

Box Elder County Land Use Management & Development Code Construction & Municipal Waste Zones

ORDINANCE NO. 350

AN ORDINANCE OF BOX ELDER COUNTY AMENDING SECTION 3-8-030.2 OF THE BOX ELDER COUNTY LAND USE MANAGEMENT AND DEVELOPMENT CODE BY ADDING LANGUAGE RESTRICTING THE LOCATING OF MUNICIPAL SOLID WASTE (MSW) ZONES

WHEREAS, the Bear River Water Conservancy District has requested that the Box Elder County Land Use Management and Development Code be amended to protect ground water aquifers; and

WHEREAS, the Bear River Water Conservancy District's request was submitted to the Box Elder County Planning Commission for its review and recommendations; and

WHEREAS, the Box Elder County Planning Commission has reviewed the request from the Bear River Water Conservancy District and, after study and discussion, has determined that the proposed amendment to the Box Elder County Land Use Management and Development Code set forth below would best address the concerns of the Bear River Water Conservancy District with respect to Municipal Solid Waste Landfills; and

WHEREAS, the Box Elder County Planning Commission has determined that the proposed amendment set forth below would be in the best interests and promote the general health, welfare and safety of the residents of Box Elder County; and

WHEREAS, the Box Elder County Planning Commission, after appropriate notice, held a public hearing on April 21st 2011, to allow the general public to comment on this proposed amendment; and

WHEREAS, after providing an opportunity for public input, the Box Elder County Planning Commission is recommending approval of the proposed amendment to provide for the health, safety, and general welfare of the public and protect the environment; and

WHEREAS, the Box Elder County Commission, after appropriate notice, held a public hearing on June 15th 2011, to allow the general public to comment on this proposed amendment; and

WHEREAS, after providing an opportunity for public input, and after review and discussion of the proposed amendment, the Box Elder County Commission finds and determines that the proposed amendment will be in the best interest of and promote the health, safety and general welfare of the residents of Box Elder County and is in conformance with the County's general plan;

NOW THEREFORE, the Box Elder County Commission, acting as the legislative body of Box Elder County, State of Utah, ordains as follows;

Box Elder County Land Use Management & Development Code Construction & Municipal Waste Zones

SECTION 1: Section 3-8-030.2 of the Box Elder County Land Use Management and Development Code is hereby amended to read in its entirety as follows:

3-8-030.2. Creation and location.

The Municipal Solid Waste (MSW) zone is a zoning district where industries that treat, store and dispose of municipal solid waste shall be located. MSW zoning districts shall be created under Chapter 3 of the Box Elder County Land Use Management & Development Code and shall only be located in the county designated **Municipal Solid Waste corridors**. No new Municipal Solid Waste (MSW) zone or lateral expansion of an existing facility shall be located within:

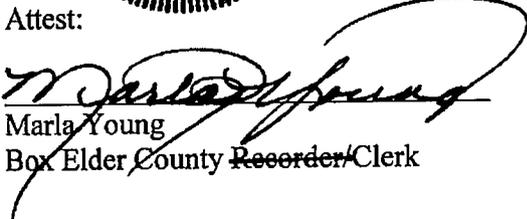
1. One mile of any existing residential dwelling or dwellings;
2. A ground water primary recharge area, groundwater classified as IB;
3. Located over a sole source aquifer as determined by a hydro geologic study.

SECTION 2: This ordinance shall become effective fifteen (15) days after its passage

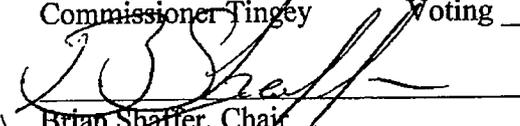
PASSED, ADOPTED AND A SYNOPSIS ORDEDED PUBLISHED this 10th day of July 2011, by the Board of County Commissioners of Box Elder County.



Attest:


Marla Young
Box Elder County Recorder/Clerk

Commissioner Shaffer	Voting <u>aye</u>
Commissioner Adams	Voting <u>aye</u>
Commissioner Tingey	Voting <u>aye</u>


Brian Shaffer, Chair
Box Elder County Commission