

**MINUTES  
BOX ELDER COUNTY  
PLANNING COMMISSION  
MAY 18, 2006**



The Board of Planning Commissioners of Box Elder County, Utah met in the Box Elder County Commission Chambers at 7:00 p.m. The following members were present constituting a quorum:

Richard Kimber	Chair
Jon Thompson	Member
Richard Day	Member
David Tea	Member
(arrived 7:16)	
Clark Davis	Excused
Theron Eberhard	Excused
Chad Munns	Member

*The following Staff was present:*

Garth Day	County Planner
Amy Hugie	County Attorney
Elizabeth Ryan	Secretary
Pat Comarell	Consultant

**Chairman Richard Kimber** called the session to order at 7:08 p.m.

The *Minutes* of the regular meeting held on April 20, 2006 were made available to the Planning Commissioners prior to their meeting (May 18, 2006). A motion was made by **Commissioner Jon Thompson** to accept the Minutes as written. **Commissioner Richard Day** seconded the motion and it passed unanimously.

The Minutes for the Special Work Session of the Box Elder County Planning Commission held on May 2, 2006 to accept the South Willard Community Plan were also brought forth for acceptance. A Motion was made by **Commissioner Richard Day** to accept them as written and seconded by **Commissioner Jon Thompson**; passed unanimously.

**Citizen Present for the Planning Commission Meeting**

- Carson Jones/1379North 975 West
- Brian Rose/2759 S 725 West/Perry
- Bob Davis/7700 S 1100 W/Willard
- Ronda Davis/7700 S 1100 W/Willard
- Rod Herrick/934 S 3500 W/Ogden
- Chuck Earl/15 S 100 E/Fielding
- Jerry Anderson/3056 N 3700 W/Ogden
- John W. Larkin/8455 S 2000 W/Willard
- Jeff W. Hales/5262 W 2150 N/Plain City

## **UNFINISHED BUSINESS**

### **VALLEY VIEW ESTATES (ROSE) SIX-LOT SUBDIVISION, LOCATED AT OR ABOUT 7175 SOUTH U.S. HIGHWAY 89 IN THE SOUTH WILLARD AREA.**

This application was originally submitted in October 2005 and is before the Commission to receive final approval at this time. A Public Hearing was held on April 20, 2006 regarding this subdivision. The subdivision contains six lots and is currently zoned as R-1-20. The project has been review by the South Willard Water Company and by UDOT for access to the lots. The petitioner has letters of verification from all utilities and is consistent with the current zoning and subdivision ordinance for the County. There is a retention basin on the northwest corner of the subdivision and curb and gutter will be required. Staff recommended granting final approval.

**MOTION:** A Motion was made by **Commissioner Chad Munns** to grant **Final** approval to the Valley View Estates Subdivision and forward to the County Commission for their approval; seconded by **Commissioner Jon Thompson** and passed unanimously.

### **ANDERSON LIVESTOCK AUCTION CO, CONDITIONAL USE PERMIT (SITE PLAN REVIEW), LOCATED IN THE SOUTH WILLARD AREA.**

This petition consists of approximately 12 acres and was an existing parcel before the A-20 zone went into effect. The use as a livestock auction is listed as a conditional use/agricultural industry in the A-20 zone code. The application still appears to be lacking necessary paperwork to be considered for acceptance. Following is a list of concerns that the staff had identified in assisting the Planning Commission in formulating their findings to present to the County Commission.

- ▶ Conditions relating to safety for persons and property
  - Buildings on site
  - Covering or fencing or irrigation ditches, drainage channels, etc.
  - Setback distances from lot lines to insure public safety
  - Appropriate design, construction and location of buildings, etc.
  - Location, arrangement and dimensions for truck loading and unloading.
- ▶ Conditions relating to health and sanitation
  - Sufficient water to serve site
  - Waste water disposal system and solid waste disposal system
  - Construction of water mains, sewer/septic systems, etc.
- ▶ Environmental concerns
- ▶ Conditions relating to performance
- ▶ Public hearing; held by the Planning Commission

The petitioner also needs to provide evidence of compliance with R58-7 (State of Utah Administrative Rules) and compliance with 9CFR Ch. 1 (1-01 Ed.) Animal and Plant Health Inspection Service. The petition also needs to comply with requirements of the Bear River Health Department. Because of the application being incomplete, staff recommended that this petition be tabled at this time.

**MOTION:** A Motion was made by **Commissioner Jon Thompson** to Table the application for the Anderson Livestock Auction Co. until a more comprehensive site plan is received and also that the above mentioned Conditions [outlined by Staff] are met. Motion was seconded by **Commissioner Richard Day** and passed unanimously.

**THE FARMS, PHASE V, LOCATED AT OR ABOUT 7300 SOUTH HIGHWAY 89 IN THE SOUTH WILLARD AREA.**

This fourteen lot subdivision is located in the South Willard area and is currently zoned as R-1-20 with all lots meeting the minimum area requirements. The five lots that butt up against the railroad are approximately two acres each. A fence will be required to buffer those lots from the railroad. The petitioner has established proof of all utilities with water being provided by the South Willard Water Company. The detention basin for this phase is located on the northwest corner of Phase IV of the Farms Subdivision. Once this phase is approved by the Planning Commission the engineer's cost estimates will be secured along with the construction drawings. Mr. John Larkin [of South Willard] expressed some concerns regarding the drainage in the area and if it would be sufficient to handle the excess water. With all of the construction in the area much of the natural drainage has been eliminated and Mr. Larkin felt that many of the lots would have flooding in the future. Garth Day stated that *Hansen & Associates* had completed a storm water study for the area, and although they may not have all of the answers at this time, progress is being made toward that end. The *Willard Flood Control* also has Master Plan and the two have been used together to help the developer and their engineer in providing a storm water calculation for a proposed subdivision. On-site detentions are required for all of the proposed subdivisions (detention or retention). At this time these are the two mechanisms used in the development of subdivisions in South Willard. As the petition appears to meet all of the existing subdivision ordinances and zoning requirements at this time, Staff recommended granting Final approval.

**MOTION:** A Motion was made by **Commissioner Chad Munns** to grant Final approval for the Farms, Phase V Subdivision, authorizing the developer to move forward with the construction drawings, engineer cost estimates and establish an escrow account. The Motion was seconded by **Commissioner David Tea** and passed unanimously.

**NEW BUSINESS**

**BOB DAVIS REZONE APPLICATION FROM A-20 TO RR-2 IN THE SOUTH WILLARD AREA.**

This re-zone petition was received on March 2, 2006 but was not scheduled for review by the Planning Commission until after the South Willard Community Plan had been presented to the Planning Commission. The area includes sixty-six acres to be re-zoned from the current A-20 to RR-2. The petition does not appear to be in conformance with the community plan as it was presented to the Planning Commission where no change in the zoning west of the interstate was proposed. As *Mr. John Larkin* has much of the acreage west of the interstate in agricultural use; he stated that he is opposed to re-zoning any of that area. *Mr. Bob Davis* stated that he had talked with other landowners in the area and they too were interested in joining in his petition to re-zone this area; however, at this time they have not joined with him in his application. Staff recommended

setting this petition for a Public Hearing on June 22, 2006 [per LUDMA SB 60, which now requires that the Planning Commission hold a PH for re-zone petitions].

**MOTION:** A Motion was made by **Commissioner Chad Munns** to Table this application based on the outcome of the Public Hearing scheduled for Tuesday June 13, 2006 at 7:00 p.m. at which time the County Commission will review the South Willard Community Plan and make its recommendation. This petition will then come back to the Planning Commission for further consideration. The Motion was seconded by **Commissioner Jon Thompson** and passed unanimously. (No Public Hearing will be set at this time until Mr. Davis has contacted those other persons interested in joining in this petition.)

**CIRCLE-C CONSTRUCTION COMPANY, CUP, LOCATED IN THE COLLINSTON AREA.**

This petition consists of approximately 157 acres proposed as a gravel pit. The actual operation, however, will be on four acres. The area is currently zoned MU-160. The following conditions were presented by Staff in conjunction with this CUP.

- ▶ Conditions relating to safety for persons and property
  - Buildings on site
  - Covering or fencing or irrigation ditches, drainage channels, etc.
  - Setback distances from lot lines to insure public safety
  - Appropriate design, construction and location of buildings, etc.
  - Location, arrangement and dimensions for truck loading and unloading.
- ▶ Conditions relating to health and sanitation
  - Sufficient water to serve site
  - Waste water disposal system and solid waste disposal system
  - Construction of water mains, sewer/septic systems, etc.
- ▶ Environmental concerns
- ▶ Conditions relating to performance
- ▶ Public hearing; held by the Planning Commission

Staff recommended setting this petition for a Public Hearing on June 22, 2006 and also requires the petitioner to submit a detailed plan addressing the following issues:

1. Hours of operation
  - a. Grading and excavation limited between hours of 7:00 a.m. and 5:30 p.m.
2. Dust and dirt control
  - a. Reduce dust by suitable treatment
3. Slopes
4. Fill materials
5. Drainage
  - a. Adequate provision to prevent any surface waters from damaging the face of the excavation or any portion of a fill. Carry surface water without producing erosion.

6. Finished cuts and slopes
  - a. Slopes of fill or excavation shall be smoothly graded.
7. Back-filling
8. Compaction of fills
  - a. Compaction for stability; graded to a series of terraces, spread in series of layers
  - b. Moisture content of fill controlled to obtain required maximum density.
  - c. A written report of compaction
  - d. Any other additional tests or information as required by the Zoning Administrator
9. Erosion control and landscaping
  - a. Ground cover shall be planted and compatible with the natural ground covers in the County except for firebreak purposes.
  - b. Topsoil is to be stockpiled and used on cut and fill slopes.

(A more detailed outline of the above requirements can be found in the Land Use and Development Code, Chapter 7; Section 7.6.6 through 7.6.6.10.)

**MOTION:** A Motion was made by **Commissioner Chad Munns** to set a Public Hearing for June 22, 2006 to be held in the Tremonton City Offices at 7:00 p.m. to receive input from the public regarding this petition. The Motion was seconded by **Commissioner Richard Day** and passed unanimously.

## **PUBLIC COMMENTS**

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The Planning Commission meeting was adjourned at 8:20 p.m. with a motion by **Commissioner Chad Munns**.

Passed and adopted in regular session this 22nd day of June 2006.

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Richard Kimber, Chairman  
Box Elder County  
Planning Commission