

BOX ELDER COUNTY PLANNING COMMISSION MINUTES September 19, 2013

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:

Chad Munns	Chairman
Desiray Larsen	Vice-Chair
Kevin McGaha	Excused
Michael Udy	Excused
Bonnie Robinson	Member
Jay Christensen	Excused
Laurie Munns	Member

the following Staff was present:

Scott Lyons	Planner
Steve Hadfield	Co. Attorney
Elizabeth Ryan	Ex. Secretary

The following citizens were present:

Dave Carter/West Valley City

JayDee Barr/Hyde Park

The Minutes of the July 18, 2013 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Bonnie Robinson** to accept the Minutes as written; seconded by **Commissioner Laurie Munns** and passed unanimously.

PUBLIC HEARINGS

Chairman Chad Munns called for the public hearings on the agenda by informing those in attendance that each item would be handled separately, and that the time for the hearings was to allow the public the opportunity to voice any concerns and that the Commissioners would listen to the comments and concerns, but this was not a questions/answer time.

RYAN NISH SUBDIVISION AMENDMENT, SS13-013, LOCATED AT 20800 NORTH 5000 WEST IN THE PLYMOUTH AREA OF BOX ELDER COUNTY. AMENDMENT IS TO ENLARGE THE EXISTING LOT.

This petitioner was requesting an amendment to this subdivision which was created in 2010 in order to enlarge the size of the lot by 7.80 acres. No comments were received and the public hearing was closed with a Motion by **Commissioner Laurie Munns**; seconded by **Commissioner Desiray Larson**, unanimous.

CUP13-004 FOR MODIFICATION OF AN EXISTING WIRELESS TOWER FACILITY BY AN ADDITIONAL 148 FEET, LOCATED ON SECTION 35, T13N, R2W, SLB&M IN THE COLLINSTON AREA OF BOX ELDER COUNTY.

This petitioner was requesting a conditional use permit to construct a 100 foot cellular tower in the Collinston area (covering approximately 2500 square feet). There is an existing tower at this location and the reason for the additional tower was explained as follows:

“The reason for the need for a second tower is due to the existence of a licensed microwave path on the existing 148 foot tower, which is a link in a daisy chain of microwave hops and should not be disturbed due to the potential disruption in wireless service and any emergency services that might be utilized by this tower. The radio frequency engineers at AT&T have determined that there is an increasing need for bandwidth, wireless coverage and wireless data capacity in the area served by the Wheelon Peak Facility.”

No comments were received and the hearing was closed with a Motion by **Commissioner Bonnie Robinson**; seconded by **Commissioner Desiray Larson**, unanimous.

NEW BUSINESS

RYAN NISH SUBDIVISION AMENDMENT, SS13-013, LOCATED AT 20800 NORTH 5000 WEST IN THE PLYMOUTH AREA OF BOX ELDER COUNTY. AMENDMENT IS TO ENLARGE THE EXISTING LOT.

The only issue that was brought up regarding this amendment to the Ryan Nish Subdivision was the size of the culvert pipe which is currently 18 inches and not the 24 inches that was originally recommended. It was suggested that the County Road Supervisor be notified to grants approval for the smaller pipe size and then approval was given.

MOTION: A Motion was made by **Commissioner Laurie Munns** to forward a recommendation of approval to the County Commission once the Road Supervisor has given approval for the smaller culvert pipe size under the access driveway. Motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

CUP13-004 FOR MODIFICATION OF AN EXISTING WIRELESS TOWER FACILITY BY AN ADDITIONAL 148 FEET, LOCATED ON SECTION 35, T13N, R2W, SLB&M IN THE COLLINSTON AREA OF BOX ELDER COUNTY.

Staff informed the commissioners that this application has been reviewed by the various county departments and there were no concerns regarding the location of another tower at this site. Mr. David Carter, representing AT&T, said that the reason for the new tower and not just co-locating on the existing tower is due to the fact that the existing tower has reached it capacity with the number of dishes on the site and the additional tower is needed to add cable and other necessary materials to give better service for the area.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to grant approval for the Conditional Use Permit for the addition of a 100 foot tower by AT&T. Motion was seconded by **Commissioner Desiray Larson** and passed unanimously.

Conditions of Approval:

1. Compliance with Article 5 of the BECLUM&DC
2. Compliance with Article 2-2-100, Conditional Use Permit, of the BECLUM&DC
3. Compliance with all applicable county, state, and federal laws regulating the proposed use, including all licenses, permits, etc.

UNFINISHED BUSINESS

PENDING ORDINANCE, ACCESSORY DWELLING UNITS, NEW ORDINANCE (SECTION 5-6) TO ADDRESS THE ADDITION OF ACCESSORY DWELLING UNITS TO ARTICLE 5: REGULATIONS OF GENERAL APPLICABILITY OF THE BECLUM&DC.

This new [pending] ordinance had been reviewed by the Planning Commissioner over the past five-six months and after discussions and changes in the wording of the ordinance were agreed upon it was decided to forward their recommendation to the County Commissioners.

MOTION: A Motion was made by **Commissioner Laurie Munns** to forward the revised Accessory Dwelling Units Ordinance to the County Commissioners for their action. Motion was seconded by **Commissioner Bonnie Robinson** and was unanimous. (Revised Chapter 5-6-Accessory Dwelling Units)ⁱ (Affidavit and Notice of Accessory Dwelling Unit and Related Regulations)ⁱⁱ

ACCESSORY DWELLING UNITS, ZONING TEXT AMENDMENT: AMEND SECTION 3-2-070-7; 3-3-070-3, AND 3-7-070-3 ALLOWING ACCESSORY DWELLING UNITS AS A CONDITIONAL USE IN ALL ZONES THAT ALLOW SINGLE FAMILY DWELLINGS.

This text amendment will be included in areas of the BECLUM&DC where the new accessory dwelling units will be allowed (with single family dwelling units).

MOTION: A Motion was made by **Commissioner Desiray Larson** to approve the amendments to the Land Use Development Code; seconded by **Commissioner Bonnie Robinson** and passed unanimously.

WORKING REPORTS -- NONE

PUBLIC COMMENTS -- NONE

A **Motion** was made to adjourn at 7:45 p.m., unanimous.

Passed and adopted in regular session this 24th day of October 2013.

Chad Munns, Chairman
Box Elder County
Planning Commission

ⁱ Accessory Dwelling Units

ⁱⁱ Affidavit and Notice of Accessory Dwelling Unit and Related Regulations