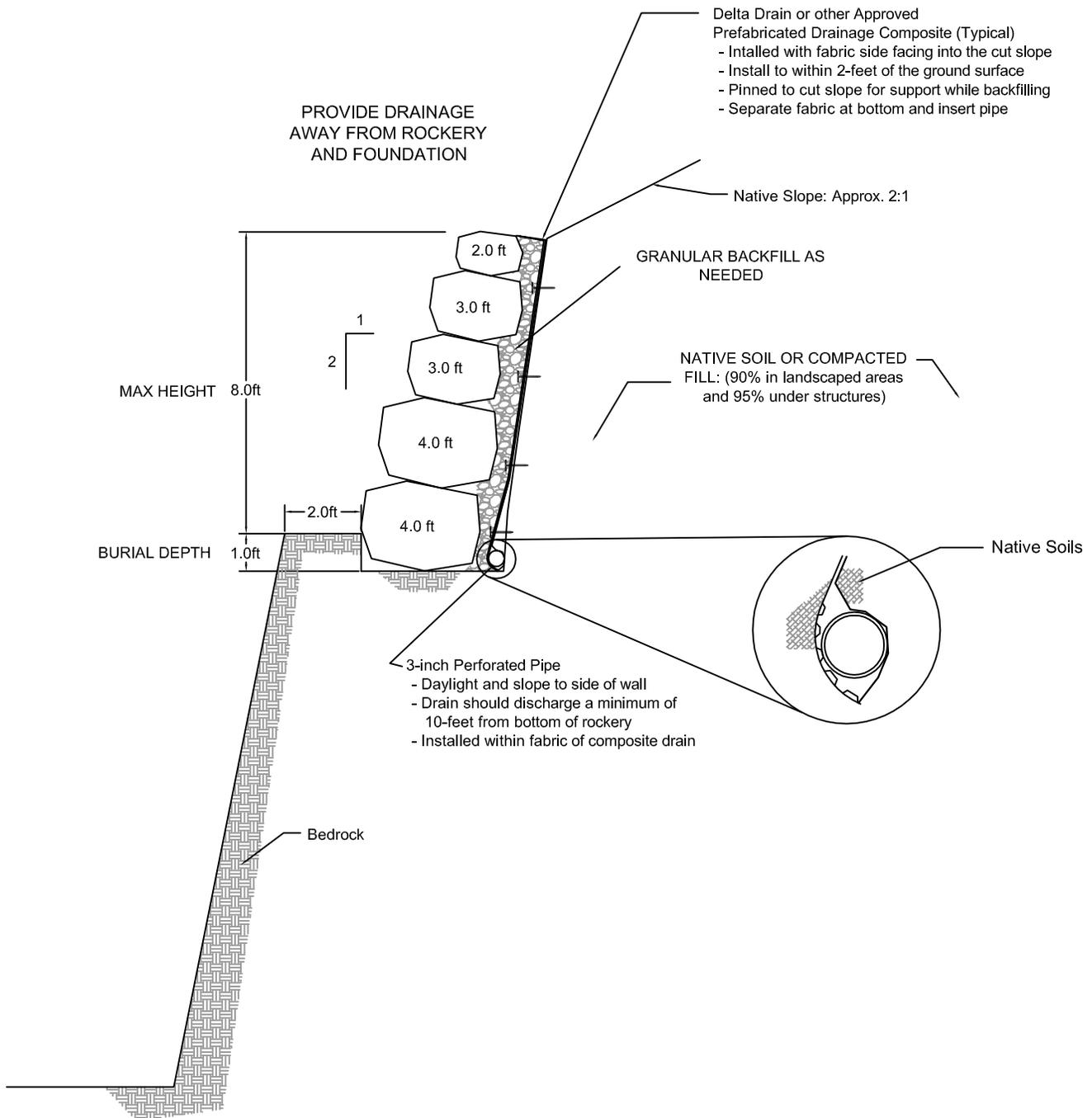


Exhibit C- Geotechnical/Geological Reports

Rock Stacking Construction Specifications:

The rock stacking guidelines provided include installation of the rock facing, drain and backfill material. Design and construction information is based on empirical correlations, site geometry and the engineering analysis performed as part of the scope of work for this project.

MATERIALS

- Retained soils are to consist of native cut soils. If granular fill is required the material should consist of 4-inch minus granular soils compacted to a minimum of 90 percent ASTM D-1557 in landscape areas and 95 percent underneath structures. Any backfill material should be approved by the Geotechnical Engineer prior to importing.
- Rock Boulders to be used as facing should be durable angular particles with a minimum nominal diameter of 1½-feet. Rock sizes should be in accordance with design drawings.

INSTALLATION

- Rocks should be stacked in general accordance with the Associated Rockery Contractors (ARC) Rockery Construction Guidelines, summarized as follows:
 - Rocks should be placed so that there are no continuous joint planes in either the vertical or lateral direction.
 - Wherever possible, each rock should bear on at least two rocks below it.
 - The upper plane of each rock between courses (the top surface of rock), should slope back towards the slope face and away from the face of the rock wall.
- Rock facing should be stacked at a maximum steepness of ½ horizontal to 1 vertical for all rock slopes greater than 6-feet in height. Rock faced slopes less than 6-feet may be stacked steeper upon approval from the Geotechnical Engineer and if ARC guidelines are followed. Bottom row of rocks should be buried (keyed in) a minimum depth of 1 foot.
- Rock wall should be inspected at regular intervals by Geotechnical Engineer to accommodate final inspection and acceptance letter.

Exhibit C- Geotechnical/Geological Reports

UNIFIED SOIL CLASSIFICATION SYSTEM

| MAJOR DIVISIONS | | USCS SYMBOL | TYPICAL DESCRIPTIONS | |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|----------------------------------------------|
| COARSE GRAINED SOILS (More than half of material is larger than the #200 sieve) | GRAVELS (More than half of coarse fraction is larger than the #4 sieve) | CLEAN GRAVELS WITH LITTLE OR NO FINES | GW WELL-GRADED GRAVELS, GRAVEL-SAND MIXTURES WITH LITTLE OR NO FINES | |
| | | GRAVELS WITH OVER 12% FINES | GP POORLY-GRADED GRAVELS, GRAVEL-SAND MIXTURES WITH LITTLE OR NO FINES | |
| | | SANDS (More than half of coarse fraction is smaller than the #4 sieve) | CLEAN SANDS WITH LITTLE OR NO FINES | GM SILTY GRAVELS, GRAVEL-SILT-SAND MIXTURES |
| | | | SANDS WITH OVER 12% FINES | GC CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES |
| | FINE GRAINED SOILS (More than half of material is smaller than the #200 sieve) | SILTS AND CLAYS (Liquid limit less than 50) | ML INORGANIC SILTS & VERY FINE SANDS, SILTY OR CLAYEY FINE SANDS, CLAYEY SILTS WITH SLIGHT PLASTICITY | ML |
| | | | CL INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS | CL |
| OL ORGANIC SILTS & ORGANIC SILTY CLAYS OF LOW PLASTICITY | | | OL | |
| SILTS AND CLAYS (Liquid limit greater than 50) | | | MH INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SAND OR SILT | MH |
| | CH INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS | CH | | |
| | OH ORGANIC CLAYS & ORGANIC SILTS OF MEDIUM-TO-HIGH PLASTICITY | OH | | |
| HIGHLY ORGANIC SOILS | PT | PEAT, HUMUS, SWAMP SOILS WITH HIGH ORGANIC CONTENTS | | |

LOG KEY SYMBOLS

| | | | |
|--|-----------------------------------------|--|------------------------------------------------|
| | BORING SAMPLE LOCATION | | TEST-PIT SAMPLE LOCATION |
| | WATER LEVEL (level after completion) | | WATER LEVEL (level where first encountered) |

CEMENTATION

| DESCRIPTION | DESCRIPTION |
|-------------|------------------------------------------------------------|
| WEAKLY | CRUMBLES OR BREAKS WITH HANDLING OR SLIGHT FINGER PRESSURE |
| MODERATELY | CRUMBLES OR BREAKS WITH CONSIDERABLE FINGER PRESSURE |
| STRONGLY | WILL NOT CRUMBLE OR BREAK WITH FINGER PRESSURE |

OTHER TESTS KEY

| | | | |
|------|-------------------------------|------|-------------------|
| C | CONSOLIDATION | SA | SIEVE ANALYSIS |
| AL | ATTERBERG LIMITS | DS | DIRECT SHEAR |
| UC | UNCONFINED COMPRESSION | T | TRIAXIAL |
| S | SOLUBILITY | R | RESISTIVITY |
| O | ORGANIC CONTENT | RV | R-VALUE |
| CBR | CALIFORNIA BEARING RATIO | SU | SOLUBLE SULFATES |
| COMP | MOISTURE/DENSITY RELATIONSHIP | PM | PERMEABILITY |
| CI | CALIFORNIA IMPACT | -200 | % FINER THAN #200 |
| COL | COLLAPSE POTENTIAL | Gs | SPECIFIC GRAVITY |
| SS | SHRINK SWELL | SL | SWELL LOAD |

MODIFIERS

| DESCRIPTION | % |
|-------------|--------|
| TRACE | <5 |
| SOME | 5 - 12 |
| WITH | >12 |

GENERAL NOTES

- Lines separating strata on the logs represent approximate boundaries only. Actual transitions may be gradual.
- No warranty is provided as to the continuity of soil conditions between individual sample locations.
- Logs represent general soil conditions observed at the point of exploration on the date indicated.
- In general, Unified Soil Classification designations presented on the logs were evaluated by visual methods only. Therefore, actual designations (based on laboratory tests) may vary.

MOISTURE CONTENT

| DESCRIPTION | FIELD TEST |
|-------------|----------------------------------------------------|
| DRY | ABSENCE OF MOISTURE, DUSTY, DRY TO THE TOUCH |
| MOIST | DAMP BUT NO VISIBLE WATER |
| WET | VISIBLE FREE WATER, USUALLY SOIL BELOW WATER TABLE |

STRATIFICATION

| DESCRIPTION | THICKNESS | DESCRIPTION | THICKNESS |
|-------------|-------------|-------------|-------------------------------------|
| SEAM | 1/16 - 1/2" | OCCASIONAL | ONE OR LESS PER FOOT OF THICKNESS |
| LAYER | 1/2 - 12" | FREQUENT | MORE THAN ONE PER FOOT OF THICKNESS |

APPARENT / RELATIVE DENSITY - COARSE-GRAINED SOIL

| APPARENT DENSITY | SPT (blows/ft) | MODIFIED CA. SAMPLER (blows/ft) | CALIFORNIA SAMPLER (blows/ft) | RELATIVE DENSITY (%) | FIELD TEST |
|------------------|----------------|---------------------------------|-------------------------------|----------------------|--------------------------------------------------------------------------------------|
| VERY LOOSE | <4 | <4 | <5 | 0 - 15 | EASILY PENETRATED WITH 1/2-INCH REINFORCING ROD PUSHED BY HAND |
| LOOSE | 4 - 10 | 5 - 12 | 5 - 15 | 15 - 35 | DIFFICULT TO PENETRATE WITH 1/2-INCH REINFORCING ROD PUSHED BY HAND |
| MEDIUM DENSE | 10 - 30 | 12 - 35 | 15 - 40 | 35 - 65 | EASILY PENETRATED A FOOT WITH 1/2-INCH REINFORCING ROD DRIVEN WITH 5-LB HAMMER |
| DENSE | 30 - 50 | 35 - 80 | 40 - 70 | 65 - 85 | DIFFICULT TO PENETRATED A FOOT WITH 1/2-INCH REINFORCING ROD DRIVEN WITH 5-LB HAMMER |
| VERY DENSE | >50 | >80 | >70 | 85 - 100 | PENETRATED ONLY A FEW INCHES WITH 1/2-INCH REINFORCING ROD DRIVEN WITH 5-LB HAMMER |

CONSISTENCY - FINE-GRAINED SOIL

| CONSISTENCY | SPT (blows/ft) | TORVANE | | POCKET PENETROMETER | FIELD TEST |
|--------------|----------------|--------------------------------|---------------------------------------|---------------------|----------------------------------------------------------------------------------------------------|
| | | UNTRAINED SHEAR STRENGTH (tsf) | UNCONFINED COMPRESSIVE STRENGTH (tsf) | | |
| VERY SOFT | <2 | <0.125 | <0.25 | <0.25 | EASILY PENETRATED SEVERAL INCHES BY THUMB. EXDUES BETWEEN THUMB AND FINGERS WHEN SQUEEZED BY HAND. |
| SOFT | 2 - 4 | 0.125 - 0.25 | 0.25 - 0.5 | 0.25 - 0.5 | EASILY PENETRATED ONE INCH BY THUMB. MOLDED BY LIGHT FINGER PRESSURE. |
| MEDIUM STIFF | 4 - 8 | 0.25 - 0.5 | 0.5 - 1.0 | 1.0 - 2.0 | PENETRATED OVER 1/2 INCH BY THUMB WITH MODERATE EFFORT. MOLDED BY STRONG FINGER PRESSURE. |
| STIFF | 8 - 15 | 0.5 - 1.0 | 1.0 - 2.0 | 2.0 - 4.0 | INDENTED ABOUT 1/2 INCH BY THUMB BUT PENETRATED ONLY WITH GREAT EFFORT. |
| VERY STIFF | 15 - 30 | 1.0 - 2.0 | 2.0 - 4.0 | >4.0 | READILY INDENTED BY THUMBNAIL. |
| HARD | >30 | >2.0 | >4.0 | >4.0 | INDENTED WITH DIFFICULTY BY THUMBNAIL. |



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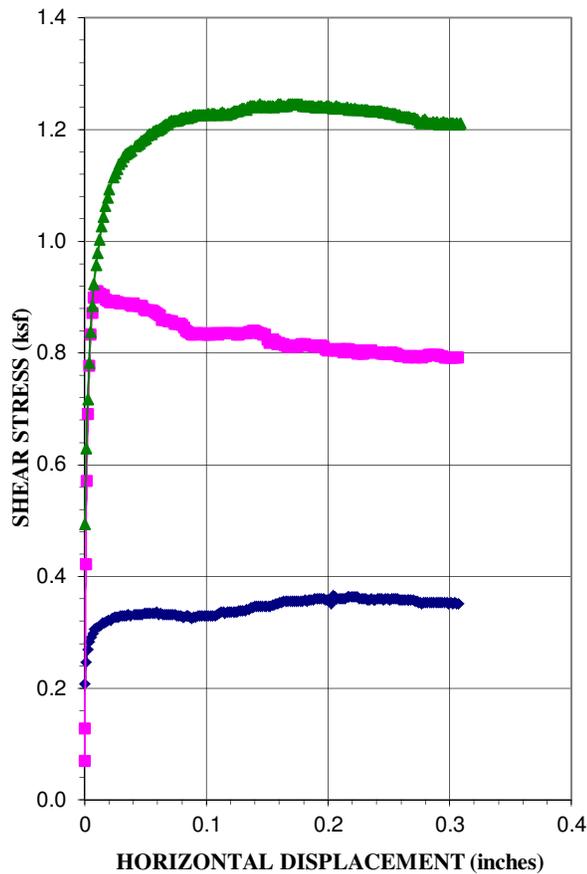
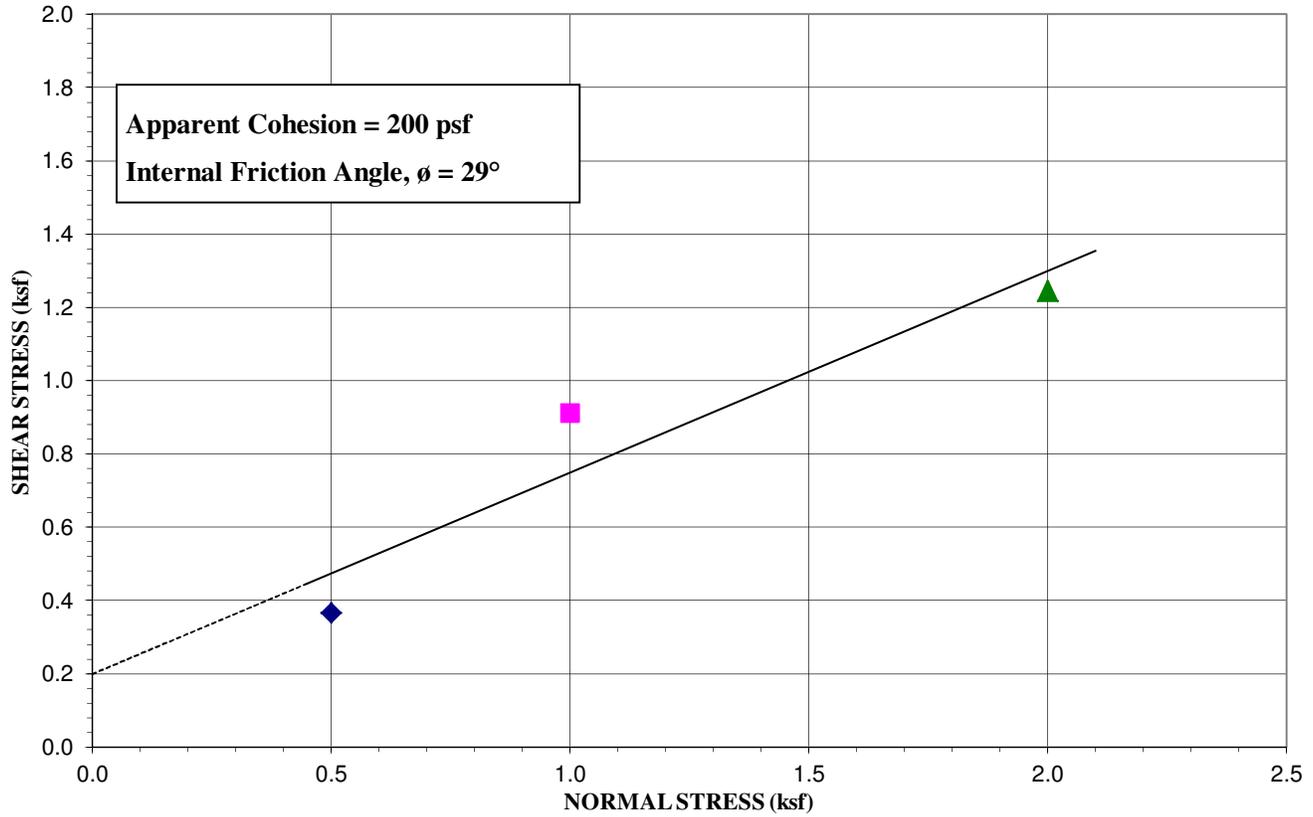
Soil Symbols Description Key

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

Plate
 7

Exhibit C- Geotechnical/Geological Reports

DIRECT SHEAR TEST



Source: Lot 50 - Highlands Addition #1 Subdivision
Type of Test: Consolidated Drained/Saturated

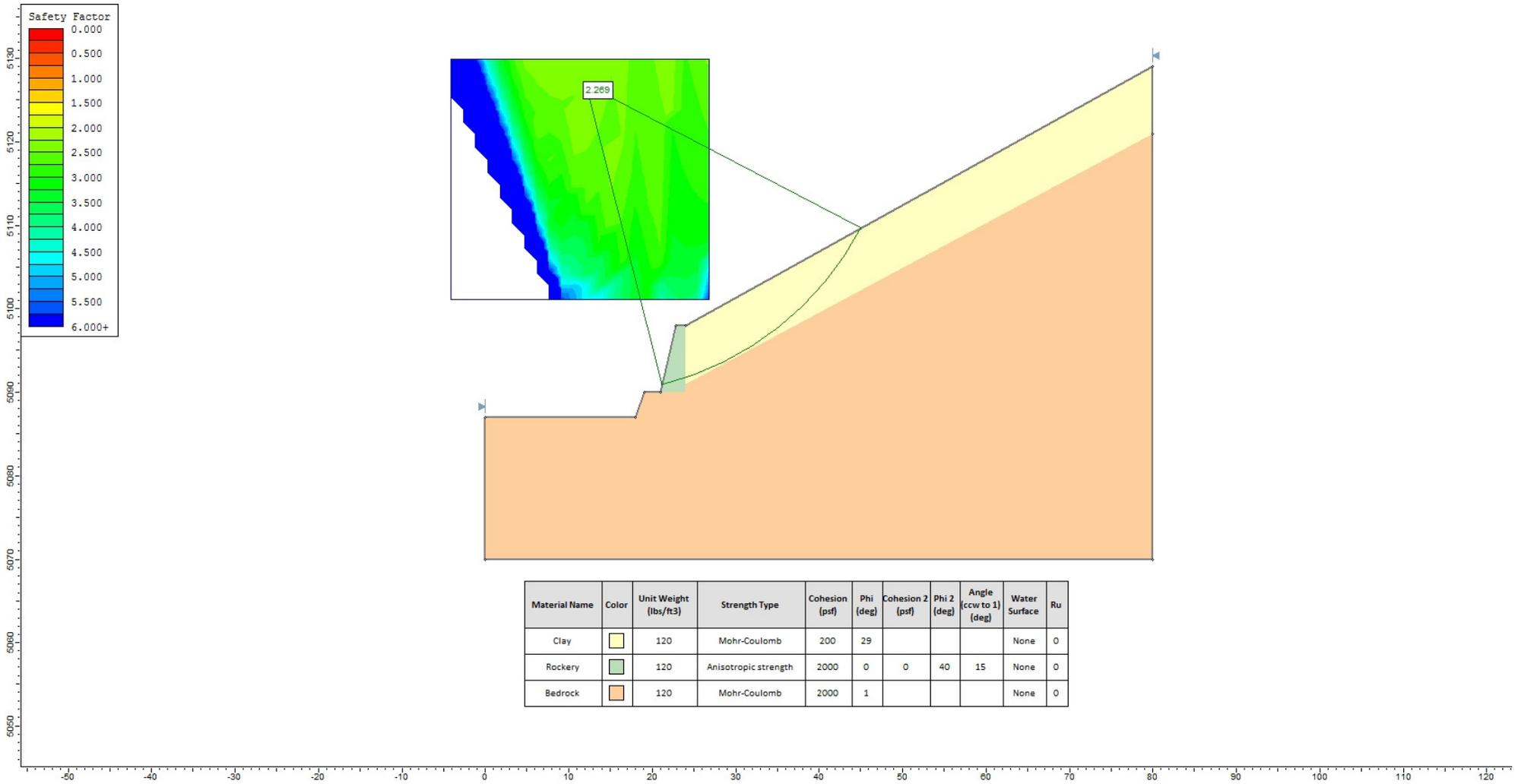
| Test No. (Symbol) | 1 (◆) | 2 (■) | 3 (▲) |
|-------------------------|---------------|-------|-------|
| Sample Type | Undisturbed | | |
| Initial Height, in. | 1 | 1 | 1 |
| Diameter, in. | 2.5 | 2.5 | 2.5 |
| Dry Density Before, pcf | 95.9 | 96.6 | 95.3 |
| Dry Density After, pcf | 97.8 | 98.6 | 97.1 |
| Moisture % Before | 10.9 | 12.4 | 14.3 |
| Moisture % After | 27.9 | 26.9 | 28.9 |
| Normal Load, ksf | 0.5 | 1.0 | 2.0 |
| Shear Stress, ksf | 0.37 | 0.91 | 1.25 |
| Strain Rate | 0.0033 IN/MIN | | |

| Sample Properties | |
|-------------------------------|-----|
| Cohesion, psf | 200 |
| Friction Angle, ϕ | 29 |
| Liquid Limit, % | --- |
| Plasticity Index, % | --- |
| Percent Gravel | --- |
| Percent Sand | --- |
| Percent Passing No. 200 sieve | --- |
| Classification | CH |

PROJECT: Randy Sauer - Rockery Design

PROJECT NO.: 894-001

Exhibit C- Geotechnical/Geological Reports



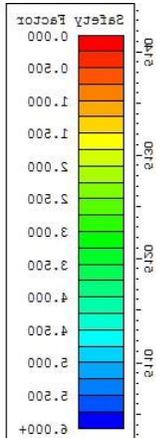
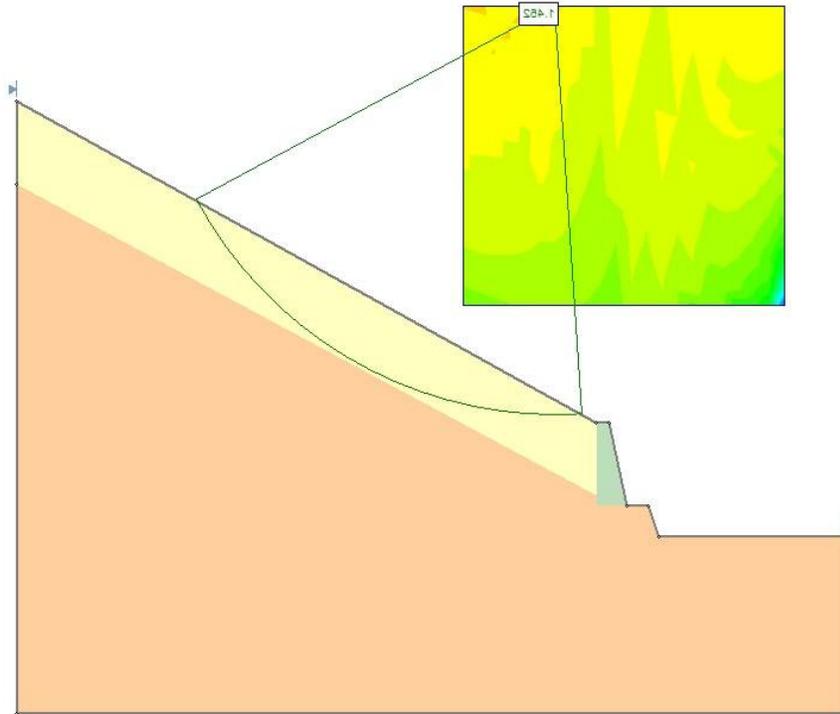
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Slope Stability Profile A – Static

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

**Plate
9**

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| Material Name | Color | Unit Weight (pcf) | Strength Type | Cohesion (pcf) | Phi (deg) | Cohesion 2 (pcf) | Phi 2 (deg) | Angle (deg) | Water Surface |
|---------------|--------|-------------------|----------------------|----------------|-----------|------------------|-------------|-------------|---------------|
| Clay | Yellow | 120 | Mohr-Coulomb | 300 | 28 | | | | None |
| Rockery | Green | 150 | Anisotropic strength | 2000 | 0 | 0 | 40 | 12 | None |
| Bedrock | Orange | 150 | Mohr-Coulomb | 2000 | 1 | | | | None |



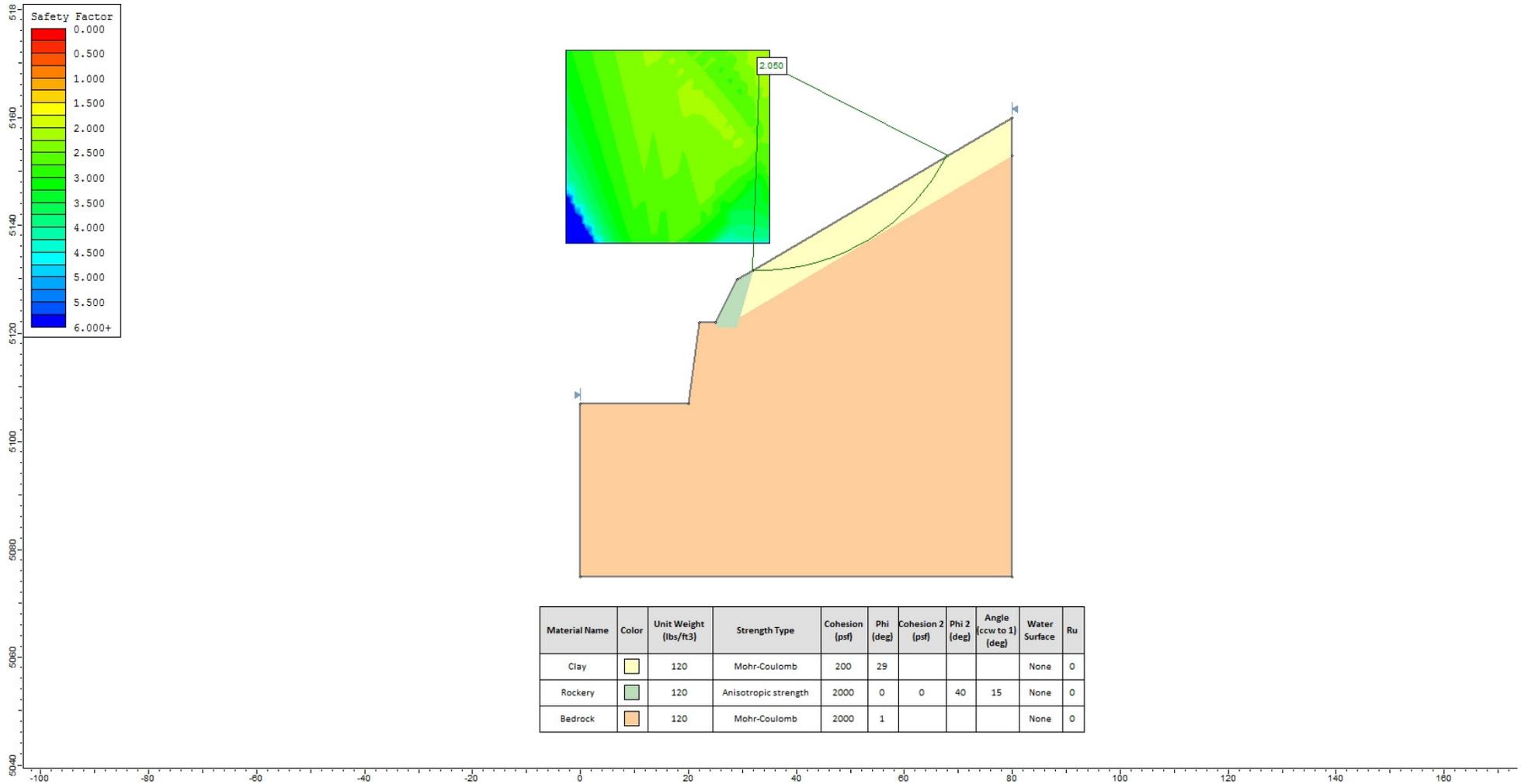
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Slope Stability Profile A – Pseudo Static

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

**Plate
10**

Exhibit C- Geotechnical/Geological Reports



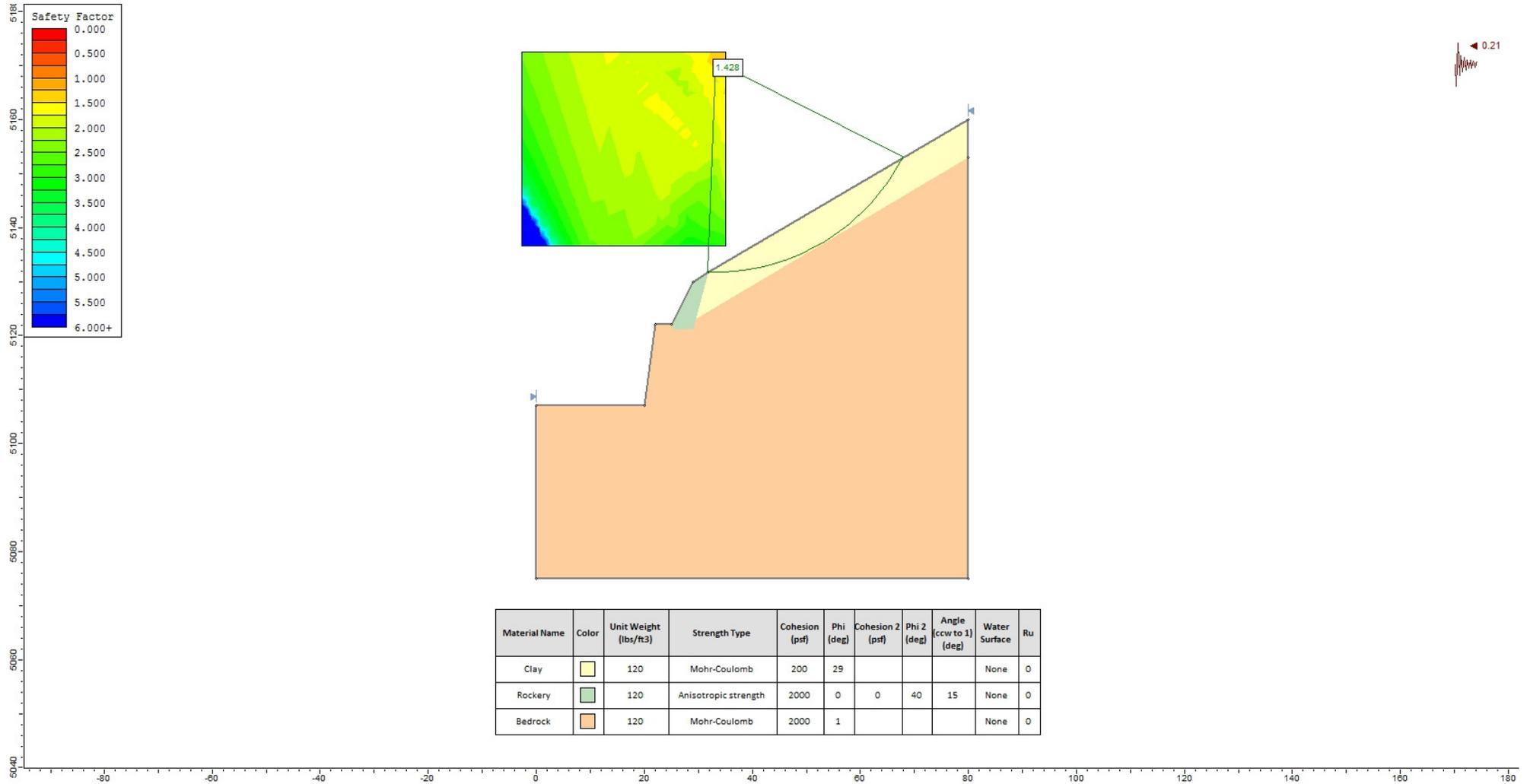
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Slope Stability Profile B – Static

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

**Plate
11**

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Slope Stability Profile B – Pseudo Static

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

**Plate
12**

Exhibit C- Geotechnical/Geological Reports

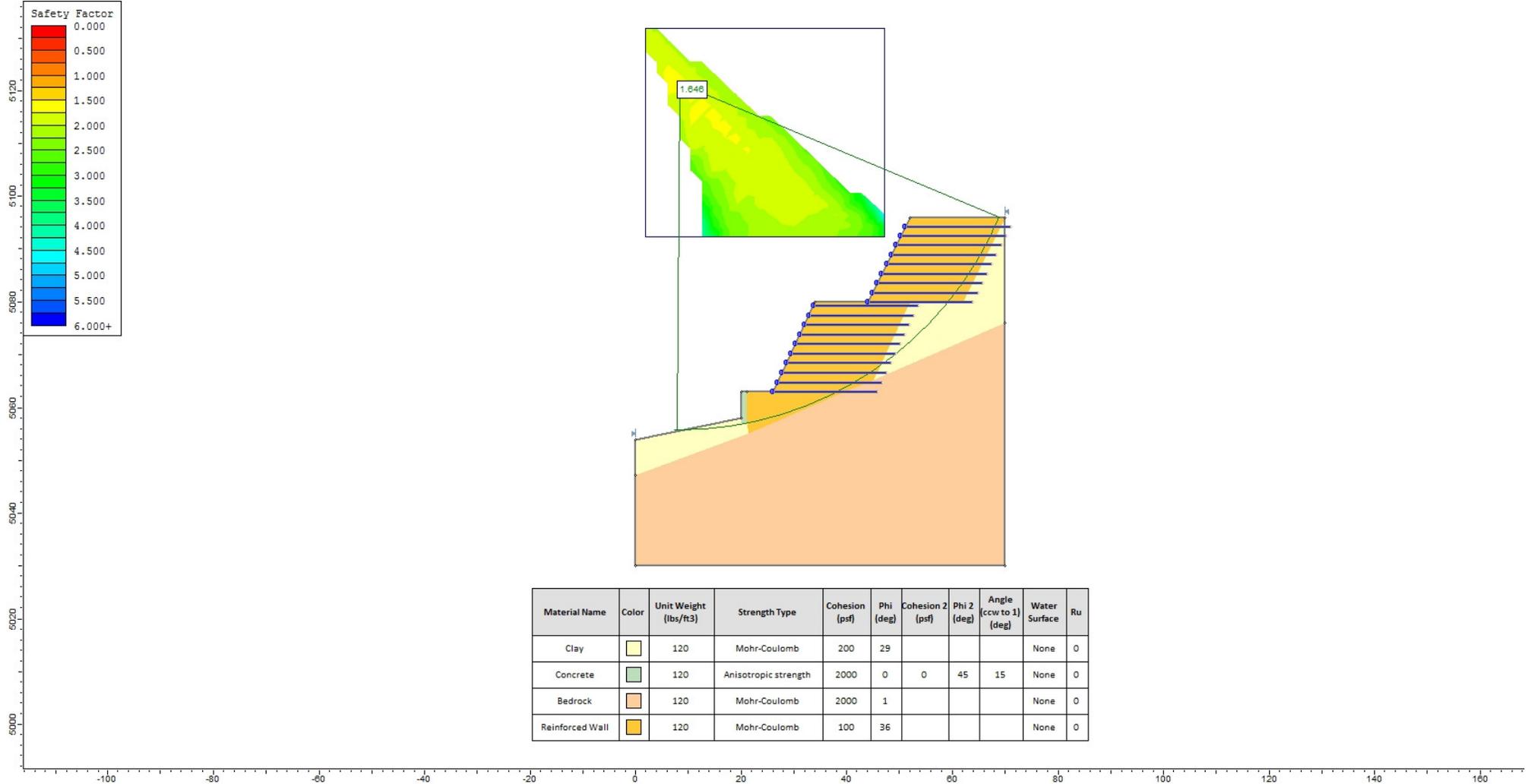
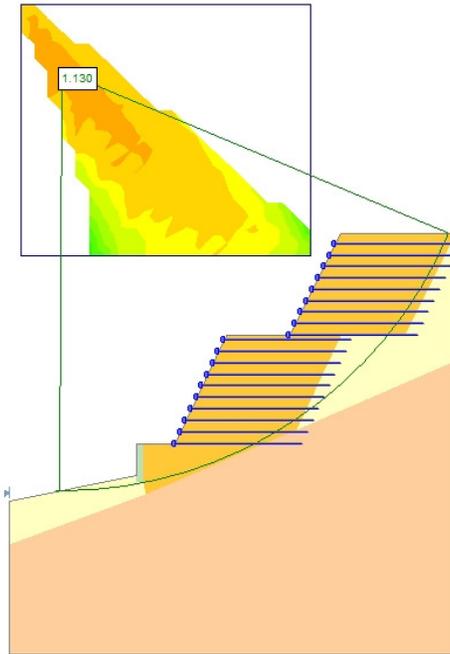
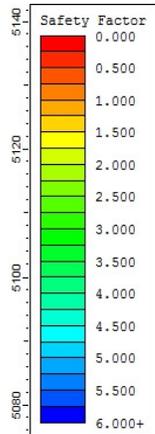


Exhibit C- Geotechnical/Geological Reports



0.21

| Material Name | Color | Unit Weight (lbs/ft ³) | Strength Type | Cohesion (psf) | Phi (deg) | Cohesion 2 (psf) | Phi 2 (deg) | Angle (ccw to 1) (deg) | Water Surface | Ru |
|-----------------|-------|------------------------------------|----------------------|----------------|-----------|------------------|-------------|------------------------|---------------|----|
| Clay | | 120 | Mohr-Coulomb | 200 | 29 | | | | None | 0 |
| Concrete | | 120 | Anisotropic strength | 2000 | 0 | 0 | 45 | 15 | None | 0 |
| Bedrock | | 120 | Mohr-Coulomb | 2000 | 1 | | | | None | 0 |
| Reinforced Wall | | 120 | Mohr-Coulomb | 100 | 36 | | | | None | 0 |



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Slope Stability Profile C – Pseudo Static

Randy Sauer – Rockery Design
 Lot 50 Highlands Addition #1 Subdivision
 Mountain Green, UT
 Project Number: 894-001

**Plate
14**

Exhibit C- Geotechnical/Geological Reports



WESTERN GEOLOGIC, LLC
74 NORTH N STREET
SALT LAKE CITY, UTAH 84103 USA

Phone: 801.359.7222

Fax: 801.359.2730

Email: craig_nelson@western-geologic.com

March 12, 2006

Mr. Mark I. Christensen, P.E.
Earthtec Testing and Engineering, P.C.
1596 West 2650 South
Suite 108
Ogden, Utah 84401

SUBJECT: Landslide Hazards Reconnaissance
Highland Addition No. 1
Mountain Green, Morgan County, Utah

Dear Mr. Christensen:

At your request, Western GeoLogic, LLC (western GeoLogic) conducted a reconnaissance-level landslide hazards evaluation and review for the roughly 5.7 acre Highland Addition No. 1 development (lots 50-54) in Mountain Green, Morgan County, Utah (Figure 1 – Project Location). The site is on generally west-facing slopes at the north end of Morgan Valley, in the W½ Section 23, Township 5 North, Range 1 East (Salt Lake Base Line and Meridian). Elevation of the site is about 5,120 to 5,300 feet above sea level.

PURPOSE AND SCOPE

The purpose of the investigation was to identify and map potential landslide hazards to the project. The following services were performed in accordance with that purpose:

- A site reconnaissance conducted by an experienced certified engineering geologist to assess the site setting and look for evidence of adverse geologic conditions;
- Review of available geologic maps and reports; and
- Evaluation of available data and preparation of this report, which presents the results of our study.

SITE RECONNAISSANCE

On March 10, 2006 Mr. Bill D. Black of Western GeoLogic conducted a brief reconnaissance of the property and surrounding area. Weather at the time of the reconnaissance was clear and sunny, with temperatures in the 30's (°F). Vegetation at the site consists mainly of sage brush, oak brush, grasses, and scattered pine trees. Approximately 6 to 12 inches of snow covered the ground surface at the time of our investigation. Gordon Creek, which was flowing at the time of the investigation, flows to the south about 350 feet west of the property. No springs, seeps, or marshes could be observed at the site due to the snow cover.

Exhibit C- Geotechnical/Geological Reports

Landslide Hazards Reconnaissance
Highland Addition No. 1, Mountain Green, Morgan County, Utah
March 12, 2006

Page 2

Slopes at the property overlook the Gordon Creek floodplain to the west, and have an overall gradient of about 2.5:1 to 3:1 (horizontal:vertical). The western edge of the site is bounded by Highland Drive and a roughly 10- to 20-foot high 2:1 cut slope. North of the property, competent tuffaceous sandstone bedrock of the Tertiary Norwood Tuff is exposed in the cut slope with a strike-dip of N15°W 35° NE. A roughly N5°W trending bedrock outcrop also crosses the central part of the site.

DISCUSSION

Figure 2 is a photogeologic map of the site and vicinity at a scale of 1 inch equals 200 feet, based on digital orthophoto aerial photography (National Aerial Photography Program; frames NAPP 10103 18 and NAPP 10103 81; October, 1997) and unpublished geologic mapping used in compilation of Coogan and King (2001). The site is underlain by bedrock of the Tertiary Norwood Tuff (unit Tn, Figure 2). Two Holocene landslides (unit Qms1) are north and south of the property, but do not underlie the site (Figure 2).

Both of the landslides in the site vicinity appear to source within west-facing slopes underlain by the Tertiary Norwood Tuff (Figure 2). The landslides source in higher slopes above the site and extend to the floodplain of the creek. Weathered bedrock in the Norwood Tuff is a significant source for slope instability in the Mountain Green area. However, measured dip of the bedrock (about 35 degrees to the east-northeast) would be roughly normal (perpendicular) to the slopes at the site and therefore prone to less instability. Although bedrock at the site appears to be tuffaceous sandstone, claystone beds may be found at higher elevations east of the site that could be responsible for the slope failures. Water is also typically a significant contributor to slope instability, and the landslides may have been triggered in clayey weathered bedrock by saturated conditions from snowmelt or other sources.

CONCLUSIONS AND RECOMMENDATIONS

The site is underlain by competent bedrock of the Tertiary Norwood Tuff, which dips to the east-northeast roughly normal to the slopes at the property. Two Holocene landslides are north and south of the site in the west-facing slopes overlooking Gordon Creek, but do not underlie the site. No evidence of recent or ongoing landslide movement was observed at the site. Although slopes at the site may be currently stable, stability of higher slopes above the site is unknown may be marginal. Based on the above, we recommend the following:

- As a conservative measure, stability of slopes at the site and to the east should be evaluated in a geotechnical engineering evaluation prior to the subdivision approval process and recommendations for reducing the risk from landsliding provided if the factor of safety is determined to be unsuitable. Stability of the weathered bedrock should be considered in the evaluation. Care should also be taken that site grading does not destabilize the slope without prior geotechnical analysis and grading plans, and that the site is adequately drained and no water is allowed to pond on the property.

Exhibit C- Geotechnical/Geological Reports

Landslide Hazards Reconnaissance
Highland Addition No. 1, Mountain Green, Morgan County, Utah
March 12, 2006

Page 3

Availability of Report

The report should be made available to architects, building contractors, and in the event of a future property sale, real estate agents and potential buyers. This report should be referenced for information on technical data only as interpreted from observations and not as a warranty of conditions throughout the site.

LIMITATIONS

This investigation was performed at the request of the Client using the methods and procedures consistent with good commercial and customary practice designed to conform to acceptable industry standards. The analysis and recommendations submitted in this report are based upon the data obtained from compilation of known geologic information. This information and the conclusions of this report should not be interpolated to adjacent properties without additional site-specific information. In the event that any changes are later made in the location of the proposed site, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and conclusions of this report modified or approved in writing by the engineering geologist.

This report has been prepared by the staff of Western GeoLogic for the Client under the professional supervision of the principal and/or senior staff whose seal(s) and signatures appear hereon. Neither Western GeoLogic, nor any staff member assigned to this investigation has any interest or contemplated interest, financial or otherwise, in the subject or surrounding properties, or in any entity which owns, leases, or occupies the subject or surrounding properties or which may be responsible for environmental issues identified during the course of this investigation, and has no personal bias with respect to the parties involved.

The information contained in this report has received appropriate technical review and approval. The conclusions represent professional judgment and are founded upon the findings of the investigations identified in the report and the interpretation of such data based on our experience and expertise according to the existing standard of care. No other warranty or limitation exists, either expressed or implied.

The investigation was prepared in accordance with the approved scope of work outlined in our proposal for the use and benefit of the Client; its successors, and assignees. It is based, in part, upon documents, writings, and information owned, possessed, or secured by the Client. Neither this report, nor any information contained herein shall be used or relied upon for any purpose by any other person or entity without the express written permission of the Client. This report is not for the use or benefit of, nor may it be relied upon by any other person or entity, for any purpose without the advance written consent of Western GeoLogic.

In expressing the opinions stated in this report, Western GeoLogic has exercised the degree of skill and care ordinarily exercised by a reasonable prudent environmental professional in the same community and in the same time frame given the same or similar facts and circumstances.

Exhibit C- Geotechnical/Geological Reports

Landslide Hazards Reconnaissance
Highland Addition No. 1, Mountain Green, Morgan County, Utah
March 12, 2006

Page 4

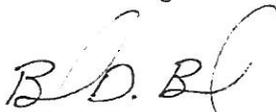
Documentation and data provided by the Client, designated representatives of the Client or other interested third parties, or from the public domain, and referred to in the preparation of this assessment, have been used and referenced with the understanding that Western GeoLogic assumes no responsibility or liability for their accuracy.

The independent conclusions represent our professional judgment based on information and data available to us during the course of this assignment. Factual information regarding operations, conditions, and test data provided by the Client or their representative has been assumed to be correct and complete. The conclusions presented are based on the data provided, observations, and conditions that existed at the time of the field exploration.

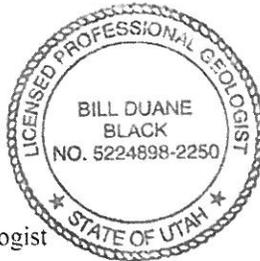
It has been a pleasure working with you on this project. Should you have any questions please call.

Sincerely,

Western GeoLogic, I.I.C



Bill D. Black, P.G.
Associate Engineering Geologist



Reviewed by:



Craig V Nelson, P.G., R.G., C.E.G.
Principal Engineering Geologist



ATTACHMENTS

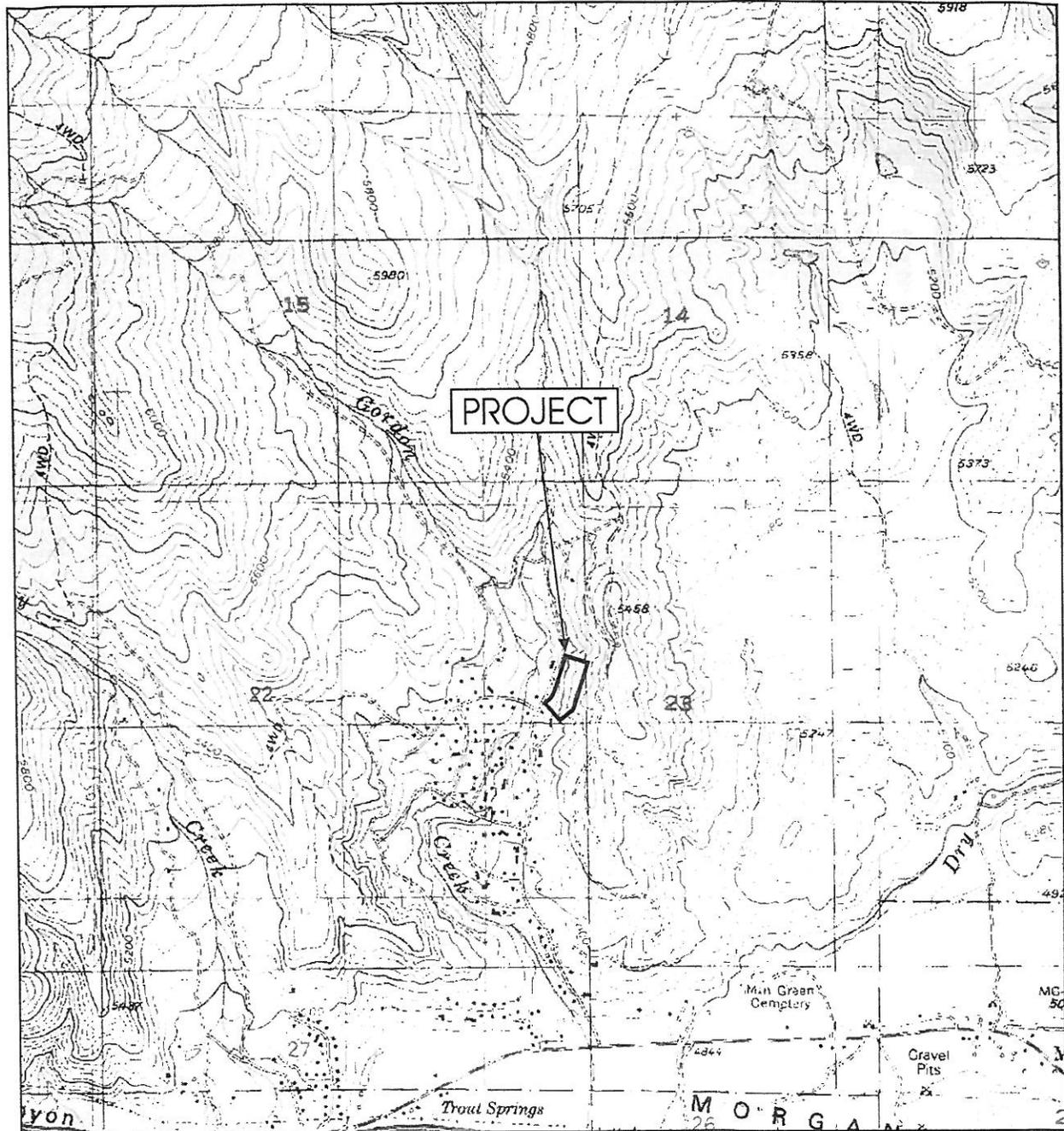
- Figure 1. Location Map
- Figure 2. Photogeologic map

E:\Western GeoLogic\PROJECTS\Earthtec Ogden\Highland Addition No. 1 Landslide Hazards Recon - Earthtec - Ogden\Highland Addition No. 1 Landslide Hazards Recon - letter report.doc

REFERENCES

- Coogan, J.C., and King, J.K.: King, J.K., compiler, 2001, Progress report—Geologic map of the Ogden 30'x60' quadrangle, Utah and Wyoming, year 3 of 3: Utah Geological Survey Open-File Report 380, 20 p., scale 1:100,000.

Exhibit C- Geotechnical/Geological Reports



Source: U.S. Geological Survey 7.5 Minute Series Topographic Maps: Snow Basin, UT, 1992.

LOCATION MAP

LANDSLIDE HAZARDS RECONNAISSANCE

Highland Addition No. 1
Mountain Green, Morgan County, Utah

FIGURE 1



Scale 1:24,000
(1 inch = 2000 feet)

Exhibit C- Geotechnical/Geological Reports

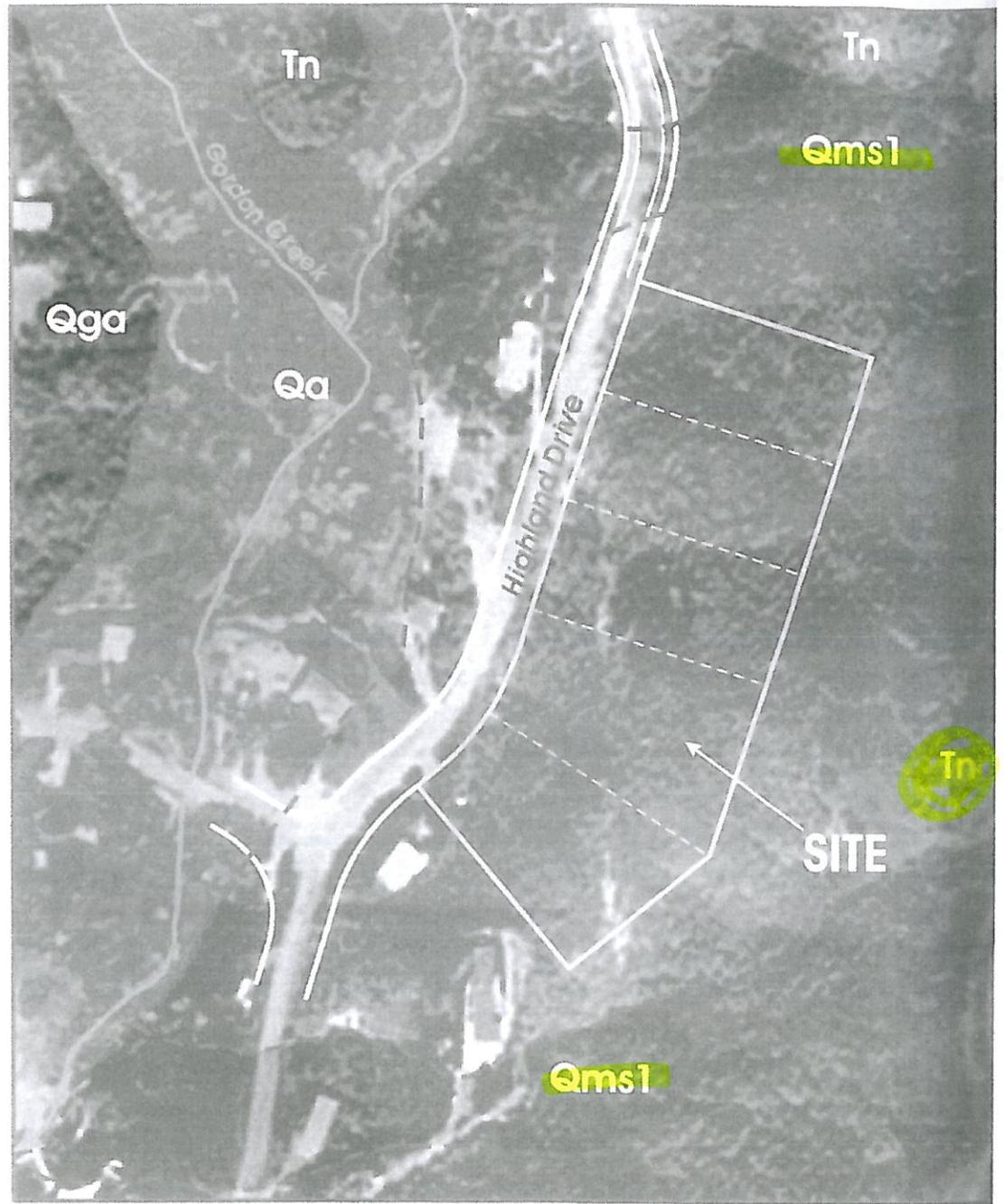


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EXPLANATION

Qa - Stream channel deposits. Sand, silt, clay, and gravel in channels and floodplains. Composition depends on source area, 0 to 20 feet (6) can thick.

Qms1 - Non-stratified, poorly sorted, clay to boulder-sized material, locally includes flow deposits, generally characterized by hummocky topography, head and interflow scars, and chaotic bedding in displaced blocks. Composition depends on local sediment morphology, becomes more subdivided with increasing distance from source.

Qga - Non-stratified, poorly sorted, clay to boulder size, outwash is better sorted and bedded. Locally includes mass-movements and talus cherters. 0 to 150 feet (45 m) thick, mostly Pleistocene. 15,000 to 50,000 yrs old, deposits with poorly developed soil and moderate to sharp incision morphology. May include thin (1-2 ft) (30 cm) to 150 cm (60 in) old deposits with well-developed soil and smoothed moraine morphology. Thin Qg is outwash and possibly also includes local outwash that obscures older deposits and bedrock.

In some areas, the deposits are overlain by a thin (1-2 ft) (30 cm) to 150 cm (60 in) old deposit with well-developed soil and smoothed moraine morphology. Thin Qg is outwash and possibly also includes local outwash that obscures older deposits and bedrock.



PHOTOGEOLOGIC MAP

LANDSLIDE HAZARDS RECONNAISSANCE
Highway Addition No. 1
Newport, Green, Morgan County, Utah

FIGURE 2

Exhibit C- Geotechnical/Geological Reports

Earthtec Testing & Engineering, P.C.

133 North 1330 West
Orem, Utah - 84057
Phone (801) 225-5711
Fax (801) 225-3363

1596 W. 2650 S. #108
Ogden, Utah - 84401
Phone (801) 399-9516
Fax (801) 399-9842

April 7, 2006

David Macallister
2699 East Oak Lane
Layton, Utah 84040

Subject: Slope Stability Analysis
Highlands Subdivision Addition No. 1, Lots 50 - 54
Mountain Green, UT
ETE Job No. 06-0868

Dear Mr. Macallister:

Based on conversations with you, we understand that Morgan County has requested a stability analysis for the above referenced lots. At your request, we have performed the requested stability analysis. To assist us in our analysis, Western Geologic performed a landslide hazard reconnaissance. A report presenting their findings is attached. In addition, we reviewed a letter presenting our geotechnical consultation for the subject lots dated October, 24, 1997. Western Geologic's report does not identify any existing landslides which pose a risk to the subject lots; however, an existing landslide was identified at the location where the access road it planned to meet Highland Drive. The geotechnical consultation for the lots indicates that subsurface conditions at the site consist of 2 to 6 feet of clay soils overlying bedrock. Based on the test pits excavated for this consultation, the bedrock outcrops at the site, and a road cut on Highland Drive north of the subdivision, the bedrock at this site is a moderately strong to strong sandstone.

To evaluate the slope stability we estimated a slope profile through lot 52 using the site plan provided to us. A second profile was used in our analysis to evaluate the effects of cut slopes for the proposed homes. The soil strength used in our analysis was based on a direct shear test performed for the Highland Drive slope failure just north and west of the subject site. The bedrock strength is an assumed conservative value.

To analyze the slope stability we used the XSTABLE computer program and the Modified Bishop's method of slices. The slope profiles were analyzed under both static and pseudo-static conditions. The pseudo-static condition is used to evaluate the stability of the slope during a seismic event. The expected maximum bedrock acceleration from large earthquakes at this site with a 10 percent probability of exceedance in 50 years is $0.2g^1$. One half of the peak acceleration is commonly used in pseudo-static analyses and this value was used in our analysis.

¹ USGS, Earthquake Hazards Program, National Seismic Hazard Mapping Project, 2002.

Earthtec

Professional Engineering Services ~ Geotechnical Engineering ~ Drilling Services ~ Construction Materials Inspection / Testing ~ Non-Destructive Examination ~ Failure Analysis
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Slope Stability Analysis
Highlands Subdivision Addition No. 1, Lots 50 - 54
Mountain Green, UT
April 7, 2006

Page 2

Slopes with safety factors of 1.5 and 1.0 or greater for static and pseudo-static conditions, respectively, are typically considered stable. Our analysis indicates a factor of safety greater than 1.5 and 1.0 for static and pseudo static conditions, respectively (Figures 1 through 4). Based on this analysis, we recommend that cuts and fills be no more than 15 feet in height. All cuts in the clay soils more than 5 feet in height should be retained with an engineered retainage system. Cuts within the bedrock should be no steeper than $\frac{1}{2}$ to 1 (horizontal to vertical). Cuts and fills with the clay soils should be graded no more than a 3 to 1. All excavations over 5 feet in height should be observed by the Geotechnical engineer to verify bedrock composition.

This analysis applies to the areas of lots 50 through 54 and not to the existing landslide area identified by Western Geologic. It should be understood that this slide could adversely affect the proposed access road requiring periodic regrading.

We appreciate the opportunity of providing our services on this project. If we can answer questions or be of further service, please call.

Respectfully;
EARTHTEC ENGINEERING, P.C.



Mark I. Christensen, P.E.
Project Engineer

2 copies sent

Attachments: Figures 1 through 4 - Stability Analyses
Landslide Hazard Reconnaissance

Earthtec

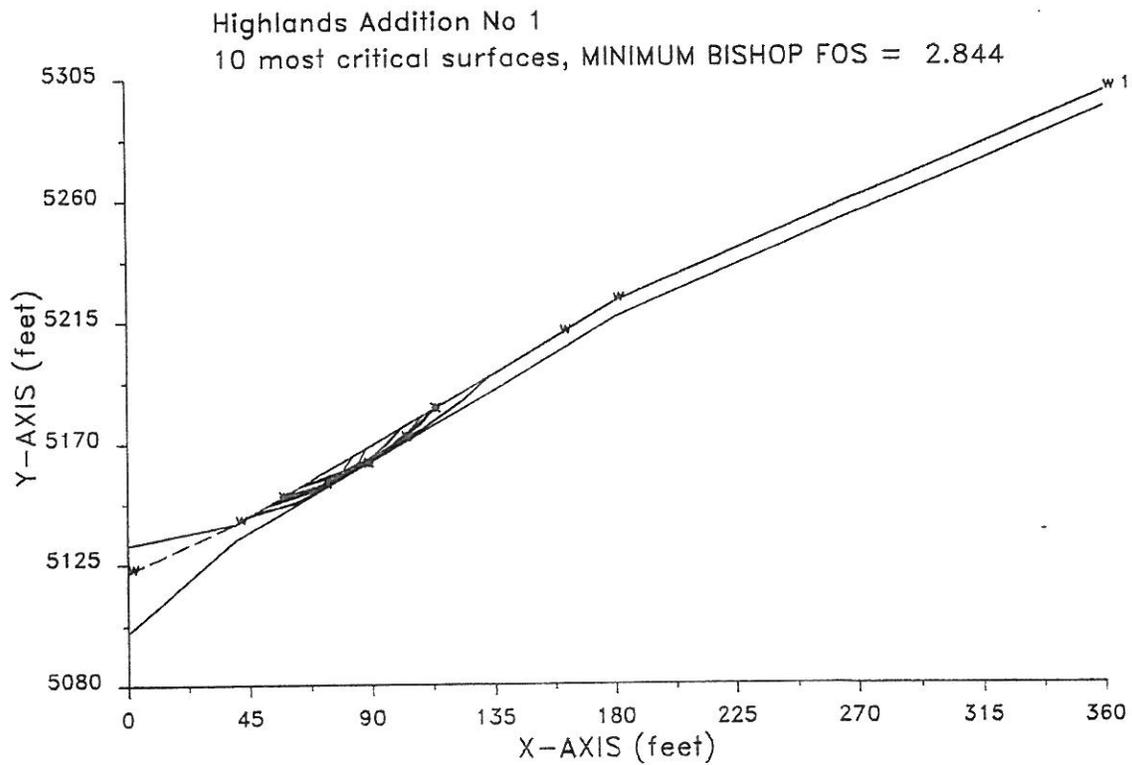
Professional Engineering Services • Geotechnical Engineering • Drilling Services • Construction Materials Inspection/Testing • Non-Destructive Examination • Failure Analysis
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Exhibit C- Geotechnical/Geological Reports

EARTHTEC ENGINEERING

| Soil Layer | Soil Type | Moist Unit Wt. (pcf) | Sat. Unit Wt. (pcf) | Cohesion (psf) | Friction Angle (degrees) |
|------------|-----------|----------------------|---------------------|----------------|--------------------------|
| 1 | CLAY | 115 | 125 | 480 | 23 |
| 2 | BEDROCK | 150 | 150 | 2000 | 0 |

HIGHADD1 4-06-*** 18:02



GLOBAL STABILITY

ETE JOB NO. 06-0868

FIGURE 1

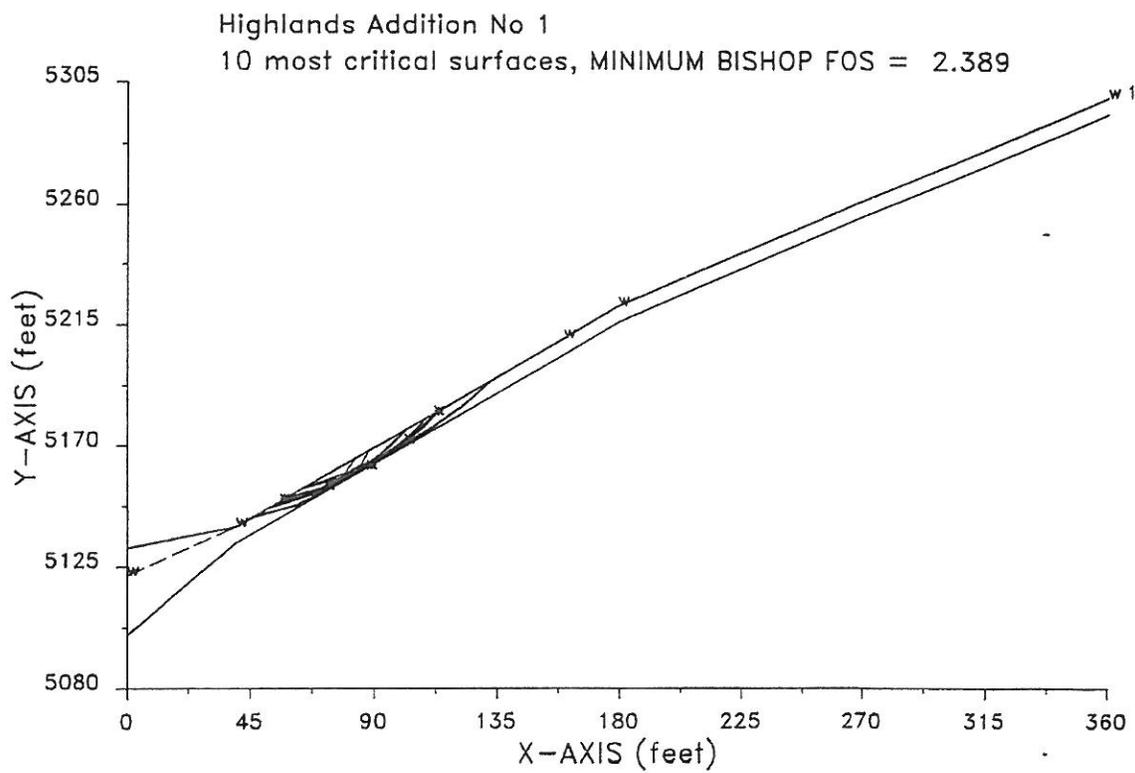
Exhibit C- Geotechnical/Geological Reports

EARTHTEC ENGINEERING

| Soil Layer | Soil Type | Moist Unit Wt. (pcf) | Sat. Unit Wt. (pcf) | Cohesion (psf) | Friction Angle (degrees) |
|------------|-----------|----------------------|---------------------|----------------|--------------------------|
| 1 | CLAY | 115 | 125 | 480 | 23 |
| 2 | BEDROCK | 150 | 150 | 2000 | 0 |

Horizontal Acceleration of 0.10 G

HIGHADD1 4-06-*** 18:04



GLOBAL STABILITY - PSEUDO STATIC

ETE JOB NO. 06-0868

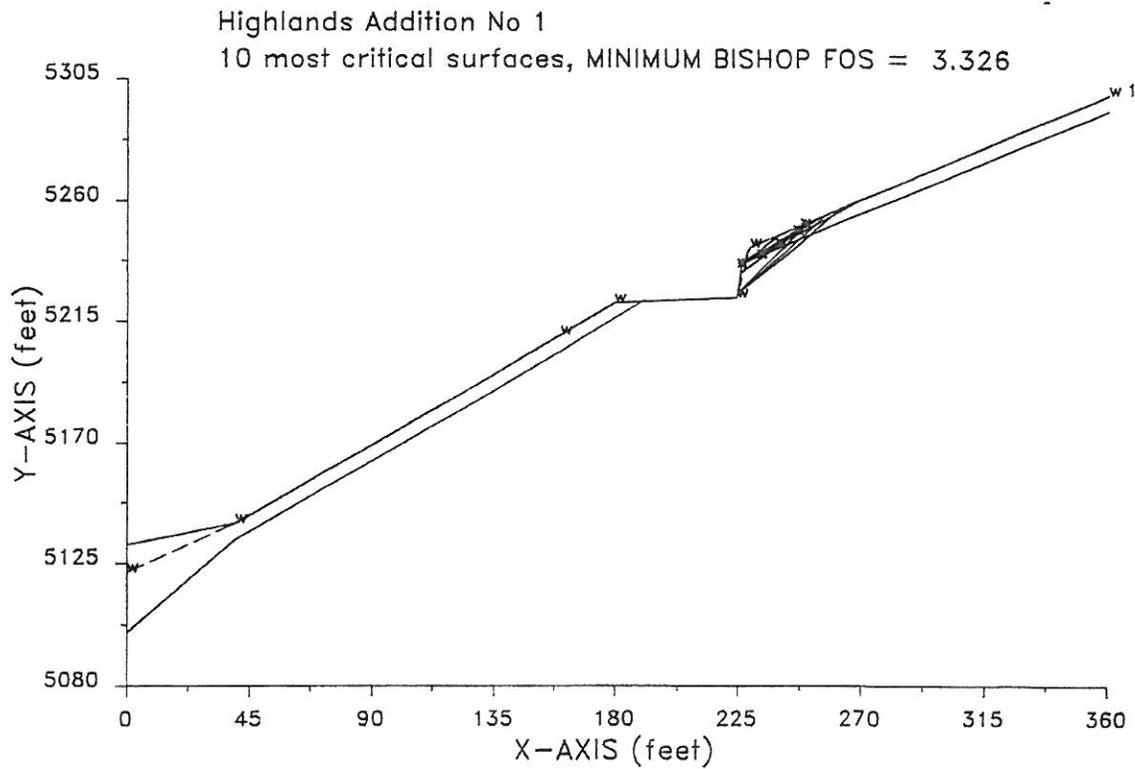
FIGURE 2

Exhibit C- Geotechnical/Geological Reports

EARTHTEC ENGINEERING

| <i>Soil Layer</i> | <i>Soil Type</i> | <i>Moist Unit Wt. (pcf)</i> | <i>Sat. Unit Wt. (pcf)</i> | <i>Cohesion (psf)</i> | <i>Friction Angle (degrees)</i> |
|-------------------|------------------|-----------------------------|----------------------------|-----------------------|---------------------------------|
| 1 | CLAY | 115 | 125 | 480 | 23 |
| 2 | BEDROCK | 150 | 150 | 2000 | 0 |

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LOCAL STABILITY

ETE JOB NO. 06-0868

FIGURE 3

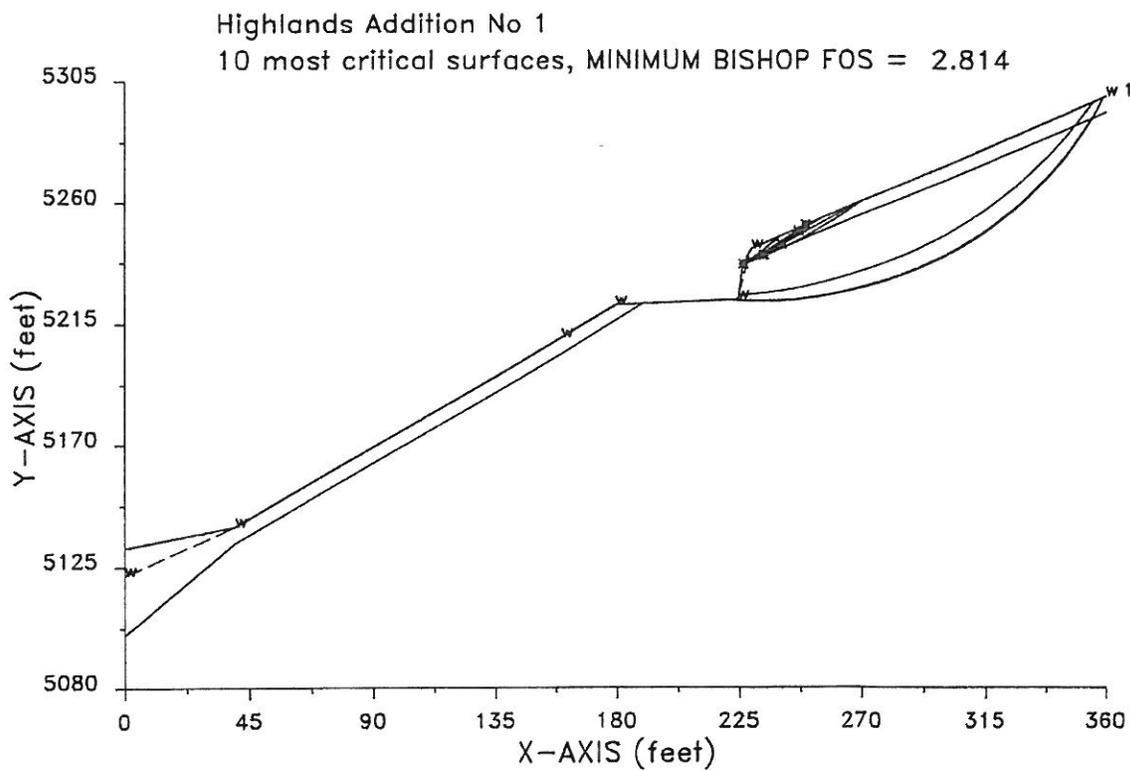
Exhibit C- Geotechnical/Geological Reports

EARTHTEC ENGINEERING

| Soil Layer | Soil Type | Moist Unit Wt. (pcf) | Sat. Unit Wt. (pcf) | Cohesion (psf) | Friction Angle (degrees) |
|------------|-----------|----------------------|---------------------|----------------|--------------------------|
| 1 | CLAY | 115 | 125 | 480 | 23 |
| 2 | BEDROCK | 150 | 150 | 2000 | 0 |

Horizontal Acceleration of 0.10 G

HIGHADD2 4-06-88 18:34



LOCAL STABILITY - PSEUDO STATIC

ETE JOB NO. 06-0868

FIGURE 4

Exhibit C- Geotechnical/Geological Reports

PUBLIC & PRIVATE FACILITY SITING, TERRAIN ANALYSIS, PIPELINE CORRIDOR SELECTION, THEMATIC MAPPING, GROUNDWATER STUDIES,
LANDFILL & WASTE FACILITY SITES, GEOSEISMIC, GEOLOGIC HAZARDS, MATERIAL SOURCES, ENVIRONMENTAL, INDUSTRIAL,
COMMERCIAL, RESIDENTIAL, MUNICIPAL & RECREATIONAL LAND ANALYSIS

ENGINEERING GEOLOGY

BRUCE N. KALISER

HYDROGEOLOGY

CONSULTANT

October 21, 1997

Attn: David Macallister
2699 E. Oak Lane
Layton, UT 84040

Re: Highland Addition No. 1, Lots 50-54, Morgan Co., Utah

Introduction:

All five lots are on a west facing slope at the north end of the Highlands Subdivision, in the west half of Section 23, T.5 N., R. 1 E.. Vegetative cover is mostly heavy scrub oak. Current access is provided by a road which borders the property on the west and another dirt road off-site, to the east. Lots are intended for single family dwellings. Home sites have been tentatively sited based largely upon local topography (fig. 1).

Initial foot reconnaissance of the property and vicinity was performed on August 14, 1997. Test holes were excavated on October 3, 1997, following completion of the survey to mark the location of the proposed road and five Home sites.

Participating in this investigation was Mr. Robert Barton, senior geotechnical engineer with Earthtec Engineering. His report is found in Appendix II, herewith.

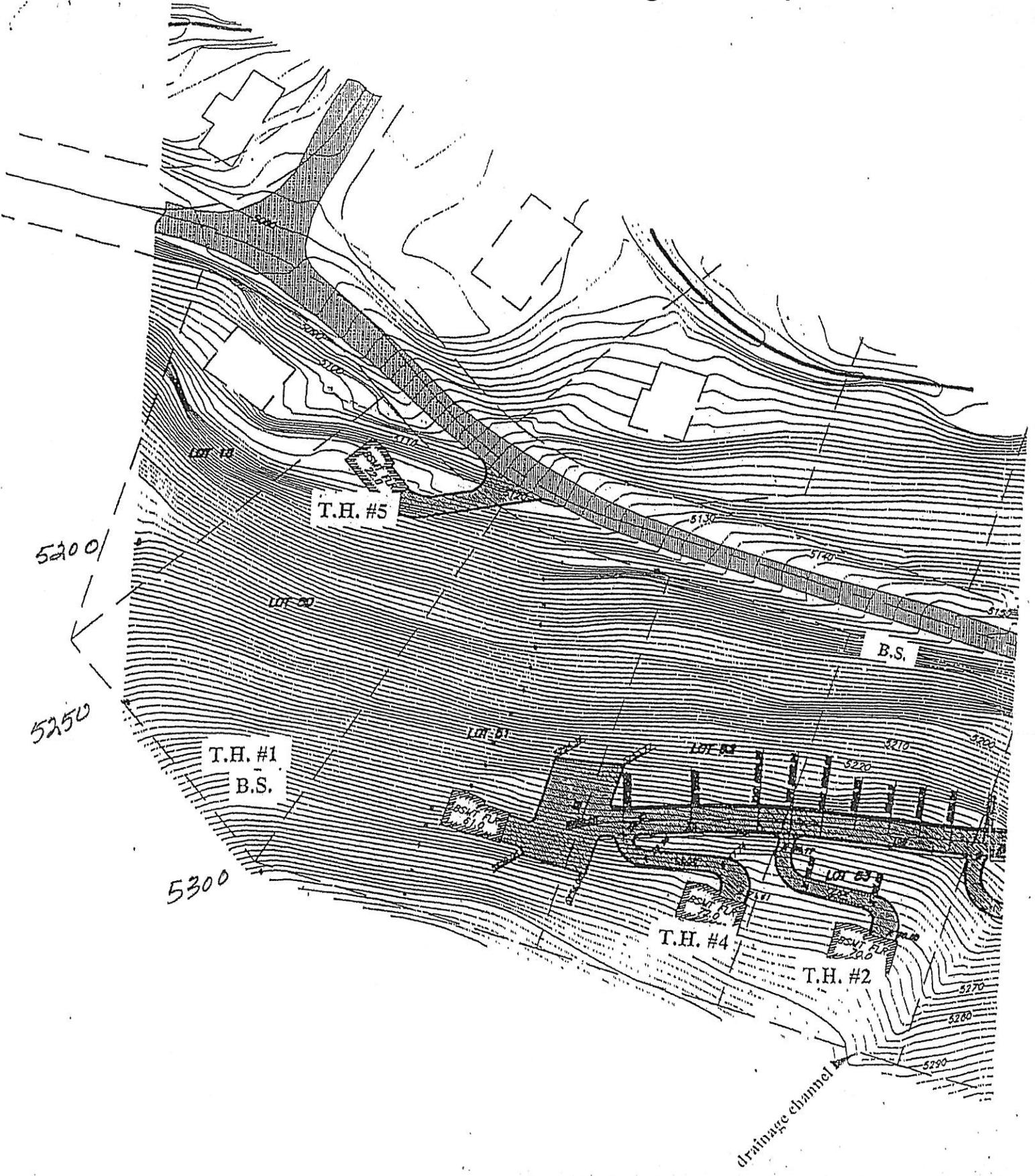
Geology & Soils

The slope at this site is underlain at shallow depth with claystone, siltstone and sandstone of the Tertiary Norwood Tuff formation. The slope is everywhere convex, steeper to the west and shows no evidence of mass movement. The slope is controlled by the strike of the rock which is north-south. Local changes in slope morphology result from the different lithologies of individual rock strata and their relative differences in hardness and thickness of soil cover. The strata dips into the slope (to the east) at an angle of from 30° to 38°.

Overlying soils are both residual weathering products and colluvial soils and are mostly clays with greater or lesser silt and sand content.

Bedrock outcrops occur on-site generally along the west side of each lot and parallel to the slope, at midslope elevations.

Exhibit C- Geotechnical/Geological Reports



BY WITH A TWO FOOT INTERVAL.

B.S. = Bedrock Structural Measurements (see text).

Exhibit C- Geotechnical/Geological Reports

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Structural attitudes (dip and strike of both bedding and jointing) of the rock were taken on-site and immediately off-site, to the north.

Drainage

The most significant drainage potentially impacting the property occurs off-site, immediately to the north. The culvert that currently exists beneath the road appears to be undersized. Approximately 100 feet east of the road a sandstone ledge intercepts the drainage. An ephemeral spring occurs at this location (dry on 10/3/97).

The drainage crossing lots 53 (NE corner) and 54 is far less significant and shows no evidence of historical incisement. No culvert is in evidence where it crosses the road at the lower end of lot 54.

Groundwater

No evidence exists for the presence of springs or seeps anywhere on the property. Evidence looked for included: (1) geomorphologic, (2) anomalous vegetation, (3) erosion. There is evidence, however, for one ephemeral spring in the drainage to the north of lot 54. This spring emits from Norwood formation sandstone.

The permanent water table is likely to be in excess of 100 feet in depth at this site. Ephemeral, perched groundwater, though not in evidence, is possible in either the soils and/or the bedrock on the site, particularly at times of high spring runoff.

Subsurface Exploration

Six test holes were excavated with a 160 Sumitomo Trackhoe (580 equivalent; 7 ton). Two test holes were sited on lot 50 and one each on lots 52, 53 and 54; the sixth was north of lot 54 along the proposed access road (fig. 2).

Depth of test holes ranged from 4.8' to 9.5' (Appendix I). Bedrock exists at shallow depth beneath a veneer of clay soil which is seen to be quite stiff. Consistency of the clays resembles that of the Norwood claystone. Generally, the clay is found to be from 4.2' to 6.3' in thickness. At the upper end of lot 50 no clay veneer exists over the hard sandstone. At the lower end of the same lot (about 90' lower in elevation) bedrock occurs at greater depth than 9.5'.

Bedrock Structure

Immediately north of the site on the same slope the Norwood formation strata were measured to strike 352° with a 30° east dip (into the slope). Two joint systems were observed at this location:

1. Strike 102°; 64° SSW dip.
2. Strike 20°; 52° WNW dip.

Near the base of the slope, on-site, bedrock displays a prominent joint system with:

1. Strike 3°; 62° west dip.

T.H. #1, on the upper portion of lot 50, revealed a joint system with:

1. Strike 342°; 61° WSW dip.

The bedding at this location strikes 1°; 38° E. dip.

An exposure on the upper portion of lot 54 revealed a joint system with:

1. Strike 82°, vertical dip.

Discussion

Careful examination of the terrain slope and its geologic structure reveals no problem for the safe siting of an access road and five single family dwellings. No slide susceptible soils or bedrock were encountered.

Geologic structure of the rock is such that the most significant plane of weakness (bedding) is dipping moderately steeply into the slope.

The joint systems are not uniform across the slope but all dip at angles considerably greater than the slope.

The new access road has been sited with an alignment immediately below a sandstone caused break-in-slope. It is anticipated that resistant sandstone will comprise the cutwall for most of this road.

It is not always easily determined whether rock exposed in a cut face is in-place Norwood formation or whether a detached angular slab has been incorporated in colluvium. Likewise, clay may not always be easily distinguished from Norwood claystone, especially if in a weathered state.

Conclusions

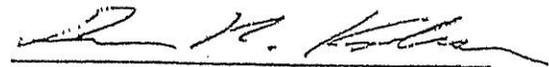
1. No evidence exists to indicate that there is instability of any portion of the slope on the subject property.
2. The geologic conditions existent across the entire property will permit siting, design and construction of homes and infrastructure on the west facing slope.

Recommendations

1. Drainage should be provided for in the shallow subsurface to assure that the presence of any ephemeral, perched groundwater is rendered harmless.
2. Vegetation should be left undisturbed to the maximum extent possible.
3. All cuts, whether in soil or rock, should be inspected by the project engineering geologist and/or geotechnical engineer to assure proper design. The same is true for structural foundations.
4. Design and construction of all structures should comply with current Uniform Building code seismic requirements for Zone 3, as a minimal standard.
5. Adequately sized culverts should be provided for both aforementioned drainages.

Please see the additional recommendations provided by the project geotechnical engineer in Appendix II.

Respectfully submitted,



Bruce N. Kaliser
Engineering Geologist

Exhibit C- Geotechnical/Geological Reports

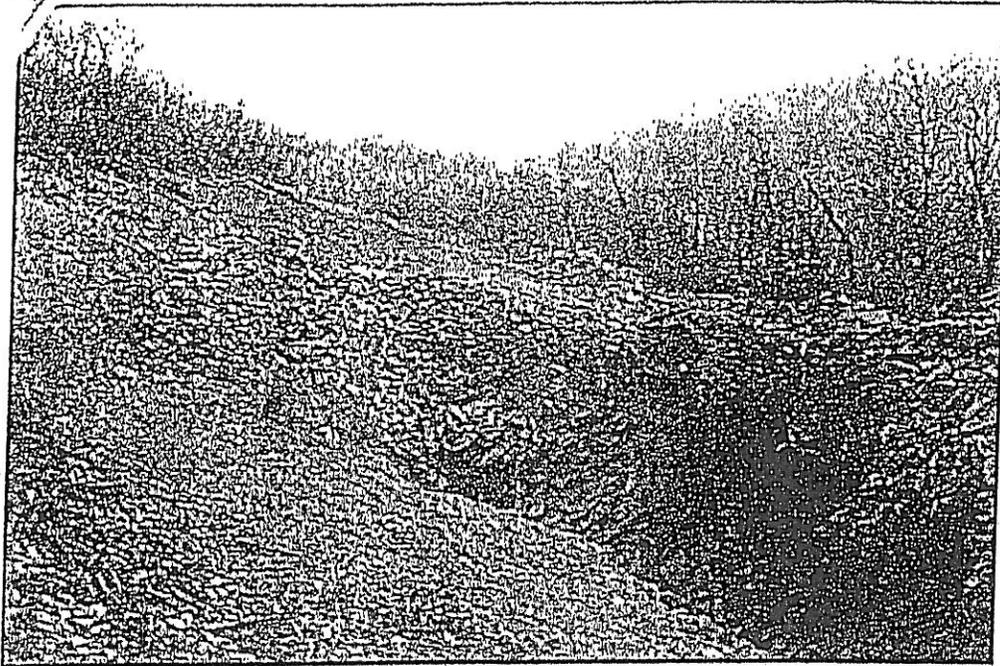


PHOTO 10: Looking SSE. Potential upper Lot 50 Homesite. Foreground - test hole #1. Slope 14° requiring 8-10 ft cut into hillside. Very fine sandstone.

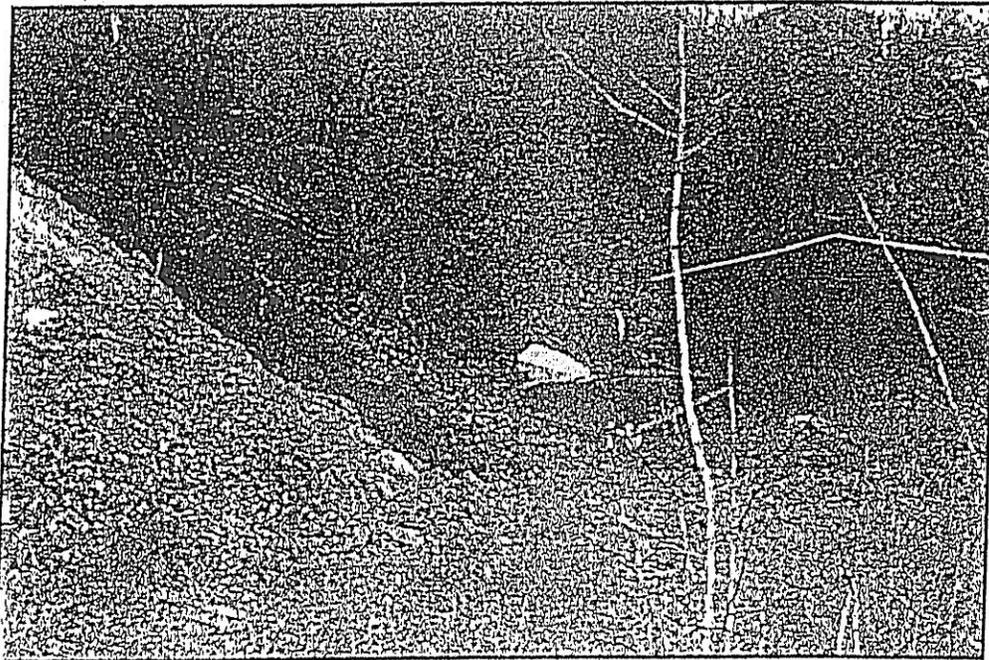


PHOTO 11: Looking SSE. Proposed lower Lot 50 Homesite. Photo left - test hole #5. Photo background - neighbor's metal/proposed homesite. Proposed home will require cut into hillside comparable to recently completed Highland Subdivision homes. Driveway to be placed on present access road to shed.

Exhibit C- Geotechnical/Geological Reports

Earthtec Engineering, P.C.

133 North 1330 West
Orem, Utah 84057
225-5711

3534 Eccles Av
Ogden, Utah 8440
399-9511

October 24, 1997

Bruce N. Kaliser
Engineering Geologist
2951 Nila Way
Salt Lake City, UT 84124

Subject: Geotechnical Consultation
Highland Subdivision No. 1, Lots 50-54
Farmington, Utah
EE Job No. 97E-416

Dear Mr. Kaliser;

As requested, we have conducted a geotechnical investigation in conjunction with a geologic study on the subject development. The scope of our study was to observe test pit excavations on the property, determine the engineering characteristics of the soils and provide our recommendations for geotechnical aspects of the development. This letter should be considered as an addendum to the geologic report which describes the site conditions, defines the test pit locations and presents logs of the soil stratigraphy.

PLANNED CONSTRUCTION

The planned development will consist of single family homes which will likely be one to two story, wood frame structures, with basements set into the west facing slope. An asphalt access road and exterior concrete flatwork will also be part of the development.

SITE CONDITIONS

The property to be developed is described in detail in the geologic report. In general the site is situated on a west facing slope with grades estimated at between 20 and 35 percent. The site is covered with thick oak brush. Lots have been developed to the south and west of the site. Some of the older homes in the immediate vicinity have significant building distress which, in our opinion, is generally due to inadequate structural design for the horizontal soil pressures imposed on below grade walls.



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SUBSURFACE CONDITIONS

The soil conditions were evaluated from 6 test pits excavated at selected locations across the subject site. Below 4 to 12 inches of organic topsoil we encountered a covering layer of 2 to 4 feet of silty, sandy clay (CL) with some cobbles and boulders underlain by medium hard to hard sandstone and claystone bedrock extending beyond the maximum depth investigated. No groundwater was found in any of the pits excavated for this project. See the geologic report for the location of the test pits and descriptions of the soils encountered in each test pit.

SITE GRADING

The property is covered by vegetation and varying depths of organic topsoil. The vegetation, topsoil, manmade fill (if encountered) and soils loosened by construction activities should be removed (stripped) from below buildings, the access road, driveways, walkways, and areas to receive fills. Following stripping the exposed subgrade should be proof-rolled to a firm, non-yielding condition. If soft areas are encountered during the proof-rolling then the soft soils should be removed and a stabilization fill consisting of coarse gravel and cobbles placed up to design grades. Prior to placing the stabilization fill the area should be observed by the geotechnical engineer to determine if a stabilization fabric, such as Mirafi 600X, will be required between the native soils and the fill.

Structural fill placed under the buildings should consist of imported sands and gravels with a maximum particle size of three inches and less than 15 percent fines (materials passing the #200 sieve). The liquid limit of the fines should not exceed 35 and the plasticity index should be below 15. The structural fill should be placed in maximum 8-inch thick, loose horizontal lifts at a moisture content within 2 percent of optimum and compacted to at least 95 percent of the maximum density, as determined by ASTM D 1557.

It is our understanding that the access road pavement will be supported on native soils exposed in cuts for the road; however, fill will likely be placed on the downhill side to provide a shoulder and in low areas as needed for grading. Within 18 inches of the design subgrade level below the asphalt we recommend that imported structural fill be placed. Outside of the pavement area and for deeper grading the native soils may be used as fill, providing it is placed in accordance with structural fill specifications. Final fill and cut slopes should be no steeper than 2:1 (horizontal to vertical). The fill lifts should be keyed into the hillside by stepping each lift into the native soils.

Utility trenches may be backfilled with the native soils, provided they have a suitable moisture content, are placed in appropriate lift heights for the compaction equipment used, and compacted

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to at least 95 percent of the maximum density (ASTM D 1557). In pavement areas the upper 18 inches of backfill should meet structural fill requirements, as defined above. We also recommend that a minimum 6-inch thick layer of sand and gravel fill with a maximum rock size of 2 inches and less than 7 percent fines (material passing the #200 sieve) be placed around pipelines for a distance of at least 6 inches to provide proper bedding and cover conditions.

In this area it is always possible that springs may be encountered during excavation. If springs are found they should be collected in a perforated pipe surrounded by gravels and piped away from the construction. If springs are encountered an experienced geotechnical engineer or engineering geologist should be contacted to help develop the collection system.

As indicated above no cut or fill slopes should be steeper than 2:1 (h:v). If steeper slopes are needed then retainage systems will be required. Retainage may consist of (1) large rock with a 1:1 or flatter slope up to a maximum height of 6 feet; (2) standard concrete retaining walls; or (3) soil reinforced/segmented block walls such as keystone walls. These options should be designed to retain the lateral soil loads as discussed below.

Disturbed slopes should be seeded and erosion damage repaired until a vegetated slope is established.

BUILDING FOUNDATIONS

The upper clays have low strengths and are relatively compressible under light loading; therefore, they are not suitable for foundation support. The structures may be supported with spread footings founded on the underlying bedrock or structural fill replacing the upper clays. The following guidelines can be used in structural designs:

1. Spread footings founded on the bedrock should be designed for a maximum allowable soil bearing pressure of 1800 psf. A one-third increase is allowed for short term transient loads such as wind and seismic events. Footings should be uniformly loaded.
2. Continuous footings and spot footings should have minimum widths of 24 and 30 inches, respectively.
3. Exterior footings should be placed at least 36 inches below final exterior grades to provide sufficient cover for frost protection.

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4. The bottom of all footings should extend at least 18 inches below the lowest adjacent final grade.
5. Foundation walls on continuous footings should be well reinforced both top and bottom. We suggest a minimum amount of steel equivalent to that required for a simply supported span of 12 feet.
6. Footings should be kept horizontal and stepped down where necessary to meet slope grade changes.
7. Footings should not be placed closer than 20 feet from any slope measured horizontally from the footing to the slope face.
8. Because of the potential for water percolating through the upper soils during periods of rapid snow melt or following heavy storms, we recommend foundation drains be installed around the structures. For more details see the subsurface drainage information below.
9. The buildings should be designed in accordance with the Zone 3 requirements of the UBC using an "S₁" seismic site coefficient of 1.0.
10. Floor slabs can be founded on the native soils which have been proof rolled and soft areas stabilized as discussed above. The floors should be underlain by at least 4 inches of free draining gravel and designed for a subgrade reaction modulus of $K=150$ psi/in. To reduce cracking inherent in the floor slabs, they should be well reinforced, contain frequent crack control joints and not be rigidly attached to foundation or bearing walls.
11. Since it is important that the footings be extended to the bedrock we recommend that all building excavations be inspected by an experienced geotechnical engineer or engineering geologist before footings are placed.

SURFACE DRAINAGE

Wetting of the foundation soils may cause some degree of volume change within the soil and should be prevented both during and after construction. We recommend the following precautions be taken:

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1. The ground surface should be graded to slope away from the structures in all directions. A minimum fall of 6 inches in the first 10 feet is recommended.
2. Roof runoff should be collected in rain gutters with the downspouts designed to discharge well outside of the backfill limits.
3. Sprinkler heads should be kept at least 12 inches out and aimed away from foundation walls.
4. Provide adequate compaction of foundation backfill, i.e. a minimum of 90 percent of ASTM D 1557. Water consolidation techniques should not be used.
5. Keep runoff water from concentrating except in rock or concrete lined channels and vegetate any disturbed slopes.
6. Other precautions which may become evident during design and construction should be taken.

SUBSURFACE DRAINAGE

Because of the potential for water percolating through the upper soils which can become trapped adjacent to the foundations, we recommend that all buildings have foundation drains installed. The foundation drains should consist of a minimum 4 inch diameter, slotted pipe encased in at least 12 inches of free-draining gravel which is covered by a filter fabric such as Mirafi 140N, or equivalent. The gravel should be extended up the foundation wall to within 18 inches of the final ground surface. The pipe should be placed such that it is lower than the basement floor and graded to drain to a free gravity outfall. Drain gravel should consist of a 2 inch minus gravel with a maximum of 5 percent fines (materials passing the #200 sieve).

ACCESS ROAD

It is our understanding that the access road will be placed on undisturbed native soils exposed in cuts in the slope. Fill will be necessary for grading and to provide a widened shoulder on the downhill side of the road. The native subgrade will likely consist of both clays and bedrock depending on the location and depth of the cut. The pavement designs presented below are based on the weaker clay soils.

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The access road will be used only for access to the homes in the development and therefore will have minimal traffic loads. We have assumed an 18k daily equivalent single axle load of 3 in our designs. Using AASHTO pavement design procedures we recommend a pavement section consisting of 2.5 inches of asphalt and 8 inches of aggregate base. As discussed above we recommend structural fill be used for road grading below the paved section while compacted native soils may be used outside the pavement. Final slopes of both the downslope fill and the upslope cuts should be no steeper than 2:1 (h:v) unless retainage systems are incorporated as discussed above.

Our analysis assumes the following:

1. Subgrade soils are proof rolled after excavation to verify a firm, non-yielding condition. Soft areas identified during the rolling operations should be stabilized prior to base or fill placement. Stabilization requirements are discussed above under the site grading section. If prepared in accordance with these recommendations the subgrade should provide a subgrade reaction modulus of 130 psi/inch (CBR of 4).
2. Asphalt and aggregate base meet UDOT specification requirements.
3. Aggregate base will be compacted to at least 95 percent of the maximum dry density (ASTM D 1557).
4. Asphalt will be compacted to at least 95 percent of the laboratory Marshall mix design density (ASTM D 1559).
5. Pavement design life of 20 years.

It should be recognized that the pavement section recommended above is designed to support only the light traffic to the homes and not for support of heavy construction vehicles such as loaded concrete and lumber trucks. If the road is paved prior to completion of the construction some pavement distress may occur.

As discussed above cut and fill slopes on the road should be no steeper than 2:1 (h:v) unless retainage systems are incorporated. We have discussed lateral loads to be used in retainage design below. The slopes below the road will be susceptible to erosion therefore we recommend a curb or other runoff control be incorporated in the design.

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LATERAL EARTH PRESSURES

Because of the grades at this site it is likely that most buildings will be set into the hillside and that retaining walls may be needed for the access road and site landscaping. Basement and retaining walls should be designed to resist the lateral pressures exerted by the retained soil, which can be approximated using a triangular stress distribution known as equivalent fluid pressure. Walls which are restricted from movement, such as basement walls, should be designed for "at rest" lateral earth loading conditions. Walls which can have some movement, such as retaining walls used for road construction or landscaping, should be designed for "active" earth pressures. If native soils are used for backfill we recommend assuming lateral earth pressure coefficients of 0.5 for "at rest" conditions and 0.38 for "active" conditions in wall designs. With an estimated moist soil weight of 140 pounds per cubic foot this results in design equivalent fluid unit weights of 70 pcf for "at rest" conditions and 53 pcf for "active" conditions. These lateral loading conditions assume horizontal backfill behind the retaining walls. If sloping backfill is required higher coefficients will be needed. For instance if a sloping backfill of 30 percent is planned then the design loads should be increased by 70 percent above the values given above. We would be happy to work with your structural engineer on developing soil loads for specific wall conditions at the time of design.

Water collecting against foundation walls from storm runoff and snow melt will cause additional hydrostatic loading as well as become a moisture source for subgrade saturation and basement seepage. Therefore, it is important that foundation drains be installed around the buildings as discussed above. If desired, retaining walls for the access road or landscaping purposes may use a gravel drain without collection pipe providing weep holes are installed with a spacing of no more than 10 feet on center.

If segmented walls are used for road or landscaping walls the manufacturer's recommended designs should be followed. If you wish to use rock retained slopes we would be happy to provide design parameters upon request.

LATERAL EARTH RESISTANCE

Lateral loads on the structures will be resisted by "passive" pressure developed by backfill against the walls and by friction developed between the footings and the bearing soils. If the native soils are used as backfill, we recommend using a moist unit weight of 115 pcf and an ultimate "passive" coefficient of lateral earth pressure of 2.5 (equivalent fluid unit weight of 288 pcf). These design parameters assume building movements of up to 1 inch may be required to fully mobilize the

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passive resistance. To restrict lateral movements to less than 0.5 inch the coefficient should be reduced to 1.5 (equivalent fluid unit weight 180 pcf). The top 1 foot of the backfill soils should be neglected in calculation of the lateral resistance. A coefficient of 0.35 should be used in estimating frictional resistance of the footings to lateral loads. Segmented walls use tie back resistance to resist lateral loads.

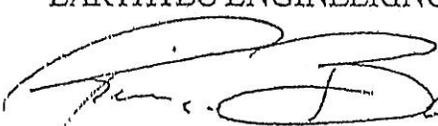
GENERAL CONDITIONS

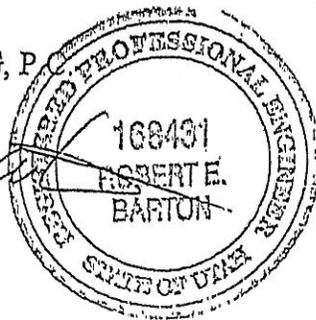
The exploratory data presented in this report were collected to provide geotechnical design recommendations for this project. The test pits were widely spaced and may not be indicative of subsurface conditions between test pits or outside the study area and thus have limited value in depicting subsurface conditions for contractor bidding. Variations from the conditions portrayed in the test pits often occur which are sometimes sufficient to require modifications in the design. If during construction, conditions are different than those presented in this report, please advise us so that the appropriate modifications can be made. An experienced geotechnical engineer or engineering technician should observe proof rolling operations, foundation excavations and fill placement. He may conduct testing as required to confirm the use of proper structural fill materials and placement procedures.

The geotechnical study as presented in this letter was conducted within the limits prescribed by our client, with the usual thoroughness and competence of the engineering profession in the area. No other warranty or representation, either expressed or implied, is intended in our proposals, contracts or reports.

We appreciate the opportunity of providing our services on this project. If we can answer questions or be of further service, please call.

Respectfully;
EARTHTEC ENGINEERING, P.C.


Robert E. Barton, P.E.
Geotechnical Engineer



2 copies sent

Exhibit D- Wasatch Civil Memo



Memorandum

To: Charles Ewert - Planner
Morgan County

From: Mark T. Miller, P.E.
Wasatch Civil Consulting Engineering

Date: November 5, 2013

Subject: **Sauer Site Plan**

We have reviewed the revised information for the Sauer Site Plan. Items 2, 3 and 4 were adequately addressed. Reeve & Associates did not address Item 1, which states "...runoff from the driveway and from the yard drain need to be considered in pipes, side swales or boxes to prevent erosion on the westerly side and to keep water from running out into Highland Drive."

Water from the house and driveway will flow directly onto and across Highland Drive with significant velocity which will create a safety concern. The connection of the side swale on the easterly side of the driveway to the newly proposed culvert (at Highland Drive) needs to be detailed. The culvert is in the right-of-way, so it needs County review and approval. No details (type of pipe, slope, end sections, trench detail, etc.) were provided. The drainage design from the yard drain as it crosses the drive is not detailed enough to answer the erosion control issue mentioned above.

Once these items have been addressed, the plan should be acceptable. Please call if you have any questions.



Memorandum

To: Charles Ewert - Planner
Morgan County

From: Mark T. Miller, P.E.
Wasatch Civil Consulting Engineering

Date: November 14, 2013

Subject: **Sauer Site Plan**

We have reviewed the latest revision to the Sauer Site plan. Their drawing adequately addressed the concerns of our November 5th, 2013, memo regarding inadequate elements on the Reeve and Associates drawing.

If you have any questions, please call.



Memo

TO: Planning Commission
FROM: Planning and Development Services Department
DATE: December 5, 2013
SUBJECT: General Plan and Ordinance Annual Update

As part of our ongoing efforts to keep Morgan County Codes and the General Plan relevant and responsive to changing conditions, it is necessary to routinely review sections of the documents to verify their functionality. Attached are two lists that identify areas of need in both the code and the general plan. Nearly all of the work thereon has been directed by the County Council, with some direction from the Planning Commission.

This information is being provided to show the Planning Commission the planned works in progress for the 2014 year (and probably beyond). I invite comment from the Planning Commission about these items or other potential areas of necessary change in the codes and/or general plan.

Tracking the need for changes in this manner is a new exercise for Morgan County. As staff identifies inconsistencies in the codes or general plan we will add them to the list for further discussion and direction from the Planning Commission or County Council.

Ordinance Update List in Order of Priority

| <i>Date Directed</i> | <i>Body Directed</i> | <i>Subject</i> |
|----------------------|----------------------|-----------------------------------------------------------------------|
| 12/3/13 | CC | Road improvement requirements for small subdivisions |
| | CC | Streamline Commercial Code Land Use Permitting Processes ¹ |
| | CC | Streamline all Conditional Use Permit Processes ² |
| 7/16/13 | CC | Recreate Town Center Zone ³ |
| 6/18/13 | CC | Handicap and elderly housing provisions |
| 8/6/13 | CC | Building height requirements in residential zones ⁴ |
| | CC | Paved driveway aprons ⁵ |
| | CC | Geotechnical requirements ⁶ |
| 2012 | CC | Fencing standards ⁷ |
| 10/14/13 | PC | Multifamily Design Standards ⁸ |
| 11/19/13 | CC | Commercial activities in residential zones ⁹ |
| 11/19/13 | CC | Multiple residential units on one lot ¹⁰ |
| | CC | Flexible Subdivision Ordinance ¹¹ |

¹ Start with rewriting MCC 8-4:

1. Re-write Chapter 4 with provisions that specify the processes for Commercial, industrial, and institutional site plan approval, and the standards for site plan approval.
2. Include in Chapter 4 a section that explains the minimum Commercial, industrial, and institutional site plan standards.
3. Include in Chapter 4 some minimum requirements for residential site plans.
4. Include in Chapter 4 the process and standards for “change of use” of a previously approved commercial, industrial, or institutional building.

² Rewrite MCC 8-5C: “Commercial Zones” to use the P-1, P-2, C-1 and C-2 review processes established elsewhere, and update Land Use Authority provisions.

1. Check MCC 8-8: “Conditional Uses” to rectify any conflicts. This chapter and chapter 4 should be seamlessly integrated.
2. Then rewrite MCC 8-3-1 to redefine the Zoning Administrators responsibilities to include interpretation and administration of code, and blend with the Land Use Authority provisions.

³ Rewrite MCC 8-5D to rewrite it for a town center as provided for in the General Plan.

⁴ Building height requirements in residential zones – evaluate alternatives to 35’. All residential, agricultural, multiple use, and forestry zone chapters.

⁵ Study the need for paved driveway aprons as required by the subdivision chapter.

⁶ Study the need for the current geotechnical requirements. Are they necessary, and why. Subdivision chapter.

⁷ Fencing regulations: 2012 changes caused complications and inconsistencies. See letter to County from Sterling Codifiers dated 8-29-12, and in file #12.114.

1. Definition of “front yard” conflicts with the administration of side yard on corner lots in MCC 8-6-37(C). Make consistent.

⁸ Planning Commission text amendment to adopt design standards for multifamily residential developments.

⁹ Commercial activities in residential zones; spearheaded as a result of the Nold CUP.

¹⁰ Multiple residential units on one lot in certain zones; also spearheaded as a result of the Nold CUP

¹¹ Staff have surveyed the Council’s opinions about flexible subdivision context. Results will be drafted into proposal.

General Plan Update List in Order of Priority

| <i>Date Directed</i> | <i>Body Directed</i> | <i>Subject</i> |
|----------------------|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------|
| | CC PC | Future Street Plan ¹ Future Land Use Map Amendment adjacent to Morgan City ² Recreational uses ³ |

¹ Future street plan emphasizes the need to create an alternative alignment for a future Trappers Loop connection to I-84. This is also an opportunity to address the County’s lack of future street planning in village centers.

1. Rollins Ranch egress
2. Whisper Ridge egress
3. Round Valley egress
4. Island Road egress
5. Peterson area potentials circulation connections

² Planning Commission directed coordination with the Morgan City to use their annexation plan as a template for County future land uses surrounding City.

³ General plan has some inconsistencies regarding recreational uses. Clarifying future recreational land use desires designating areas may be beneficial.



Memo

TO: Planning Commission
FROM: Planning and Development Services Department
DATE: December 5, 2013
SUBJECT: Planning Commission Meeting Schedule

Pursuant to the Planning Commission by-laws, the meeting schedule for each year should be established prior to the first meeting of the year. It is time to establish the meeting schedule for the 2014 year. Attached is a proposed Planning Commission Resolution 13-02 to set the 2014 Morgan County Planning Commission meeting dates.

**2014 MORGAN COUNTY PLANNING COMMISSION MEETING DATES
PLANNING COMMISSION RESOLUTION 13-02**

**A RESOLUTION SETTING THE ANNUAL MEETING SCHEDULE OF THE
MORGAN COUNTY PLANNING COMMISSION**

WHEREAS, the Utah Open and Public Meeting Law, 52-4-102, Utah Code Annotated, 1953, provides that political subdivisions of the State of Utah shall hold meetings which are open to the public; and

WHEREAS, said Open and Public Meetings Law provides in Section 52-4-202 that any public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule; and

WHEREAS, the Morgan County Planning Commission desires to give public notice of the meeting schedule for the year 2014 in compliance with State law and in accordance with its adopted by-laws.

NOW, THEREFORE, BE IT RESOLVED, FOUND AND ORDERED AS FOLLOWS:

1. That the regular monthly meetings of the Morgan County Planning Commission during the calendar year 2014 shall be held at the Morgan County Courthouse, 48 West Young Street, Morgan, Utah on the second and fourth Thursday of each month, or in accordance with the schedule below, commencing at 6:30 p.m. When necessary, work sessions, field visits or other meetings will be held and noticed in accordance with the law. Regular meetings shall be held upon the following dates (unless no items are ready for discussion or action):

| | |
|-------------------|--------------------|
| January 9, 2014 | June 26, 2014 |
| January 23, 2014 | July 10, 2014 |
| February 13, 2014 | August 14, 2014 |
| February 27, 2014 | August 28, 2014 |
| March 13, 2014 | September 11, 2014 |
| March 27, 2014 | September 25, 2014 |
| April 10, 2014 | October 9, 2014 |
| April 24, 2014 | October 23, 2014 |
| May 8, 2014 | November 14, 2014 |
| May 22, 2014 | December 11, 2014 |
| June 12, 2014 | |

2. If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.
3. Notice of the Annual Meeting Schedule shall be given in the following form:

**NOTICE OF ANNUAL MEETING SCHEDULE
MORGAN COUNTY PLANNING COMMISSION**

NOTICE is hereby given that the Annual Meeting schedule of the Morgan County Planning Commission for the 2014 calendar year is as follows:

| | |
|-------------------|--------------------|
| January 9, 2014 | June 26, 2014 |
| January 23, 2014 | July 10, 2014 |
| February 13, 2014 | August 14, 2014 |
| February 27, 2014 | August 28, 2014 |
| March 13, 2014 | September 11, 2014 |
| March 27, 2014 | September 25, 2014 |
| April 10, 2014 | October 9, 2014 |
| April 24, 2014 | October 23, 2014 |
| May 8, 2014 | November 14, 2014 |
| May 22, 2014 | December 11, 2014 |
| June 12, 2014 | |

If any meeting falls on a legal holiday or for other legitimate reasons the Planning Commission decides to not hold a regularly scheduled meeting, the meeting will be canceled unless rescheduled. In the event of rescheduling, notice of the rescheduled meeting will be given by public notice in accordance with the open and public meetings law.

DATED this 12th day of December, 2013.

MORGAN COUNTY PLANNING COMMISSION

By: Roland Haslam, Chairman

1. Morgan County will post written notice of the annual meeting schedule in the offices of the County and provide a copy of such notice to at least one newspaper of general circulation within the geographic jurisdiction of the county, or to a local media correspondent and to all persons who request a copy of such notice.
2. This Resolution shall be effective immediately upon passage and adoption.

**PASSED AND ADOPTED THIS 12th DAY OF DECEMBER, 2013.
MORGAN COUNTY PLANNING COMMISSION**

By _____
Roland Haslam
Morgan County Planning Commission Chairman



Planning and Development Services

48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT

December 5, 2013

To: Morgan County Planning Commission
Business Date – December 12, 2013

From: Charles Ewert, Planner

Re: Wilkinson Acres Subdivision No. 2 Concept Plan

Application No.: 13.153
Applicant: John Wilkinson
Location: Approximately 2000 S. Morgan Valley Drive
Current Zoning: RR-1 Zone
Acreage: Approximately 3.20 acres (139,186 sq.ft.)
Request: Concept Subdivision Plan and Improvements Exception Approval

SUMMARY & BACKGROUND

The applicant is seeking approval of a three lot subdivision conceptual plan within the RR-1 zone. The proposal is being reviewed for conceptual design standards as required by County Ordinances. The purpose of a concept plan is to provide the developer an opportunity to consult with the County about ordinance requirements and receive guidance prior to preliminary plat application¹.

With the requested recommendations herein, the application appears to meet the minimum requirements for conceptual subdivision planning of the zoning and subdivision ordinances. It is important to note that because this is a concept plan there may be some compliance issues with certain specifics of the subdivision code. Positive recommendations for Concept approval should not be construed as subdivision approval or vesting in any way². Any noncompliance herein shall be resolved at preliminary plat. Staff's evaluation of the request is as follows.

ANALYSIS

General Plan and Zoning. The subject property is located along South Morgan Valley Drive in an area of unincorporated Morgan County known as Richville. The 2010 Morgan County General Plan has designated this area as a non-growth area, with no changes from the current zoning. The current designation is Rural Residential³. The purpose of the Rural Residential designation⁴ is:

The Rural Residential category designation accommodates semi-rural large lot

¹ MCC 8-12-16

² MCC 8-12-19(C)

³ See Exhibit A for the Future Land Use Map of the area

⁴ See 2010 Morgan County General Plan pg. 7, 12

development, with generous distances to streets and between residential dwelling units in a viable semi-rural character setting. Residential density in rural residential areas is a maximum of 1 unit per acre.

The proposal is in compliance with the General Plan by providing density under this limit.

The current zoning designation on the property is RR-1⁵. The purposes of the RR-1 zone⁶ are:

1. The purposes of providing a rural residential district are:
 - a. To promote and preserve in appropriate areas conditions favorable to large lot family life;
 - b. Maintaining a rural atmosphere;
 - c. The keeping of limited numbers of animals and fowl; and
 - d. Reduced requirements for public utilities, services and infrastructure.
2. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

The proposal is in compliance with this purpose statement.

The purpose statements in the General Plan and Zoning Ordinance do not provide actual development standards, but present the zoning context for the zone which the proposed subdivision is located. The specific standards found in the adopted County Code govern development of the subject property.

Layout. The Subdivision is three lots that front Morgan Valley Drive⁷. It is currently configured in one agricultural lot. Each lot has over one acre in the RR-1 zone. The proposed lot lines appear to present that the new lot configurations conforms to existing RR-1 standards for lots, including setbacks, coverage, acreage and frontage/width.

The division leaves a remainder parcel of approximately 42.57 acres. The parcel qualified for an agricultural exemption from subdivision platting requirements, subject to the uses thereon being restricted for agricultural uses only until such time that it is developed in the future⁸. A condition of approval to this effect has been provided with the recommended conditions.

Roads and Access. All lots have existing access from Morgan Valley Drive. They are each provided a minimum of 200 feet of frontage and width, which complies with code standards. The configuration also provides a 60 wide access strip for access from Morgan Valley Drive to the rear agricultural property, providing future development options there.

Morgan Valley Drive does not meet current adopted standards along the frontage of the subdivision. The applicant has requested an exception from right of way improvement requirements⁹, and it appears the request may qualify provided that the existing street is either at least 22 feet wide or improved to be 22' wide. The applicant should clarify the existing street right of way prior to preliminary plat submittal. A condition of approval for the improvements exception has been provided with the recommendations herein.

⁵ See Exhibit B for the Zoning Map

⁶ MCC §8-5A-1

⁷ See Exhibit C for the proposed concept plan

⁸ MCC §8-12-9 Allows for agricultural exemptions as long as the division has been approved by the Zoning Administrator and is accompanied by a record of survey.

⁹ MCC § 8-12-44(D)(2)

Grading and land disturbance. The land is relatively flat. No specific grading plan has been presented, and none is expected. There may be minor site preparation prior to building. Any cut or fill that rises to the level of requiring an excavation permit will need a CUP.

Sensitive Areas, Geology, and Geotechnical Considerations. The Coogan and King Ogden 30x60 Geologic Quadrangle indicates that the entire property is in the Q1 and Qbg geologic units, which are not known hazard study areas.

Utilities. Water is proposed to be provided for all three lots from the Richville Pipeline Company. Irrigation is proposed to be served from the West Porterville Pipeline Company. Proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application. A condition of approval has been applied herein.

Sewage is proposed to be provided by individual septic systems. It appears that a percolation test has already been conducted for the site. The septic systems will need to be reviewed and approved by the Health department.

Questar Gas and telecommunication facilities run along the site's frontage along Morgan Valley Drive, and Rocky Mountain Power runs a parallel across the street. Power will need to be undergrounded to the site. Will serve letters from each utility will be required at preliminary plat review.

Flood Plain. There is no negative flood plain boundary onsite.

Subdivision Name. There is already a subdivision in the vicinity named "Wilkinson Acres Subdivision." The County Recorder feels that the proposed name is too similar and advises the renaming of the project. A recommendation to this effect has been added to the conditions herein.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the County Council for the Wilkinson Acres Subdivision No 2 Concept Plan and associated improvements exception, application 13.153, with the following conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That a record of survey of the remaining agricultural land is filed in the office of the County Recorder and recorded, together with a letter of approval of the division from the Zoning Administrator, pursuant to MCC §8-12-9.
3. That an improvements exception for the project is conditioned on the current width of Morgan Valley Drive being 22 feet wide with adequate shoulders, as verified by the project surveyor or engineer; or that improvement of the existing street is provided to a minimum width of 22 feet with adequate shoulders. Construction drawings, if necessary, illustrating the improvements shall be provided with the preliminary plat submittal, and final plat approval shall be conditioned on the execution of a cash bond and agreement or completion agreement for said improvements.
4. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
5. That all proposed utilities provide a will serve letter indicating their willingness to serve the property in a manner that complies with County ordinances.
6. That approval of the sewage disposal mechanism is provided by the Weber-Morgan Health Department with preliminary plat submittal.
7. That the project is renamed to the satisfaction of the County Recorder.
8. That all red/bluelines on the plat herein are corrected with preliminary plat submittal.

9. That all other local, state, and federal laws are adhered to.

This recommendation is based on the following 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. With the recommended conditions the proposal complies with current zoning requirements and subdivision requirements.
4. That with the listed conditions the proposal is found to comply with the findings required for an improvements exception; namely, that requiring the full street infrastructure improvements:
 - a. Is not roughly proportional, in nature or extent, to the impact of the development on the community;
 - b. Is not beneficial to the county; or may be detrimental to the neighboring property abutting the development;
 - c. Is not necessary at this time to protect the public's health, safety, and welfare.
5. That approval of the concept plan and the improvements exception renders the project "routine and uncontested" and as such qualifies for approval by the Zoning Administrator in compliance with adopted laws.
6. That the proposal is not detrimental to the health, safety, and welfare of the public.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendations for the Wilkinson Acres Subdivision No. 2 Concept Plan, application 13.153, as listed in the December 5, 2013 staff report, and as modified by the additional recommendations below:"

1. List any additional recommendations...

Sample Motion for a denial – "I move forward a negative recommendation for the Wilkinson Acres Subdivision No. 2 Concept Plan, application 13.153, with the following findings:"

1. List findings...

SUPPORTING INFORMATION

Exhibit A: Future Land Use Map
Exhibit B: Zoning Map
Exhibit C: Proposed Concept Plan(s) with Staff Redlines
Exhibit D: Photo of site

Exhibit A: Future Land Use Map

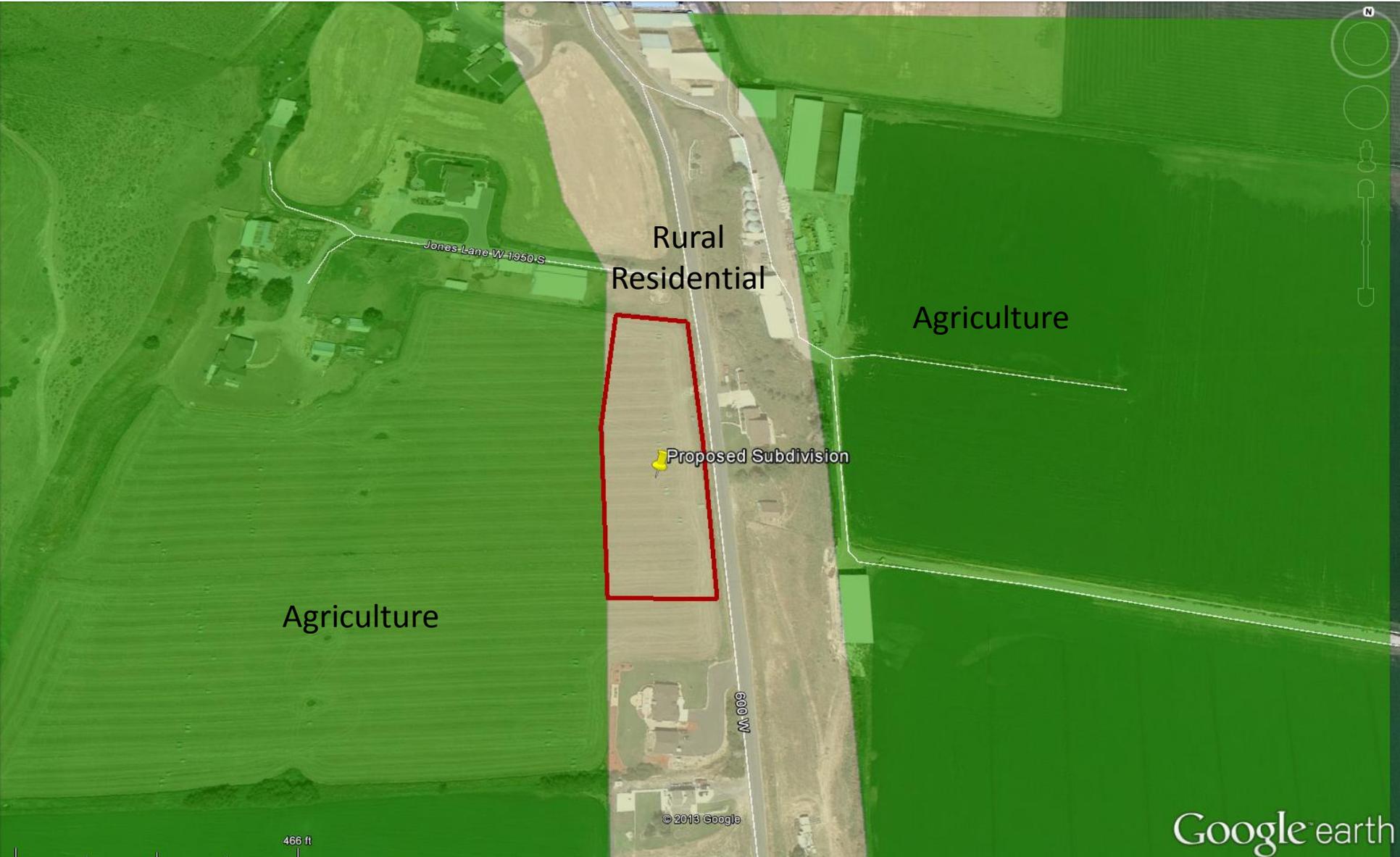
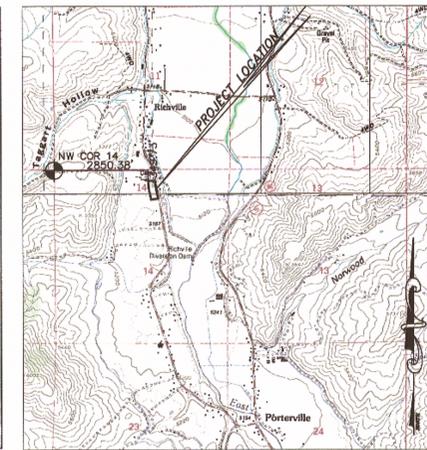
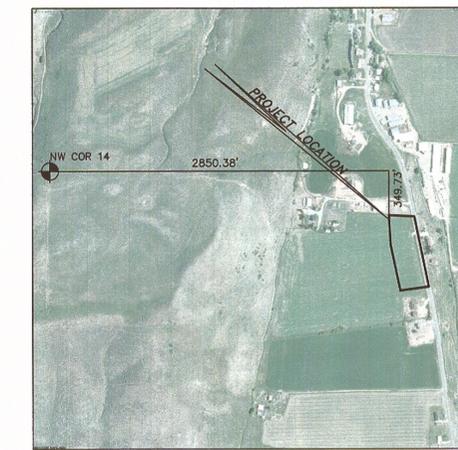
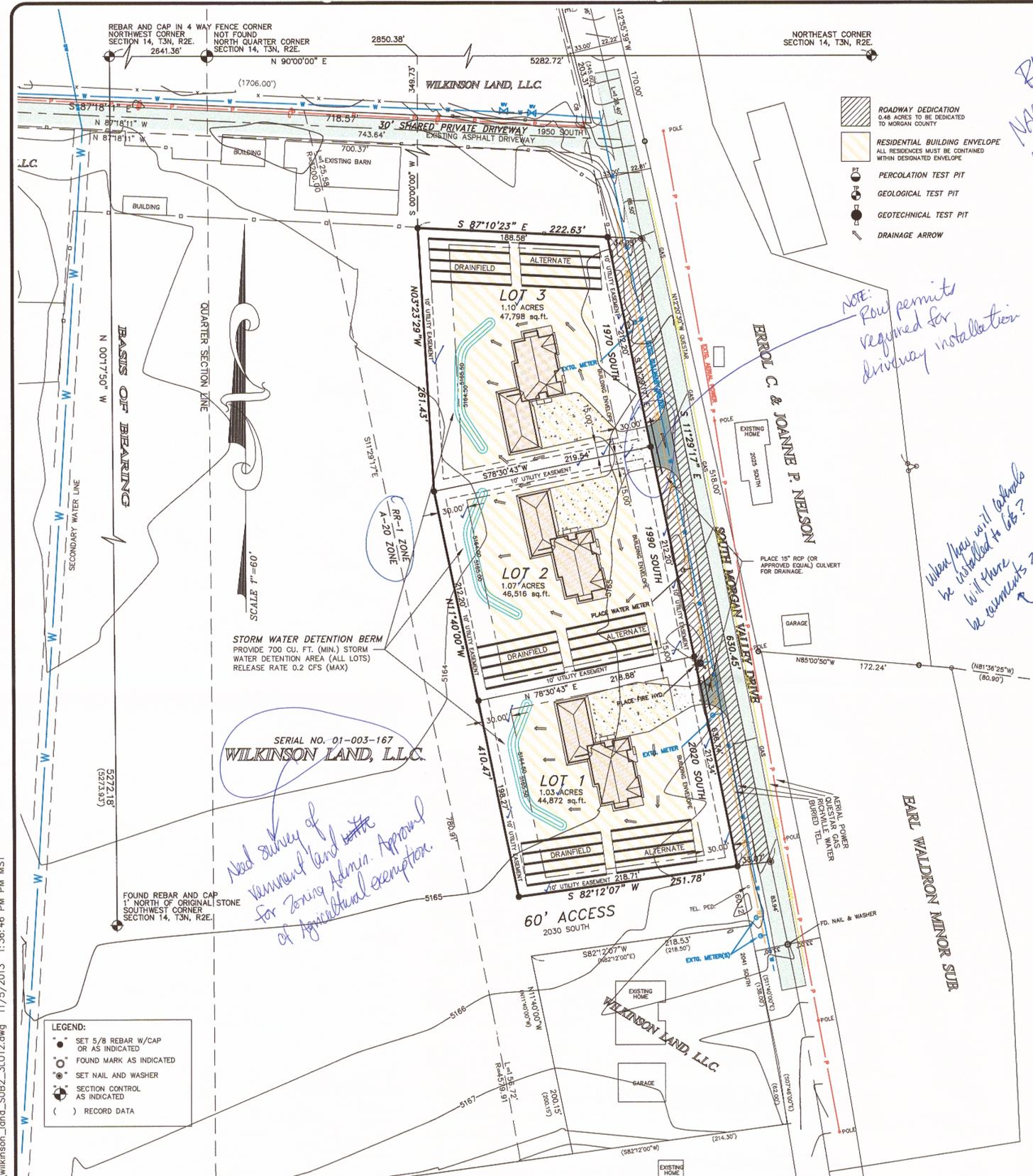


Exhibit B: Current Zoning



CONCEPT PRELIMINARY PLAN
WILKINSON ACRES SUBDIVISION NO. 2
 AND A PART OF THE NORTHEAST QUARTER OF SECTION 14,
 TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
 MORGAN COUNTY, UTAH



WASTE WATER SITE AND SOILS EVALUATION #13158
 0-17" SILTY LOAM, GRANULAR STRUCTURE
 17-113" SILTY CLAY LOAM, MASSIVE STRUCTURE WITH SAND LENSE
 REQUIRED PERCOLATION TEST DEPTH @ 48" 40 MPI
 DEPTH TO WATER TABLE 25 FT +

WATER SUPPLY AND FIRE PROTECTION REQUIREMENTS
 CULINARY WATER WILL BE PROVIDED BY RICHVILLE PIPELINE CO. THROUGH EXISTING PIPE LINES AND PREVIOUSLY INSTALLED METERS FOR EACH LOT.
 SECONDARY IRRIGATION WATER WILL BE PROVIDED THROUGH AN EXISTING PIPELINE LOCATED APPROXIMATELY 300' BEHIND THE PROPOSED LOTS. THE IRRIGATION PIPE LINE RUNS NORTH AND SOUTH TO THE REAR OF THE LOTS AND IS CURRENTLY USED TO SPRINKLE IRRIGATE THE PROPERTY.
 FIRE PROTECTION AND STORAGE MAY ALSO BE PROVIDED THROUGH RICHVILLE PIPELINE CO. AN EXISTING FIRE HYDRANT IS LOCATED 475' NORTHWESTERLY OF THE PROPOSED NEW LOTS. CONSULT WITH THE RESPECTIVE WATER COMPANY REGARDING SIZE, TYPE AND CAPACITY OF EXISTING WATER FACILITIES.
 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 8-12-450.

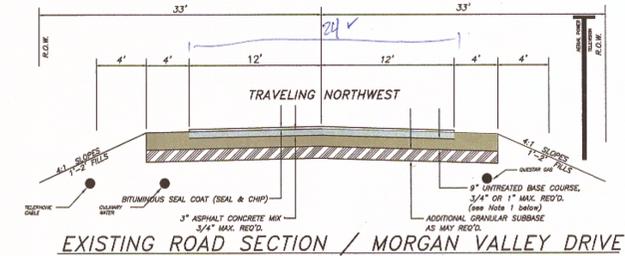
CERTIFICATE OF OCCUPANCY
 MORGAN COUNTY RESTRICTS THE OCCUPANCY OF BUILDINGS WITHIN DEVELOPMENTS AS OUTLINED IN THE INTERNATIONAL BUILDING CODE, AS ADOPTED. ACCORDINGLY, IT IS UNLAWFUL TO OCCUPY A BUILDING LOCATED WITHIN ANY DEVELOPMENT WITHOUT FIRST HAVING OBTAINED A CERTIFICATE OF OCCUPANCY.

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 BEGAN EARLY AND RUN LATE AND THAT THESE OPERATIONS MAY CONTRIBUTE TO NOISES AND ODORS OBJECTIONABLE TO SOME RESIDENTS.

GEOLOGIC CONDITIONS:
 THE SALT LAKE CITY 30'X60' QUADRANGLE INDICATES A GEOLOGIC UNIT OF Q6g (SAND AND GRAVEL DEPOSITS) FOR THE PROJECT AREA. THE GEOLOGIC MAP OF CODEN 30'X60' QUADRANGLE INDICATES A GEOLOGIC UNIT OF "Q1" (LAKE BONNEVILLE DEPOSITS, UNDIVIDED) FOR THIS AREA.

VEGETATION & FARMLAND:
 AGRICULTURE OCCUPIES THE MAJORITY OF THE SUBJECT PROPERTY WITH PRESSURE IRRIGATED ALFALFA CROPS BEING THE MOST COMMON.

STORM RUNOFF AND DETENTION:
 THE NATURAL GROUND ON THIS PROPERTY SLOPES WESTERLY AT ABOUT 1.5% SLOPE. A STORM WATER DETENTION AREA IS REQUIRED TO ACCOMMODATE THE INCREASE IN HARD SURFACE AREA ON THE PROPERTY. EACH HOME SITE SHALL BE GRADED TO ENSURE THAT STORM RUN OFF FROM DRIVEWAYS, ROOFTOPS AND OTHER HARD SURFACES IS DIRECTED TOWARD THE STORM WATER DETENTION AREA AND NOT INTO ADJACENT LANDS, RIVERS OR IRRIGATION CANALS. TEMPORARY EROSION CONTROL MEASURES SUCH AS DRAINAGE BERMS OR SWALES, STRAW BALS AND MATS, OR OTHER APPROVED EROSION CONTROL MEASURES MAY BE REQUIRED DURING CONSTRUCTION TO PREVENT STORM WATER, SEDIMENT AND DEBRIS FROM LEAVING THE SITE.



BOUNDARY DESCRIPTION
 A TRACT OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 14, MONUMENTED BY A REBAR AND CAP PLACED AT A 4-WAY FENCE CORNER WHICH BEARS NORTH 001°7'50" WEST (BASIS OF BEARING) 5272.18 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 14;
 THENCE NORTH 80°00'00" EAST 2850.38 FEET;
 THENCE SOUTH 00°00'00" EAST 349.73 FEET TO A REBAR AND CAP THE TRUE POINT OF BEGINNING;
 THENCE SOUTH 87°10'23" EAST 222.63 FEET TO THE CENTERLINE OF SOUTH MORGAN VALLEY DRIVE;
 THENCE SOUTH 11°29'17" EAST 630.45 FEET ALONG SAID CENTERLINE TO A NAIL AND WASHER;
 THENCE SOUTH 82°12'07" WEST 251.78 FEET TO A REBAR AND CAP;
 THENCE NORTH 11°40'00" WEST 410.47 FEET TO A REBAR AND CAP;
 THENCE NORTH 08°27'28" WEST 251.43 FEET TO THE POINT OF BEGINNING, CONTAINING 3.68 ACRES.

OWNER'S DEDICATION
 KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREON DESCRIBED TO BE:
WILKINSON ACRES SUBDIVISION NO. 2
 DO HEREBY DEDICATE ALL PUBLIC ROADS AND PUBLIC UTILITY EASEMENTS FOR ACCESS, UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON, THE SAME TO BE USED FOR INSTALLATION, AND OPERATION OF PUBLIC OR PRIVATE, UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY MORGAN COUNTY.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 2013.
 WILKINSON LAND L.L.C.
 JOHN B. WILKINSON, MANAGING MEMBER
 STATE OF UTAH }
 COUNTY OF MORGAN } SS
 ON THIS _____ DAY OF _____, 2013,
 THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF MORGAN, IN SAID STATE OF UTAH, THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC STAMP
ACKNOWLEDGEMENT 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.
 WILKINSON LAND L.L.C.
 JOHN B. WILKINSON, MANAGING MEMBER

WEST PORTERVILLE IRRIGATION CO.
 THE IRRIGATION WATER FACILITIES ARE HEREBY APPROVED.
 SIGNED THIS _____ DAY OF _____, 20____
 TITLE: _____

RICHVILLE PIPELINE CO.
 THE CULINARY WATER FACILITIES ARE HEREBY APPROVED.
 SIGNED THIS _____ DAY OF _____, 20____
 TITLE: _____

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 ENGINEER
 I HEREBY CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO APPROVAL BY THE COUNTY ENGINEER OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.
 SIGNED THIS _____ DAY OF _____, 20____
 MORGAN COUNTY ENGINEER

MORGAN COUNTY ZONING ADMINISTRATOR
 THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY ZONING ADMINISTRATOR.
 SIGNED THIS _____ DAY OF _____, 20____
 ZONING ADMINISTRATOR

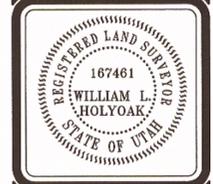
MORGAN COUNTY SURVEYOR
 I HEREBY CERTIFY THAT THE MORGAN COUNTY SURVEYOR'S OFFICE HAS REVIEWED THIS PLAT FOR MATHEMATICAL CORRECTNESS, SECTION CORNER DATA AND FOR HARMONY WITH LINES AND MONUMENTS ON RECORD IN THE MORGAN COUNTY OFFICES. THE APPROVAL OF THIS PLAT BY THE MORGAN COUNTY SURVEYOR DOES NOT 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, WILLIAM L. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 167461, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 50, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS 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 3 LOTS, KNOW HEREAFTER AS:
WILKINSON ACRES SUBDIVISION NO. 2
 AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN PLACED ON THE GROUND IN ACCORDANCE WITH THE PLAT THEREON.
 SIGNED THIS _____ DAY OF _____, 20____
 WILLIAM L. HOLYOAK, PE & PLS
 UTAH LAND SURVEYOR REGISTRATION NO. 167461.

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.

MOUNTAIN ENGINEERING
 P. O. BOX 309 84050
 MORGAN, UTAH
 TEL (801) 876-3978 FAX 876-3979

| DATE | BY | REVISIONS COMMENTS |
|------|----|--------------------|
| | | |
| | | |
| | | |



DESIGNED BY: J.W.H.
 DRAWN BY: J.W.H./W.L.H.
 DATE: NOVEMBER, 2013

JOB NO. ME 06-54

WILKINSON ACRES SUBDIVISION NO. 2
 PRELIMINARY PLAN
 AND THE NORTHEAST QUARTER OF SECTION 14,
 TOWNSHIP 3 NORTH, RANGE 2 EAST,
 SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
 MORGAN COUNTY, UTAH.
 JOHN WILKINSON, 750 SOUTH MORGAN VALLEY DRIVE, MORGAN, UT. 84050
 DRAWING NO. ME 06-54
 SHEET 1 OF 1
 FILE: wilkinson_land_3LOT

RECEIVED
 NOV 7 2013
 Morgan County Plat

Exhibit D: Photo of Site



600 West

Exit Street View

5 ft

© 2013 Google

Google earth



Planning and Development Services

48 West Young Street
Morgan, UT 84050
(801) 845-4015

STAFF REPORT

December 5, 2013

To: Morgan County Planning Commission
Business Date – December 12, 2013

From: Ronda Kippen

Re: Final Plat Approval of the Surrey Lane Estates PRUD Subdivision Amendment# 2

Application No.: 13.098

Applicant: Matthew R. Johnson and Jennifer L. Johnson

Location: 780 West Surrey Lane

Current Zoning: RR-5 PRUD Zone

Acreage: 3.225 acres (140,481 Sq. Ft.)

Request: Final plat approval for the Surrey Lane Estates PRUD Subdivision Amendment #2, amending the location of the building envelope of Lot 7

SUMMARY & BACKGROUND

The applicant is seeking approval of an amendment to an existing subdivision. The proposal was reviewed for process steps and standards under the current subdivision code and cross checked with the PRUD ordinance that existed at the time. The proposal is to amend the building envelope for Lot 7 in the Surrey Lane Estates PRUD Subdivision. The subdivision was designed under the PRUD ordinance that allowed for some flexibility within the adopted ordinances. The original subdivision designated the building envelopes for each lot and restricted development in the open space areas of each lot. The applicants would like to construct a garage outside of the building envelope. By amending the building envelope, the applicants will be able to utilize their property in more pleasing manner while maintaining the previously approved open space acreage.

Staff are having difficulty identifying that previous approvals follow the PRUD ordinances of the time but given that there do not appear to be negative health, safety and welfare implications of the request and that the request preserves overall previously approved acreage, the Planning Commission may favor approval of the request. Staff's evaluation of the request is as follows.

ANALYSIS

General Plan and Zoning:

Pursuant to the Future Land Use Map of the area the future land use designation is Ranch Residential 5.

The Ranch Residential 5 designation provides for the same uses as Ranch Residential 10, but allows for residential density of up to one unit per 5 acres.

The Ranch Residential 10 designation accommodates rural large lot development with generous distances to streets and between residential dwelling units and a viable semi-rural character setting. Livestock privileges are a part of this character. Areas in this category are generally

larger lots with accessory structures that may be used for livestock. The residential density is a maximum of 1 unit per 10 acres (page 6 of the 2010 Morgan County General Plan).

The current zoning designation on the property is RR-5 PRUD (Exhibit A). The entire 3.225 acre property is within the RR-5 zone.

The Morgan County Code (MCC) 8-5A-1 identifies the purpose of the Rural Residential Districts as follows:

1. The purposes of providing a rural residential district are:
 - a. To promote and preserve in appropriate areas conditions favorable to large lot family life;
 - b. Maintaining a rural atmosphere;
 - c. The keeping of limited numbers of animals and fowl; and
 - d. Reduced requirements for public utilities, services and infrastructure.
2. These districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

The PRUD intent and purpose is:

The PRUD is designed as a flexible design tool for the purpose of developing minor subdivisions of 15 lots or less. PRUD Subdivisions shall meet all of the same requirements and approval processes as a standard subdivision except as provided within this Chapter (Land Use Management Code 16-20-010).

The proposal is in compliance with the General Plan, Zoning and PRUD purpose statements.

The purpose statements in the General Plan, Zoning Ordinance and PRUD do not provide actual development regulations, but present the zoning context in which the proposed subdivision is located. The specific regulations found in the adopted County Code govern development of the subject property.

Layout:

The amendment to the existing subdivision modifies the buildable envelope on Lot 7 (Exhibit B). The proposal will not change the overall acreage of Lot 7 nor alter the buildable or open space acreage. The setbacks differ from the existing RR-5 requirements as per MCC 8-5A-6 due to the PRUD ordinance that allowed for less restrictive setbacks. The setbacks for the subdivision were approved and recorded on the original plat as front setback of 30', side setback of 20' and rear setback of 50'. The unbuildable area has been identified on the proposed lot as amended open space. There is a 30' easement for irrigation and utility at the front of the lot as well as a 10' utility easement running along the exterior eastern boundary line of the proposed lot.

Roads and Access:

Surrey Lane, a private road, will serve as access and frontage for Lot 7. The PRUD allowed for frontage variations. The previously approved frontage for Lot 7 is approximately 121.35'. MCC 8-5A-5 requires 250' frontage in the RR-5 zone but the previous LUMC 16-20-050 allowed for 100' frontage. Further frontage, access and improvements have not been proposed. Staff feels that the need for further frontage, access and improvement requirements are unnecessary due to the previous approvals.

If the Planning Commission cannot make this finding, as provided in the staff recommended findings, then the applicant should be required to install the improvements required by current street standards.

Previous Platting:

The property was originally subdivided as Surrey Lane Estates PRUD in 2007 under certain open space and conservation requirements and in 2008 the plat was modified in a manner that removed the conservation requirements (see Exhibit C). Staff cannot verify which ordinance existed at the time to allow for such modifications however, we can confirm the 2008 modification does not comply with open space requirements of the PRUD ordinance adopted October 16, 2007 nor appears to follow the open space requirement of the PRUD ordinance adopted August 1, 2006 (copies of both ordinances are attached as Exhibit D).

For reasons currently unknown to Staff both versions of the plats were approved and recorded with the existing provided open space. Given those approvals, Staff recommends allowing this minor modification that will enable the property owner to use their property in a manner that suits their desires while still preserving the overall acreage of the original open space approvals.

Grading and land disturbance:

Minor grading of the lot can be expected, but none so much that it will trigger the excavation review thresholds. Any land owner choosing to re-grade the resulting lot may need additional review and engineering of the proposal at that time.

County Engineer:

The County Engineer has recommended approval based on no additional site grading alterations being proposed at this time (see Exhibit E).

Surveyor:

The County Surveyor has reviewed the proposal and is recommending approval with no additional comments and/or recommendations (see Exhibit F).

Fire Chief:

A letter from the Fire Chief was submitted on December 5, 2013 indicating that it meets all terms of the IFC and meets Wildland Urban Interface requirements (see Exhibit G).

Sensitive Areas, Geology, and Geotechnical Considerations:

A Geotechnical Report was part of the original subdivision process. The County Engineer has not indicated that site geology or geotechnical issues are a concern at this point. Based on the findings from the original Geotechnical Report, Mountain Engineering has placed a note on the original and amended plat stating basements could be constructed in this area based on previous test pits for soil percolation and will be verified by a Geotechnical Report. The proposed Subdivision Amendment has made all notes, restrictions, easements on the original subdivision plat applicable to this plat except for those specific changes hereon. The Geotechnical Report for the Surrey Lane Estates PRUD is on record in the Planning and Development office.

Utilities:

The applicant has provided adequate proof of culinary and irrigation water that meets the current subdivision code as required in MCC 8-12-46. No further modifications for street lighting or other applicable utilities have been proposed at this time.

Flood Plain:

There is a flood plain that covers the far north easterly portion of the subdivision. The flood plain does not affect the proposed buildable area of Lot 7 (see Exhibit H).

STAFF RECOMMENDATION

Staff recommends that if the Planning Commission can make the finding herein, that they forward a positive recommendation to the County Council for the final plat for Surrey Lane Estates PRUD Amendment #2, file# 13.098, subject to the following conditions:

1. That an updated title report is submitted with the final Mylar.
2. That staff can make a positive finding that all administrative plat corrections and other information have been provided to the satisfaction of respective reviewers, and that all conditions have been satisfied prior to plat recordation.
3. That all outstanding fees for outside reviews are paid in full prior to recording the final Mylar.
4. That all local, State and federal laws are upheld.

This recommendation is based on the following 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. That sufficient proof of culinary & irrigation water flow has been provided to the Planning and Development Services Department.
4. Those certain conditions herein are necessary to ensure compliance with adopted laws prior to subdivision plat recording.
5. The additional infrastructure improvements are not necessary at this time to protect the public's health, safety, and welfare.
6. That the term "open space" on the original plat(s) may have been intended for agricultural production purposes, for which the proposal complies.
7. That the proposal is not detrimental to the health, safety, and welfare of the public.

MODEL MOTIONS

Sample Motion for a Positive Recommendation – "I move we forward a positive recommendation to the County Council for the final plat for Surrey Lane Estates PRUD Amendment# 2, file# 13.098, subject to the conditions and based on the findings presented in the staff report dated December 5, 2013, and as modified by the conditions below:"

1. List any additional findings and/or conditions...

Sample Motion for a Negative Recommendation – "I move we forward a negative recommendation to the County Council for the final plat for Surrey Lane Estates PRUD Amendment# 2, file# 13.098, based on the following findings:"

1. List all findings...

SUPPORTING INFORMATION

Exhibit A: Zoning Map

Exhibit B: Surrey Lane Estates PRUD, Amendment# 2 Final Plat

Exhibit C: Surrey Lane Estates PRUD, Original Plat & Amendment# 1

Exhibit D: August 1, 2006 & October 16, 2007 PRUD Adopted Ordinances

Exhibit E: Engineer Approval

Exhibit F: Surveyor Approval

Exhibit G: Fire Chief Approval

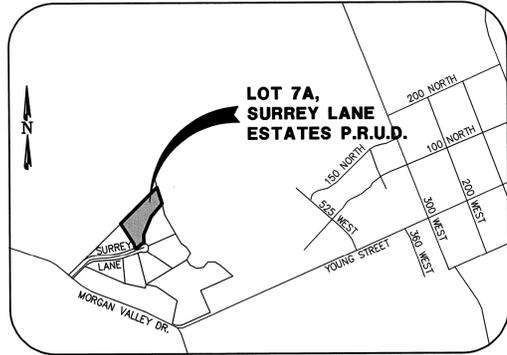
Exhibit H: Flood Plain Map

Exhibit A- Zoning Map



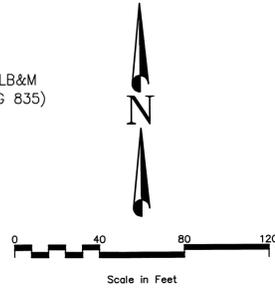
SURREY LANE ESTATES P.R.U.D AMENDMENT No. 2, LOT 7A

AMENDING THE LOCATION OF THE BUILDING ENVELOPE OF LOT 7,
SURREY LANE ESTATES P.R.U.D. AMENDED, EN 112584 BK 265 PG 835
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35 TOWNSHIP 4 NORTH, RANGE 2 EAST,
SALT LAKE BASE AND MERIDIAN



VICINITY MAP
1"=1000'

NORTHWEST CORNER
SECTION 35, T4N, R2E, SLB&M
(AS PER REF. BK 265 PG 835)



GENERAL NOTES

- ALL NOTES, RESTRICTIONS, EASEMENTS, ON THE ORIGINAL SUBDIVISION PLAT ARE APPLICABLE TO THIS PLAT EXCEPT FOR THOSE SPECIFIC CHANGES HEREON.
- THE BASIS OF BEARINGS & LOCATION OF LOT 7A, AS SHOWN, IS BASED UPON LOT CORNER AND CENTER RADIUS MONUMENTS FOUND AND REF. TO THE RECORDED PLAT IN BOOK 265 AT PAGE 835 & R.O.S. MAP No. S685.

LEGEND:

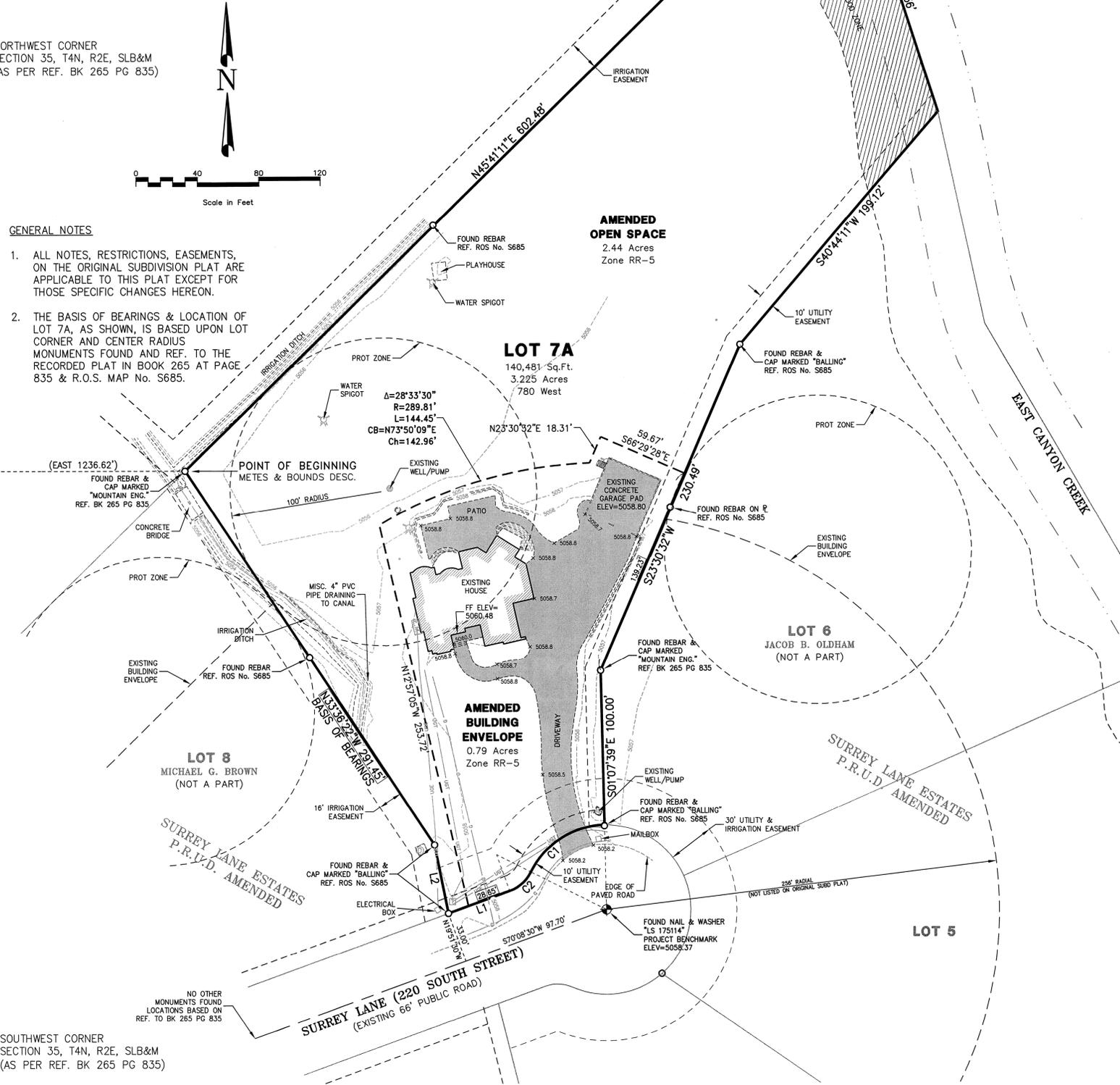
- BOUNDARY LINE
- ROAD CENTERLINE
- EDGE OF IMPROVEMENTS
- EXISTING EASEMENTS
- UNDERGROUND ELECTRICAL LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND GAS LINE
- TELEPHONE PEDESTAL
- STORM DRAIN MANHOLE
- ELECTRICAL METER
- FOUND MONUMENTS AS SHOWN
- STREET MONUMENT (N&W AS PER PLAT)
- SECTION CORNER LOCATION REF. SUB. PLAT
- RECORD & DEED DATA
- EXISTING CONCRETE
- FLOOD ZONE AREA
- SPOT ELEVATION

| LINE | BEARING | LENGTH |
|------|---------------|--------|
| L1 | S 70°08'30" W | 42.59' |
| L2 | N 11°10'44" W | 45.35' |

| CURVE | RADIUS | LENGTH | DELTA | BEARING | CHORD | TANGENT |
|-------|--------|--------|-----------|---------------|--------|---------|
| C1 | 55.00' | 59.77' | 62°15'42" | S 57°44'29" W | 56.87' | 33.22' |
| C2 | 25.00' | 18.99' | 43°31'52" | S 48°22'34" W | 18.54' | 9.98' |

(N00°09'05"W 5295.27' REF. BK 265 PG 835)
(N00°09'05"W 1149.77')

SOUTHWEST CORNER
SECTION 35, T4N, R2E, SLB&M
(AS PER REF. BK 265 PG 835)



SURVEYOR'S CERTIFICATE

I, James Dale Pitkin, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah and that I hold certificate number 171546 in accordance with Title 58, Chapter 22, Professional Engineers and Land Surveyors Licensing Act, I further certify that I have completed a survey of the property described on this plat in accordance with Section 17-23-17, Utah Code, and have verified measurements shown, and have subdivided said property into lots and streets hereafter to be known as SURREY LANE ESTATES P.R.U.D. AMENDMENT No. 2, LOT 7A and that the same has been surveyed and monuments have been placed on the ground as shown hereon.

Date: November 19, 2013

James D. Pitkin, PLS.
License No. 171546



BOUNDARY DESCRIPTION

All of Lot 7, Surrey Lane Estates P.R.U.D. as recorded in the Office of the Morgan County Recorder located in the Southwest Quarter of Section 35, Township 4 North, Range 2 East, Salt Lake Base and Meridian, more particularly described as follows:

BEGINNING at the Westerly corner of said Lot 7 which is 1149.77 feet North 00°09'05" West and 1236.62 feet Due East from the Southwest corner of said Section 35, and running thence North 45°41'11" East 602.48 feet to the Northerly corner of said Lot 7; thence South 17°53'28" East 198.36 feet to the Easterly corner of said Lot 7; thence South 40°44'11" West 199.12 feet to an angle point of Lot 7; thence South 23°30'32" West 230.49 feet to an angle point of Lot 7; thence South 01°07'39" East 100.00 feet to the Southeast corner of said Lot 7 and a point on a 55.00 foot radius non-tangent curve to the left; thence Westerly 59.77 feet along the arc of said curve through a central angle of 62°15'42" (chord bears South 57°44'29" West 56.87 feet) to a point of reverse curvature with a 25.00 foot radius curve to the right; thence Westerly 18.99 feet along the arc of said curve through a central angle of 43°31'52" (chord bears South 48°22'34" West 18.54 feet) to a tangent line; thence South 70°08'30" West 42.59 feet to the Southwest corner of said Lot 7; thence North 11°10'44" W 45.35 feet to an angle point of Lot 7; thence North 33°36'22" West 291.45 feet to the POINT OF BEGINNING.

Contains one lot and 3.225 acres.

OWNER'S DEDICATION AND CONSENT TO RECORD

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 amended to change the location of the building envelope:

SURREY LANE ESTATES P.R.U.D. AMENDMENT No. 2, LOT 7A

do hereby reflect the existing easements intended for public use or utilities as shown on the original plat recorded 6/23/2008 as Entry No. 112584 in Book 265 at Page 835 including construction, maintenance and operation of the public service lines and drainage as may be authorized by Morgan County.

In witness thereof we have hereunto set our hands this ___ day of _____, 20___.

Matthew R. Johnson _____ Jennifer L. Johnson _____

OWNER'S ACKNOWLEDGMENT

STATE OF _____ } ss.
COUNTY OF _____ }
On this ___ day of _____, 20___, there personally appeared before me _____, who being by me duly sworn, did acknowledge to me that he/she/they are the owner(s) of the described property, who executed the foregoing instrument.

Notary Public: _____
A notary public commissioned in Utah
Commission Number: _____
My Commission Expires: _____

OWNER'S ACKNOWLEDGMENT

STATE OF _____ } ss.
COUNTY OF _____ }
On this ___ day of _____, 20___, there personally appeared before me _____, who being by me duly sworn, did acknowledge to me that he/she/they are the owner(s) of the described property, who executed the foregoing instrument.

Notary Public: _____
A notary public commissioned in Utah
Commission Number: _____
My Commission Expires: _____

SURREY LANE ESTATES P.R.U.D. AMENDMENT No. 2,
LOT 7A

AMENDING THE LOCATION OF THE BUILDING ENVELOPE OF LOT 7,
SURREY LANE ESTATES P.R.U.D. AMENDED, EN 112584 BK 265 PG 835
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35 TOWNSHIP 4 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN MORGAN COUNTY, UTAH

REV. 3 NOVEMBER 6, 2013
plot date: November 19, 2013
plot: P:\Johnson - Amend Lot 7 2128\SURVEY\dwg\Am Lot 7 - Final Plat.dwg | plotted by: jimp

| | | | | | | | | |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>OWNER/DEVELOPER:</p> <p>Matt Johnson 780 W. Surrey Lane Morgan, Utah 84050</p> | <p>ENGINEER/SURVEYOR:</p> <p>PREPARED BY:</p> <p>Dominion Engineering Associates, L.C. 5684 South Green Street Murray, Utah 84123 801-713-3000</p> | <p>MORGAN COUNTY SURVEYOR</p> <p>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.</p> <p>SIGNED THIS ___ DAY OF _____, 20___.</p> <p>MORGAN COUNTY SURVEYOR</p> | <p>WEBER MORGAN HEALTH</p> <p>APPROVED THIS ___ DAY OF _____ A.D. 20___</p> <p>SIGNED THIS ___ DAY OF _____, 20___.</p> <p>WEBER MORGAN HEALTH DEPARTMENT</p> | <p>COUNTY ENGINEER'S APPROVAL</p> <p>I HEREBY CERTIFY THAT ALL APPLICABLE STATUTES AND ORDINANCES PREREQUISITE TO COUNTY ENGINEER APPROVAL OF THE FOREGOING PLAT AND DEDICATIONS HAVE BEEN COMPLIED WITH.</p> <p>SIGNED THIS ___ DAY OF _____, 20___.</p> <p>MORGAN COUNTY ENGINEER</p> | <p>COUNTY COUNCIL APPROVAL AND ACCEPTANCE</p> <p>PRESENTED TO THE MORGAN COUNTY COUNCIL THIS DAY OF _____ A.D. 20___ AT WHICH TIME THIS SUBDIVISION AND THE OWNER'S DEDICATION WAS APPROVED AND ACCEPTED.</p> <p>ATTEST:</p> <p>COUNTY CLERK _____ COUNTY CHAIRMAN _____</p> | <p>MORGAN COUNTY PLANNING COMMISSION</p> <p>APPROVED THIS ___ DAY OF _____ A.D. 20___ BY THE _____ PLANNING COMMISSION.</p> <p>CHAIRMAN PLANNING COMMISSION _____</p> | <p>COUNTY ATTORNEY'S APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS ___ DAY OF _____ A.D. 20___.</p> <p>MORGAN COUNTY ATTORNEY _____</p> | <p>MORGAN COUNTY RECORDER</p> <p>ENTRY NO. _____ FEE PAID _____ FILED FOR RECORD AND RECORDED THIS ___ DAY OF _____ A.D. 20___ AT _____ IN BOOK NO. _____ PAGE NO. _____ OF THE OFFICIAL RECORDS.</p> <p>DEPUTY _____ COUNTY RECORDER _____</p> |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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

SITE VEGETATION
THE AREA EASTERLY OF THE DITCH IS PRESENTLY A GRAIN FIELD. THE AREA WESTERLY OF THE DITCH IS AN ALPACA FIELD. A DENSE GROWTH OF TREES, LOWER BRUSH AND VEGETATION LINE THE BANKS OF CANYON CREEK. THE GROWTH ALONG CANYON CREEK SHALL NOT BE DISTURBED.

FLOOD ZONES ALONG CANYON CREEK
HOMES SHALL NOT BE LOCATED WITHIN 100 FEET FROM THE FLOOD ZONE BOUNDARY. THE OWNERS SHALL USE JUDGEMENT AS TO FINISHED FLOOR ELEVATIONS, ON THE BASIS OF THE BASE FLOOD ELEVATIONS SHOWN ON THE PLAT.

FINAL PLAT
SURREY LANE ESTATES P.R.U.D.
PART OF THE SW1/4 OF SECTION 35, T4N, R2E.
& PART OF THE NW1/4 OF SECTION 2, T3N, R2E.
SALT LAKE BASE AND MERIDIAN, U. S. SURVEY
MORGAN COUNTY, UTAH
SEPTEMBER 2007

OWNER'S DEDICATION
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND HEREON DESCRIBED TO BE SUBDIVIDED INTO EIGHT LOTS, AND A PRIVATE STREET, TO BE KNOWN HEREAFTER AS:

SURREY LANE ESTATES P.R.U.D.
AND DO HEREBY DEDICATE ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PRIVATE STREETS, FOR THE PURPOSE OF ACCESS AND PUBLIC UTILITY AND DRAINAGE PURPOSES, AND DO FURTHER DEDICATE PUBLIC UTILITY EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY MORGAN COUNTY, AND DO FURTHER OPEN SPACE EASEMENTS, AS SHOWN HEREON.

THE UNDERSIGNED OWNERS DO ALSO DEDICATE A 16' WIDE IRRIGATION EASEMENT, AS SHOWN HEREON (OR UNDESCRIBED), FOR THE PURPOSES OF MAINTENANCE AND OPERATION OF EXISTING IRRIGATION FACILITIES.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS DAY OF 11, 2007.
Michael G. Brown

ACKNOWLEDGEMENT

STATE OF UTAH }
COUNTY OF MORGAN } SS

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, FOR SAID STATE AND COUNTY, ON THIS 11th DAY OF SEPTEMBER, 2007, PERSONALLY APPEARED MICHAEL G. BROWN, THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

Notary Public: RANDALL L. HOLYOAK, 717 W. Anderson Heights Drive, Murray, Utah 84102, My Commission Expires November 30, 2010, State of Utah, My Commission Expires 11-30-2010

BOUNDARY DESCRIPTION
A TRACT OF LAND SITUATE IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 2 EAST, AND THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 2 EAST, SALT LAKE BASE AND MERIDIAN, U. S. SURVEY, MORGAN COUNTY, UTAH, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, A REBAR/CAP AND 3 WAY FENCE CORNER. THENCE NORTH 89°14'48" EAST 1336.63 FEET; THENCE SOUTH 00°00'00" EAST 41.48 FEET TO A POINT ON THE NORTH LINE OF MORGAN VALLEY DRIVE, A NAIL & WASHER, THE TRUE POINT OF BEGINNING; THENCE NORTH 12°34'07" EAST 274.81 FEET ALONG THE EASTERLY LINE OF SCOTT F. PETERSON SUBDIVISION PHASE 2 TO A NAIL & WASHER; THENCE NORTH 55°32'58" WEST 296.38 FEET ALONG THE NORTHERLY LINE OF SAID SCOTT F. PETERSON SUBDIVISION TO A REBAR/CAP; THENCE NORTH 77°25'53" WEST 124.89 FEET ALONG SAID NORTHERLY LINE TO A REBAR/CAP; THENCE SOUTH 00°00'00" EAST 41.48 FEET ALONG THE WESTERLY LINE OF SAID SCOTT F. PETERSON SUBDIVISION PHASE 2 TO THE NORTHERLY LINE OF SCOTT F. PETERSON SUBDIVISION PHASE 1 AND A REBAR/CAP; THENCE NORTH 77°25'53" WEST 243.17 FEET ALONG SAID NORTHERLY LINE; THENCE NORTH 68°15'23" WEST 313.85 FEET ALONG SAID NORTHERLY LINE TO A REBAR/CAP; THENCE SOUTH 45°23'37" WEST 203.92 FEET ALONG THE WESTERLY LINE OF SAID SCOTT F. PETERSON SUBDIVISION TO A POINT ON THE NORTHERLY LINE OF MORGAN VALLEY DRIVE AND A REBAR/CAP; THENCE 48.14 FEET ALONG SAID NORTHERLY LINE, A CURVE TO THE RIGHT, HAVING A RADIUS OF 785.51 FEET, AND A LONG CHORD BEARING NORTH 49°00'00" WEST 48.14 FEET, ALONG THE NORTHERLY LINE OF SOUTH MORGAN VALLEY DRIVE; THENCE NORTH 47°14'47" WEST 18.03 FEET ALONG SAID NORTHERLY LINE TO A REBAR/CAP; THENCE NORTH 45°23'37" EAST 218.35 FEET TO A FENCE CORNER AND A REBAR/CAP; THENCE NORTH 45°41'11" EAST 124.82 FEET ALONG A PARTIAL FENCE LINE TO THE CENTER LINE OF EAST CANYON CREEK; THE FOLLOWING 13 COURSES FOLLOW UP THE CENTER LINE OF EAST CANYON CREEK; THENCE SOUTH 17°53'28" EAST 198.36 FEET; THENCE SOUTH 12°09'29" EAST 140.64 FEET; THENCE SOUTH 50°04'38" EAST 379.60 FEET; THENCE SOUTH 55°38'14" EAST 73.07 FEET; THENCE SOUTH 28°29'58" WEST 90.87 FEET; THENCE SOUTH 27°14'49" EAST 70.38 FEET; THENCE SOUTH 67°08'53" EAST 96.31 FEET; THENCE NORTH 80°47'20" EAST 78.00 FEET; THENCE NORTH 41°11'31" EAST 84.34 FEET; THENCE NORTH 89°18'16" EAST 78.23 FEET; THENCE SOUTH 81°19'54" EAST 72.03 FEET; THENCE SOUTH 47°35'28" EAST 200.03 FEET TO THE NORTHEASTERLY CORNER OF BROOKSIDE MEADOWS SUBDIVISION; THENCE SOUTH 69°28'40" WEST 414.61 FEET ALONG THE NORTH LINE OF SAID BROOKSIDE MEADOWS SUBDIVISION TO A REBAR/CAP; THENCE SOUTH 22°30'56" EAST 283.17 FEET ALONG THE WEST LINE OF SAID SUBDIVISION TO A POINT ON THE NORTH LINE OF YOUNG STREET; THENCE SOUTH 69°28'40" WEST 353.32 FEET ALONG SAID NORTH LINE OF YOUNG STREET TO A REBAR/CAP; THENCE 131.50 FEET ALONG THE NORTH LINE OF YOUNG STREET, A CURVE TO THE RIGHT, HAVING A RADIUS OF 130.05 FEET, AND A LONG CHORD BEARING NORTH 64°51'26" WEST 128.02 TO A REBAR/CAP, AND THE POINT OF BEGINNING.

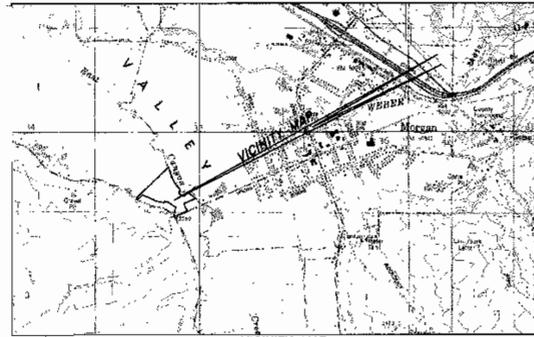
THE ABOVE DESCRIBED TRACT OF LAND CONTAINS 25.69 ACRES AND 8 LOTS. THE BASIS OF BEARING IS THE WEST LINE OF THE SOUTHWEST CORNER OF SECTION 35, CALLED NORTH 00°00'00" WEST.

SURVEY NARRATIVE:
A. THIS SURVEY WAS MADE AT THE REQUEST OF MICHAEL BROWN 2018 N KINGSTON ROAD, FARMINGTON, UT 84025, TEL. 537-2336
B. THE PURPOSE OF THE SURVEY IS TO DETERMINE THE BOUNDARIES OF A RECENTLY PURCHASED PARCEL OF LAND SHOWN HEREON. IT IS REQUESTED THAT THE A-20 ZONE BE REZONED TO RR-5.
C. CORNERS MARKED AS "•" ARE 5/8"x24" REBARS, WITH CAPS STAMPED "MOUNTAIN ENGINEERING". OTHER MARKS SET OR FOUND ARE AS INDICATED.
D. THE BASIS OF BEARING IS THE WEST LINE OF SECTION 35, CALLED NORTH 00°00'00" WEST.
E. SETBACKS: FRONT = 30'; REAR = 50'; SIDE = 20'

CURVE TABLE
CURVE LENGTH (FEET) RADIUS (FEET) DELTA (DEGREES) CHORD (FEET) CHORD BEARING (DEGREES) CHORD CHORD DIRECTION CHORD CHORD CHORD

CURVE TABLE CONTINUED FROM ABOVE
CURVE LENGTH (FEET) RADIUS (FEET) DELTA (DEGREES) CHORD (FEET) CHORD BEARING (DEGREES) CHORD CHORD DIRECTION CHORD CHORD CHORD

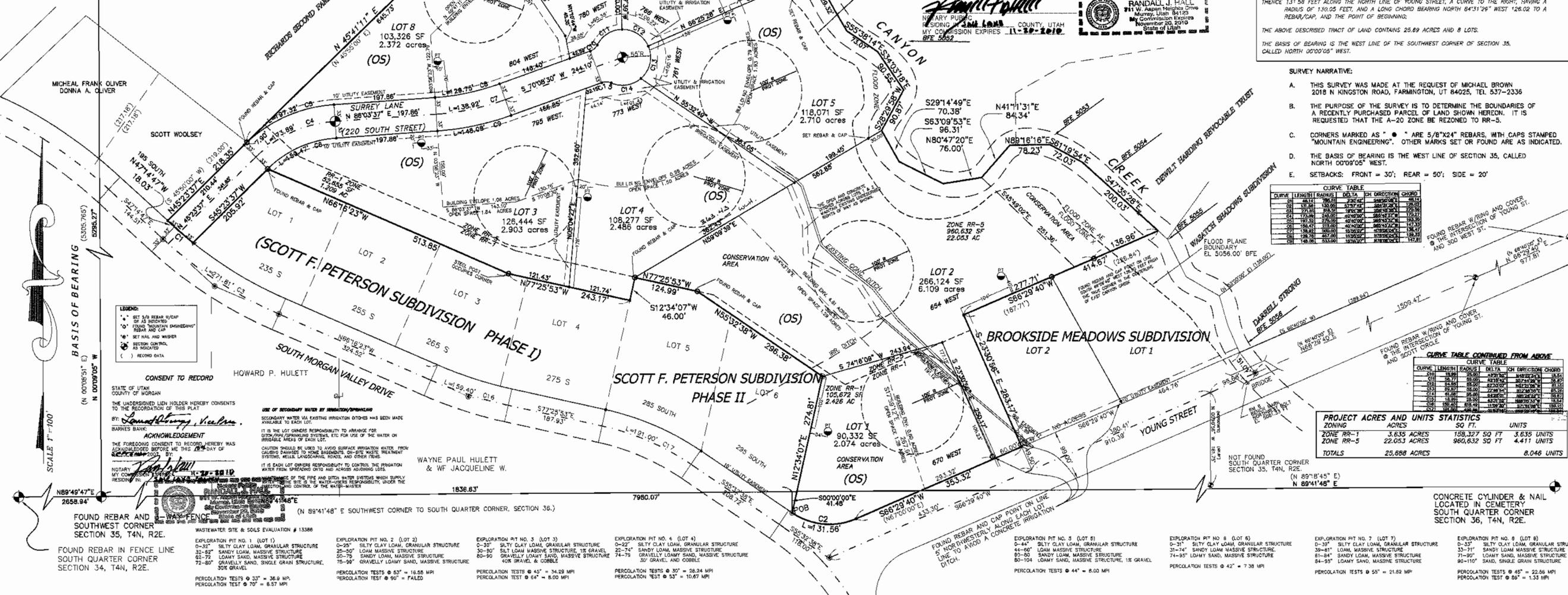
PROJECT ACRES AND UNITS STATISTICS
ZONING ACRES SQ. FT. UNITS
ZONE RR-1 3.635 ACRES 158,327 SQ. FT. 3.635 UNITS
ZONE RR-5 22.053 ACRES 960,632 SQ. FT. 4.411 UNITS
TOTALS 25.688 ACRES 8,046 UNITS



GENERAL NOTES:

- A. ON-SITE WASTE TREATMENT SYSTEMS WILL BE REQUIRED FOR ALL LOTS WITHIN THE BOUNDARY OF SURREY LANE ESTATES.
B. INDIVIDUAL WELLS ARE REQUIRED FOR EACH LOT IN THE SURREY LANE ESTATES.
C. REF. FIRM PANEL 490092 085 B, EFFECTIVE SEPTEMBER 28, 1990. FLOOD ZONE AE (BASE FLOOD ELEVATIONS DETERMINED) EXTEND 50-75 FEET WESTERLY OF EAST CANYON CREEK. IT WOULD APPEAR THAT THE 10 YEAR AND 100 YEAR FLOOD BOUNDARIES WOULD FALL WITHIN THE 50-75 FEET ZONE. MOST OF THIS FLOOD ZONE FALLS WITHIN THE BOUNDARY OF THE CONSERVATION EASEMENTS, WITH NO HOMES ALLOWED THEREIN.
D. BASED ON PREVIOUS TEST PITS FOR SOIL PERCOLATION, IT APPEARS THAT BASEMENTS COULD BE CONSTRUCTED IN THIS AREA. THIS WILL BE VERIFIED BY A GEOTECHNICAL STUDY.
E. EACH HOMEOWNER SHALL DESIGN ON THE SITE PLAN FOR HOME CONSTRUCTION, AN AREA FOR RETENTION OF WATER DRAINAGE FROM ROOF/CONCRETE/ASPHALT, WHICH SHALL BE REVIEWED AND APPROVED BY THE MORGAN COUNTY BUILDING INSPECTOR.

FOUND REBAR AND "T" POST NORTHWEST CORNER SECTION 35, T4N, R2E.



LEGEND:
• SET 5/8" REBAR W/CAP OR AS INDICATED
○ FOUND REBAR (SHOWN) REBAR AND CAP
* SET NAIL AND WASHER AS INDICATED
() RECORD DATA

CONSENT TO RECORD
STATE OF UTAH COUNTY OF MORGAN
THE UNDERSIGNED LAND HOLDER HEREBY CONSENTS TO THE RECORDATION OF THIS PLAT BY: Samuel H. Hulett, Notary Public

ACKNOWLEDGEMENT
THE FOREGOING CONSENT TO RECORD HEREBY WAS ACKNOWLEDGED BEFORE ME THIS 21st DAY OF SEPTEMBER, 2007, BY: Wayne Paul Hulett & Wf Jacqueline W.

EXPLORATION PIT NO. 1 (LOT 1)
EXPLORATION PIT NO. 2 (LOT 2)
EXPLORATION PIT NO. 3 (LOT 3)
EXPLORATION PIT NO. 4 (LOT 4)
EXPLORATION PIT NO. 5 (LOT 5)
EXPLORATION PIT NO. 6 (LOT 6)
EXPLORATION PIT NO. 7 (LOT 7)
EXPLORATION PIT NO. 8 (LOT 8)

MORGAN COUNTY ATTORNEY
APPROVED AS TO FORM THIS 21st DAY OF September, 2007.
MORGAN COUNTY ATTORNEY: James J. Jarvis
WEBER-MORGAN HEALTH DISTRICT
ON-SITE WASTE TREATMENT FACILITIES ARE HEREBY APPROVED THIS 13th DAY OF September, 2007.
MANAGER: Jim Cave

MORGAN COUNTY ENGINEER
THIS IS TO CERTIFY THAT I HAVE INVESTIGATED THE LINES OF SURVEY OF THE FOREGOING PLAT LEGAL DESCRIPTION OF THE LAND ENCOMPASSED THEREIN AND FIND THEM TO BE CORRECT AND TO AGREE WITH THE LINES AND MONUMENTS ON RECORD IN THIS OFFICE AND THE MORGAN COUNTY RECORDER'S OFFICE.
SIGNED THIS 20 DAY OF SEPTEMBER, 2007.
MORGAN COUNTY ENGINEER: [Signature]

MORGAN COUNTY PLANNING COMMISSION
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT WAS DULY APPROVED BY THE MORGAN COUNTY PLANNING COMMISSION ON THE 20th DAY OF SEPTEMBER, 2007.
SIGNED THIS 20th DAY OF SEPTEMBER, 2007.
CHAIRMAN, MORGAN COUNTY PLANNING COMMISSION: [Signature]

MORGAN COUNTY COUNCIL
THIS IS TO CERTIFY THAT THIS SUBDIVISION PLAT AND THE DEDICATION ARE HEREBY ACCEPTED BY THE COUNCIL OF MORGAN COUNTY, UTAH, ON THE 21st DAY OF SEPT., 2007.
SIGNED THIS 21 DAY OF SEPT., 2007.
CHAIRMAN, MORGAN COUNTY COUNCIL: [Signature]
MORGAN COUNTY CLERK: [Signature]

CERTIFICATE OF SURVEYOR
L. WILLIAM L. HOLYOAK, A REGISTERED PROFESSIONAL LAND SURVEYOR, HOLDING CERTIFICATE NO. 167461, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS JOINTING 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 8 LOTS, KNOWN HEREAFTER AS: SURREY LANE ESTATES P.R.U.D.
AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN PLACED ON THE GROUND AS REPRESENTED ON THIS PLAT.
SIGNED THIS 21 DAY OF SEPTEMBER, 2007.
WILLIAM L. HOLYOAK, R.E. & L.S.
UTAH LAND SURVEYOR REGISTRATION NO. 167461.

MORGAN COUNTY RECORDER
ENTRY NO. 109644 FEE PAID \$38.00
FILED FOR RECORD AND RECORDED
OCTOBER 17, 2007 AT 3:25 PM
IN BOOK 281 OF THE OFFICIAL RECORDS, PAGE 770.
RECORDED FOR: MOUNTAIN VIEW TITLE
MORGAN COUNTY RECORDER: [Signature]
DEPUTY: [Signature]

MOUNTAIN ENGINEERING
P. O. BOX 309
MORGAN, UTAH, 84050
TEL. (801) 876-3978 FAX 876-3979
SURREY LANE ESTATES P.R.U.D.
A PART OF THE SOUTHWEST QUARTER OF SECTION 35, AND A PART OF THE NORTHWEST QUARTER OF SECTION 2, T3N, R2E, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, MORGAN COUNTY, UTAH.
COMMUNITY, MORGAN COUNTY, UTAH
DRAWING NO. ME 07-62 SHEET 1 OF 1 FILE: BROWN_MIKE_Final

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

ORDINANCE NO. CO-06-15

AN ORDINANCE OF MORGAN COUNTY AMENDING THE MORGAN COUNTY LAND USE MANAGEMENT CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Morgan County desires to amend its Land Use Management Code with respect to the regulations relating to the Planned Residential Unit Developments in accordance with State Law; and

WHEREAS, the Morgan County Planning Commission has reviewed said Land Use Management Code amendments and held a duly noticed public hearing on said amendments on September 22, 2005; and

WHEREAS, the Morgan County Planning Commission has made a favorable recommendation to the County Council with respect to said Land Use Management Code amendments at a duly noticed meeting held on June 1, 2006; and

WHEREAS, the Morgan County Council has reviewed said Land Use Management Code amendments and held a duly noticed public hearing on said amendments on July 18, 2006; and

WHEREAS, the Morgan County Council has made findings that the proposed amendments are in accord with the comprehensive general plan, goals and policies of the county and that changed or changing conditions make the proposed amendments reasonable necessary to carry out the purposes stated in the Land Use Management Code.

NOW THEREFORE, be it ordained by the Morgan County Council that the Morgan County Land Use Management Code be amended as follows:

Section 1:

Chapter 48

PLANNED RESIDENTIAL UNIT DEVELOPMENT - P.R.U.D.

Sections:

| | |
|-----------|-----------------------------------------------------------|
| 16-48-010 | Intent and purpose |
| 16-48-020 | Design Standards |
| 16-48-030 | Open Space |
| 16-48-040 | Bonus Density |
| 16-48-050 | Frontage, Private Shared Drives, Width & Minimum Lot Size |
| 16-48-060 | Setbacks, Height and Location Restrictions |
| 16-48-070 | Streets |
| 16-48-080 | Clustering |
| 16-48-090 | Secondary Water |
| 16-48-100 | Development Agreement |

16-48-010 Intent and purpose

The PRUD is designed as a flexible design tool for the purpose of developing minor subdivisions of 15 lots or less. PRUD Subdivisions shall meet all of the same requirements and approval processes as a standard subdivision except as provided within this Chapter.

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

16-48-020 Design Standards.

The design of the Preliminary and Final Plats of the Subdivision in relation to streets, blocks, lots, common open spaces and other design factors shall be in harmony with the intent of zoning elements of the master plan that has been adopted by the PLANNING COMMISSION and approved by the GOVERNING BODY. Streets shall be so designed as to take advantage of open space vistas and, create drives with a rural or open space character. The subdivider shall maintain the overall density of the zone in which the P.R.U.D. is approved, except as provided herein.

16-48-030 Open Space

The provision for open space or common area shall not be a requirement of the PRUD Subdivision. However, if the developer wishes to provide for open space, it may be provided for as the following: common area; agricultural area; recreational area; natural vegetation and wildlife area; public parks; etc. Areas designated as open space shall be accompanied by a conservation easement held by an appropriate agency as provided for by law and shall be held as open space in perpetuity. Agricultural parcels may be maintained by the developer or any other entity or individual for the purpose of agricultural production.

The preservation, maintenance, and ownership of Open Spaces within a subdivision development shall be accomplished by:

- a. Dedication of the land as a public or private park or parkway system, including a certificate of title insurance; or
- b. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain in perpetuity, with ownership and maintenance being the responsibility of an Owners' Association established with articles of association and bylaws which are satisfactory to the Governing Body; or
- c. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said private open spaces to guarantee that the open space remain in perpetuity, to be maintained from the proceeds of a perpetual maintenance trust fund established by the developer in an amount satisfactory to the Governing Body; or by
- d. Granting to the Local Jurisdiction or land trust a permanent, open space easement on and over the said agricultural open spaces to guarantee that the open space remain in perpetuity, with ownership and maintenance being the responsibility of the developer, land owner, farmer or farm land trust; or by
- e. Complying with the provisions of the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1953, as amended, which provides for the payment of common expenses for the upkeep of the common areas and facilities, and requires that the SUBDIVIDER, prior to the recording of the Final Plat, cause to be incorporated under the laws of the State of Utah, a lot owners association. By proper covenants running with the land and through the articles of incorporation and bylaws of the association it shall, among other things, be provided:
 - i. That membership in the association shall be mandatory for each lot purchaser, their guarantees, successors and assignees.
 - ii. That the common area and open space restrictions shall be permanent and not just for a period of years.

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

- iii. That the association be responsible for maintaining liability insurance, paying general property taxes and maintaining recreational and all other facilities.
- iv. That all lot owners shall pay their pro-rata share of the costs of upkeep, maintenance, and operation.
- v. That any assessment levied by the associations may become a lien on the real property of any lot owner which may be foreclosed and the property sold as on sales under execution.

16-48-040 Bonus Density

Subdivisions of at least 10 and no more than 15 lots may qualify for bonus density, creating a maximum PRUD of 16 lots. Bonus Density may be approved by the Planning Commission as an incentive to provide common or public open space within the PRUD Subdivision. The maximum density bonus allowed shall be for the provision of one additional lot. In order to qualify for the bonus the developer shall provide usable common or public open space in the amount of 10% of the total acreage of the property, but shall not be less than ½ acre.

16-48-050 Frontage, Private Shared Drives, Width & Minimum Lot Size.

1. Frontage-All lots within a PRUD Subdivision shall be required to have frontage on public or private street, unless approved shared private driveway access is approved as part of the PRUD. Said frontage shall be of a required width of no less than 100 feet, with the exception of “flag” lots approved by conditional use permit. On cul-de-sacs or curved roads frontage shall be measured as the width at the front setback line.

2. Private Shared Drives-Private shared driveways may be permitted in locations where the improvement of public roads is not in the best interest of the public, provided the driveway access is a minimum right-of-way width of 30 feet, with a minimum improved surface width of 20 feet, a maximum slope of 15%, sufficient emergency turn around as approved by the Fire Chief, and accesses a maximum of 4 single family dwellings.

3. Width-The minimum width of a lot within a PRUD shall also be 100 feet as measured at the front setback line.

4. Minimum Lot Size-The minimum lot size within a PRUD shall be 10,000 sq.ft. if the development is serviced by a sewer district and water system. PRUD's serviced by a water company but not serviced by a sewer district shall require a minimum lot size of ½ acre, PRUD's not serviced by a sewer district with the provision of individual wells shall be required to maintain a minimum lot size of 1 acre. The Planning Commission may impose additional lot size requirements in response to topography, wildlife, soil conditions, etc. which would necessitate such.

5. Flag Lots-The definition of a flag lot is a lot shaped and designed that the main building site area is set back from the street on which it fronts and includes an access strip connecting the main building site with the frontage street. The following regulations shall be required to permit flag lots:

- a. The minimum width and frontage for the access strip of a flag lot shall be twenty (20) feet, with a maximum width of sixty (60) feet.
- b. Driveways shall be located within the access strip shall be required to be hard

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

- surfaced and shall provide necessary control of surface drainage.
- c. The minimum length of the access strip shall be 125 feet with a maximum length of 250'.
- d. Dwellings and accessory structures shall be sited on the flag lot so as to provide the maximum protection of privacy for abutting property owners.
- e. The Planning Commission may require as a condition of approval: site obscuring decorative fencing, additional landscaping for screening, limitations on lighting and types along the access strip and the dwelling site, and maximum height limitations for structures to ensure maximum protection of privacy of neighboring property owner.

16-48-060 Setbacks, Height and Location Restrictions

The Planning Commission shall indicate on the plat the approved setbacks, height and location restrictions approved as part of the PRUD. Setbacks shall at a minimum be as follows: front-30 feet, Side Street-30 feet, Rear-30 feet, Side-10'. Height restrictions may be established to mitigate issues related to viewshed protection or fire protection. The Planning Commission may establish building pad locations as part of the PRUD and establish lot coverage maximum limits.

16-48-070 Streets

Streets within the PRUD shall be designated as either public or private on the Final Plat. All streets shall meet the minimum standard for right of way width, pavement and turn around radius regardless of designation as private or public. Maximum street length for a dead-end street within a PRUD shall be one thousand (1,000) feet.

16-48-080 Clustering

Where clustering of lots is required to preserve sensitive areas it shall be provided in a manner consistent with preservation of natural amenities and provision of essential services and shall be in accord with the Area Plan guidelines and conform to ownership regulations in Section 16-48-030.

16-48-090 Secondary Water

Where flood irrigation water or pressurized irrigation has been used or available to the undivided property, such shall be made available for secondary water use to the individual lots as part of the PRUD.

16-48-100 Development Agreement

The Planning Commission may require the use of a negotiated development agreement as part of the PRUD. The executed Development Agreement shall be approved as to form by the County Attorney. The Development Agreement will contain and address the following items, as applicable:

1. Concept Development and Vicinity Map
2. Owner List

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

3. Recorded Parcel Mapping
4. Legal Description
5. Zoning Map
6. Site Characteristics Map
7. Preliminary Plat
8. Acreage and Use Chart
9. Summary Statements including:
 - i. An economic and fiscal impact analysis
 - ii. An environmental impact assessment
 - iii. A social impact assessment
 - iv. A traffic impact assessment
 - v. Affordable Housing implementation
10. Architectural restrictions & plans
11. Lighting Plan
12. Signing Plan
13. Maintenance Plan addressing:
 - i. Open Space
 - ii. Snow removal and storage
 - iii. Private infrastructure maintenance
14. Easements and Covenants Description
15. Infrastructure Description.
16. Grading and Conservation Plan
17. Domestic Water Information and Approvals
18. Sewerage Information and Approvals
19. Population & School Capacity Report
20. Fire Service Information
21. Traffic Report
22. Environmental Impact Assessments, including:
 - i. Air Quality
 - ii. Water Quality
 - iii. Watershed Protection
 - iv. Sewage Disposal
 - v. Solid Waste and Recycling
 - vi. Revegetation/Erosion Protection/Runoff Control
 - vii. Wildlife Habitat and Fisheries
23. Open Space Plan
24. Water and Water Supply
25. Parking Provisions
26. Transportation Infrastructure and Access Design
27. Public Utilities Will Serves
28. Mail Delivery Plan
29. Garbage Collection Plan
30. Police and Security Plan
31. Parks and Trails Landscape Plan

Exhibit D- Aug 1, 2006 & Oct 16, 2007 Adopted PRUD Ordinances

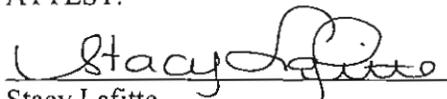
- 32. Special Site Design Requirements
- 33. Construction Management Plan
- 34. Other Information, as required
- 35. Final Subdivision Plat

Section 2: If any provision of this Ordinance, or the application of such provision to any person or circumstance, shall be held invalid or unenforceable for any reason, the remainder of this Ordinance, or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby.

EFFECTIVE DATE. This Ordinance shall become effective after subsequent publication in accordance with State Law, but not before 15 days after its passage.

APPROVED, ADOPTED AND PASSED and ordered published by the Morgan County Council, this 1st day of August 2006.

ATTEST:


Stacy Lafitte
Morgan County Clerk

MORGAN COUNTY GOVERNING BODY


M. Reed Wilde, County Council Chair

APPROVED AS TO FORM


Jann L. Farris
Morgan County Attorney

| Council Members | Voting: | |
|------------------|-------------------------------------|-------------------------------------|
| | Aye | Nay |
| Bart Smith | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Bruce Sanders | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Dan Hancock | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Chad Hawkes | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Lynette Stephens | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Gardiner | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Exhibit E-Engineer Approval



Memorandum

To: Charles Ewert, Planning and Development Director
Morgan County

From: Mark T. Miller, P.E.
Wasatch Civil Consulting Engineer

Date: October 29, 2013

Subject: **Amended Plat No. 2 – Surrey Lane Estates Subdivision**

We have reviewed the plat amendment for the subject project and recommend approval. Please call if you have any questions.

Exhibit F- Surveyor Approval

Ronda Kippen

From: Von Hill <vrhill@hillargyle.com>
Sent: Monday, November 25, 2013 7:48 AM
To: 'Ronda Kippen'
Subject: RE: Re-review on the Surrey Lane Estates Plat Amendment

Hi Ronda
I have reviewed the most recent plat and it is fine.
Von

From: Ronda Kippen [<mailto:rkippen@morgan-county.net>]
Sent: Tuesday, November 19, 2013 6:12 PM
To: vrhill@hillargyle.com
Subject: Re-review on the Surrey Lane Estates Plat Amendment

Hi Von,

Here is the most recent submittal on the Surrey Lane Estates Plat Amendment. Let me know if everything looks ok or not.

Have a great day,

Ronda Kippen

Morgan County
Planning Technician
Planning & Zoning Dept
P# 801-845-4014
F# 801-845-6087

From: Jim Pitkin [<mailto:jimp@dominioneng.net>]
Sent: Tuesday, November 19, 2013 8:15 AM
To: Ronda Kippen
Cc: Matt Johnson; Brenda Nelson
Subject: Update to Matt Johnson's Am Plat

Ronda,

I've attached a "pdf" of the amended plat for Lot 7A of the Surrey Lane Estates subdivision reflecting the latest update for review comments. I've included the 18"x18" version as well. Review this information and let me know if there are any additional modifications necessary. I suspect as some point in time you'll want all the topographic information (existing conditions & elevations) removed. Let me know when that needs to be done and I'll make that update when requested.

Sincerely,
James D. Pitkin, PLS.



5684 South Green Street
Murray, Utah 84123
P (801) 713-3000

Exhibit G-Fire Cheif Approval

Subdivision International Fire Code Form

Project Name: SURREY LANE ESTATES

Name of Owner(s): Matthew & Jennifer Johnson

Address: 780 W. Surrey Lane Lot 7

General Description of Project: Amended building ENVELOPE

As per 8-12-46(c) in the Morgan County Code the ENVELOPE
has adequate fire protection pursuant to adopted fire codes and/or as part of the required
conditions of approval.

David A. Luch

Fire Code Official Approval Signature

12-5-2013

Date

Exhibit H- Flood Plain





PLANNING COMMISSION AGENDA
Thursday, November 14, 2013
Morgan County Council Room
6:30 PM

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers, 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Approval of agenda
3. Declaration of conflicts of interest
4. Public Comment

Administrative Items

5. Discussion/Decision: Sauer CUP: Requesting a Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.
6. Discussion/Decision: Babcock/K2 Building Solutions CUP: Requesting a Conditional Use Permit for assembling construction material to be utilized off site located at 4070 West 5800 North in the Cottonwood Industrial Park.
7. Discussion/Decision: Earl Acres Subdivision Concept Plan: Conceptual review of a 2 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2880 Morgan Valley Drive. The applicant is also seeking an exception from improvement requirements.
8. Staff Report
9. Approval of minutes from October 24, 2013
10. Adjourn

Members present

Shane Stephens
David Sawyer
Debbie Sessions
Roland Haslam
Darrell Erickson
Michael Newton

Others present

Barclay and Denise Earl
Brian and Annette Doyle
Simone Rousseau
Aaron Venz
Jamie and Brett Earl
John A. Triplett
Kipp Adam
Tanner and Kylie Earl

Meeting Minutes

1. Call to order—prayer. Chairman Haslam welcomed everyone to the meeting and he offered prayer.

2. Approval of agenda.

Member Sessions moved to approve the agenda. Second by Member Newton. The vote was unanimous. The motion carried.

3. Declaration of conflicts of interest.

There were none.

4. Public comment.

Member Stephens moved to go into public comment. Second by Member Newton. The vote was unanimous. The motion carried.

John Triplett, a resident of Highland Drive, had comments on the proposed CUP. He is concerned about evacuation plans for the future residence and also expressed concern about the safety surrounding the hillside from all of the excavating that will have to take place. He is worried the hillside will come down.

Member Sessions stated for everyone in attendance that the Planning Commission packets with maps, plans and engineering information are available online on the county website for public viewing.

Member Newton moved to go out of public comment. Second by Member Sessions. The vote was unanimous. The motion carried.

Administrative Items

5. Discussion/Decision: Sauer CUP: Requesting a Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.

Ronda excused Mark Miller, county engineer, and also the applicant for this project. We were all interrupted by Chairman Haslam's cell phone. Meanwhile, all other Planning Commission members turned off their phones. ☺

Ronda invited all Planning Commission members to go and personally view the property in question, stating that the slope is very steep. Member Sessions and Member Sawyer expressed interest in postponing the application until the applicant can be present for the public meeting.

Member Sessions moved to postpone item #5: Sauer CUP application until the next meeting, December 12, 2013, so the applicant and county engineer may be present. Second by Member Stephens. The vote was unanimous. The motion carried.

6. Discussion/Decision: Babcock/K2 Building Solutions CUP: Requesting a Conditional Use Permit for assembling construction material to be utilized off site located at 4070 West 5800 North in the Cottonwood Industrial Park.

Member Sawyer asked if the work will only be done inside. Ronda affirmed that the proposal is for the assembly to be done inside and the CUP would stay with the land. There were some decibel comparisons done with a previous property and it may be suggested to add the noise level as a condition of approval. This would be a good idea for future applicants.

Member Sawyer alluded that there may be some environmental concerns with the business and that there may be other building activity going on.

Member Sawyer and Member Sessions suggested postponing this administrative item to another time when the applicant can be present. There are three business owners involved and none were present at this meeting.

Member Sawyer preferred to have Mr. Dorius present to discuss some concerns and questions about the application. He commented that about two months ago there was some sandblasting done to a large metal object that was sending stuff in the air. He stated they were doing the work outside, even though the proposal is for the last compartment. Chair Haslam clarified it is called Cold Sweep, with the use of dry ice.

Member Newton wondered about condition #4 which limits the hours of operation. Ronda said the applicant volunteered the hours.

Member Stephens moved to postpone the item until the December 12, 2013 Planning Commission meeting. Second by Member Sawyer. The vote was unanimous. The motion carried.

7. Discussion/Decision: Earl Acres Subdivision Concept Plan: Conceptual review of a 2 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2880 Morgan Valley Drive. The applicant is also seeking an exception from improvement requirements.

Denise Earl: Wants to get a building lot for her son and his wife for 6 acres. One acre would be for their home with the remaining 5 acres in greenbelt. She wondered about the necessity and expense of geologic testing, since the surrounding lots within 30 feet have all cleared for building on the soil.

Chairman Haslam explained that an exception from the improvement requirements is why this is being presented here before the Planning Commission. Otherwise it goes straight to County Council. Chair Haslam explained that this is concept approval and one acre is required for RR-1 and the lot lines will have to be adjusted to accommodate that. Chair Haslam explained the process of coming before the Planning Commission and then moving forward to the County Council.

Chair Haslam expressed concern about the slope percentage. Wants the surveyor to state what the percentage is, where a slope analysis is conducted before progressing on to preliminary. Chair Haslam said that it would be anything over 15%, as indicated in the conditions for approval in the staff report. Member Sessions commented that the surveyor needs to identify the slope. Member Newton said the code indicates the entire lot needs to be identified. Member Erickson stated that there are geologic maps for use so a surveyor does not necessarily have to be used; as long as that requirement is satisfied to adequately show the slope. Member Sessions reminded Mrs. Earl that a private lane needs to be engineered. The Planning Commission referred her to Charlie to identify and complete other necessary steps for preliminary.

Ronda pulled up the geologic map to show the building envelope. Chair Haslam pointed out how long their building envelope is and the Planning Commission needs to know the slope percentage. Chair Haslam asked that they define the slopes where the house will be sitting and get an accurate map of the building envelope before proceeding. Ronda indicated where the zone changes from the A-20 zone to an RR-1 zone and informed them that the sloping setbacks are more robust in the A-20 zone.

Member Sessions referred to the county code for a private lane, 8-12-44P, for specifications. Chair Haslam asked if the Earl's understand the recommendations and conditions associated with the application.

Chairman Haslam asked for any questions for Earls or staff. Member Sessions doesn't want to continue to grant exceptions from improvements; but rather, change the ordinance.

Member Sessions moved to forward a positive recommendation for the Earl Acres Subdivision Concept Plan, application 13.131, as listed in the November 14, 2013 staff report, and as modified by the additional recommendations below:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That the plat is revised prior to preliminary plat submittal to provide the minimum acreage requirements for both lots.
3. That a slope analysis is provided for the subdivision clearly identifying areas over 15% and 25% slope with preliminary plat submittal.
4. That a geologic hazards scoping meeting is held prior to preliminary plat submittal in compliance with MCC §8-5I, and that all reports, studies, and certifications related to geologic hazards studies are provided with the preliminary plat submittal. The preliminary plat shall be designed in a manner that addresses the recommendations of the geologist and geotechnical engineer.
5. That an improvements plan for the proposed private lane is provided with sufficient engineering detail with the preliminary plat submittal.
6. That an improvements exception for the project is conditioned on the current width of Morgan Valley Drive being 22 feet wide with adequate shoulders, as verified by the project surveyor or engineer; or that improvement of the existing street is provided to a minimum width of 22 feet with adequate shoulders. Construction drawings, if necessary, illustrating the improvements shall be provided with the preliminary plat submittal, and final plat approval shall be conditioned on the execution of a cash bond and agreement or completion agreement for said improvements.
7. That proof of culinary shares/rights (800 gallons per day) and irrigation shares/rights (3 gallons per minute) are provided for each lot at preliminary plat application.
8. That addresses for both lots are added to the design prior to preliminary plat submittal, with a note that specifies that depending on residential building locations, the address of Lot 1 may need to be changed prior to building permit issuance.
9. That the culinary water proposal is approved by the Weber-Morgan Health Department prior to preliminary plat submittal.
10. That a sewer disposal mechanism is approved by the Weber-Morgan Health Department prior to preliminary plat submittal.
11. That all red/bluelines on the plat herein are corrected with preliminary plat submittal.
12. That all other local, state, and federal laws are adhered to.

This recommendation is based on the following 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. With the recommended conditions the proposal can be revised to comply with current zoning requirements and subdivision requirements.
4. That additional work is necessary to make the proposal comply with preliminary plat requirements.
5. That with the listed conditions the proposal is found to comply with the findings required for an improvements exception; namely, that requiring the full street infrastructure improvements:

- a. Is not roughly proportional, in nature or extent, to the impact of the development on the community;
 - b. Is not beneficial to the county; or may be detrimental to the neighboring property abutting the development;
 - c. Is not necessary at this time to protect the public's health, safety, and welfare.
6. That approval of the concept plan and the improvements exception renders the project "routine and uncontested" and as such qualifies for approval by the Zoning Administrator in compliance with adopted laws.
7. That the proposal is not detrimental to the health, safety, and welfare of the public.

Second by Member Erickson. The vote was unanimous. The motion carried.

8. Staff Report

The Planning Commission Christmas party is set for December 12, 2013 at the next Planning Commission meeting. Taggarts will be catering. Starting time for the party was proposed to begin at 6:00 pm with the Planning Commission meeting to follow. Member Sawyer will not be present and will be participating via phone for the meeting. Ronda gave an update on the Snowbasin project. Member Sawyer asked for an update on Mountain Green Village. Ronda gave an update on Rollins Ranch phases 4a, 4b, 5, 6--they will go back for reconsideration regarding bonding.

9. Approval of minutes from October 24, 2013.

Member Sessions moved to approve the minutes. Second by Member Newton. The vote was unanimous. The motion carried. Member Stephens abstained.

10. Adjourn

Member Stephens moved to adjourn. Second by member Erickson. The vote was unanimous. The motion carried.

Approved: _____ **Date:** _____
Chairman

ATTEST: _____ **Date:** _____
Mickaela Moser, Transcriptionist
Planning and Development Services



PLANNING COMMISSION AGENDA

Thursday, December 12, 2013

Morgan County Council Room

6:30 PM*

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Council Chambers, 48 West Young St, Morgan, Utah. The agenda is as follows:

1. Call to order – prayer
2. Approval of agenda
3. Declaration of conflicts of interest
4. Public Comment

Administrative Items

5. Discussion/Decision: Sauer CUP: Requesting a Conditional Use Permit for excavation for a residential building pad located at 6502 N Highland Drive.
 6. Discussion/Decision: Babcock/K2 Building Solutions CUP: Requesting a Conditional Use Permit for assembling construction material to be utilized off site located at 4070 West 5800 North in the Cottonwood Industrial Park.
 7. Discussion/Decision: Coventry Cove P.U.D. Subdivision Amendment# 2: A request by Coventry Cove Properties, LLC/Rex Wilkinson to amend Lot 10 by adding additional acreage to the lot and subdivision footprint located at 5521 N Coventry Circle Morgan, UT.
 8. Discussion/Decision: Johnson/Surrey Lane Estates P.R.U.D. Subdivision Amendment #2: A request by Matt & Jennifer Johnson to amend the location of the building envelope on Lot 7 of the Surrey Lane Estates PRUD located at 780 West Surrey Lane Morgan, UT
 9. Discussion/Decision: Wilkinson Acres Subdivision Concept Plan: Conceptual review of a 3 lot subdivision located in the RR-1/A-20 zones on property located at approximately 2000 S. Morgan Valley Drive. The applicant is also seeking an exception from improvement requirements.
 10. Discussion/Decision: General Plan & Ordinance Annual Update
 11. Discussion/Decision: 2014 Planning Commission Calendar Approval
 12. Staff Report
 13. Approval of minutes from November 14, 2013
 14. Adjourn
- *The Planning Commission will be meeting for their annual Planning Commission Dinner prior to the formal start of the meeting. The dinner will start at 6:00 PM.