

BOX ELDER COUNTY PLANNING COMMISSION MINUTES October 23, 2014

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:

the following Staff was present:

Chad Munns	Chairman		
Desiray Larsen	Vice-Chair		
Kevin McGaha	Member/Excused	Marcus Wager	Planner
Michael Udy	Member		
Bonnie Robinson	Member	Commissioner Jeff Scott	
Jay Christensen	Member/Excused	Elizabeth Ryan	Exec. Sec.
Laurie Munns	Member/Excused		

The following citizens were present:

Devin Jones/Sunrise Engineering/ATTCO	Jared Holmgren/Bear River City
Shain Stoddard/ATTCO Trucking Co.	Mitch Zundel/Economic Dev. BEC
Von R. Hill/GBI/Bountiful	Becky Poppe/ATTCO/Washakie

The Minutes of the September 18, 2014 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 Desiray Larsen** 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 time for questions/answers.

GREAT BASIN INDUSTRIAL SUBDIVISION/HILL & ARGYLE, SS14-025, PROPOSED 2 LOT SUBDIVISION LOCATED AT APPROXIMATELY 20655 NORTH 6000 WEST IN THE PLYMOUTH AREA OF BOX ELDER COUNTY.

This petitioner was requesting a three lot subdivision in an un-zoned area of the county resulting in three large lots; 10.79 acres, 12.32 acres, and 9.82 acres. A new road would be constructed to meet the county road standards. There were no comments received and a Motion was made by **Commissioner Desiray Larsen** to close the public hearing, seconded by **Commissioner Bonnie Robinson** and was unanimous.

UNFINISHED BUSINESS--NONE

CUP14-004, WASHAKIE RENEWABLE ENERGY, GRAVEL PIT OPERATION FOR ATTCO TRUCKING LOCATED AT APPROXIMATELY 24000 NORTH, EAST OF I-15. (FILED 8-27-2014)

This CUP was tabled at the September 2014 meeting as there were some items missing from the file; those have now been received. The petitioner was requesting a re-zone to for this property to the MG-EX zone to locate a gravel pit in the Portage area of the county. Production at this site would be approximately 2,000 tons per day with an average of 20,000 ton monthly as needed for projects at the Washakie Renewal Energy site. *The County Road Supervisor, Bill Gilson* had some concerns regarding the road to this location. *Mr. Gilson* suggested ATTCO help with the payment for the upgrading of the road when necessary in the future. *Mitch Zundel, the Box Elder County Economic Director*, told the Commissioners that the county and a redevelopment agency are working with Washakie for a project that could be located in this area. There is a county road that runs parallel to the interstate and is the road in question that would need upgrading in the future as *Mr. Gilson* feels that it [the frontage road] is reaching capacity for traffic volume and use with about three more years before upgrading will be necessary. *Mr. Zundel* said that there isn't much information about the project at this time, but there is a possibility that the incremental value from property taxes collected from Washakie could be used for upgrading this road from the Portage exit to Washakie. Staff noted that the CUP could be reviewed in a year's time and some additional conditions could be place on it at that time. **Chairman Chad Munns** asked that the petitioner come forward to answer some questions/concerns that he had as the **Chairman** was concerned with placing stipulations on this permit in the future. *Mr. Devin Jones* from Sunrise Engineering said that he had received information regarding the upgrading of the road from Scott Lyons and they had been addressed, i.e. dust suppression, culverts put in place. As far as increased traffic on this road, Mr. Jones said that there should not be any additional traffic with the gravel trucks as ATTCO would be replacing the trucks (by 90-100%) that are now supplying gravel to the Washakie site with their trucks, thus eliminating the outside trucks from other gravel sites. In regards to any possible expansion of the gravel site, would result in a small amount of additional trucks hauling gravel. Also there are additional revenue and taxes that are being generated by the expansion of the WRE business. Washakie has had a prior agreement with the county regarding the roads and have helped with upgrading the road(s) in the past to their WRE site. At the conclusion of the discussion that following motion was made.

MOTION: A Motion was made by **Commissioner Desiray Larsen** to grant approval for the Conditional Use Permit for the ATTCO (Washakie) Trucking Gravel Pit Operation with the conditions as outlined by Staff. The concerns from Bill Gilson regarding the road and its usage will also be included and the CUP will be reviewed in one year's time to address any other concerns about the road. Motion was seconded by **Commissioner Michael Udy** and passed unanimously.

Conditions of Approval:

1. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
2. Compliance with Article 2-2-100, Conditional Use Permit, of the Box Elder

- County Land Use Management & Development Code.
3. Compliance with requirements and recommendations of the County Engineer and Roads Supervisor.
 4. Submittal of a reclamation bond totaling \$105,674.58 which can only be released by County Engineer approval.
 5. Compliance with all applicable county, state, and federal laws regulating the proposed use, including all licenses, permits, etc.

NEW BUSINESS

GREAT BASIN INDUSTRIAL SUBDIVISION/HILL & ARGYLE, SS14-025, PROPOSED 2 LOT SUBDIVISION LOCATED AT APPROXIMATELY 20655 NORTH 6000 WEST IN THE PLYMOUTH AREA OF BOX ELDER COUNTY.

There were no questions, but it was noted that lot 2 of this subdivision already has the Great Basin Industrial buildings on it.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission to approve the Great Basin Industrial Subdivision of Hill & Argyle. Motion was seconded by **Commissioner Desiray Larsen** and passed unanimously.

WORKING REPORTS

RR-5 and RR-5* (modified) Zones

Staff reviewed the findings regarding the RR-5 and RR-5* (modified) zones located in the Bothwell area. The original RR-5 zone was created in 1978, but it was unclear how it was also labeled as “modified”. In 2003/2004 a developer approached the county about creating a large subdivision/development in an area of Bothwell with lots of ½ to 1 acre and at that time the residents of Bothwell said they did not think that was allowed as the zoning was RR-5; however in this particular area it was un-zoned. The residents of Bothwell then formed a committee and an additional Bothwell plan was created resulting in the other areas of Bothwell being zoned as RR-5. **Chairman Chad Munns** suggested that since it was unclear where the word “modified” was added to the zone, the two zones should be combined into just one zone of RR-5 with the uses being the same for both. Direction for Staff was to combine the two zones and present to the Planning Commission at the next meeting for consideration and approval, at which time it would be forwarded to the County Commission for final approval.

Sexually Oriented Business Ordinance #224

Staff said that it be a benefit for the county to have a specific zone, along with an overlay zone requirement for a SOB. This would result in a two-step process for anyone petitioning for this type of business. Typically throughout the state these zones are place in industrial areas and a map would be made available for the members of the commission to review and suggest locations for the zone. A public hearing would be scheduled for an upcoming meeting and the public would be able to voice any opinions that they may have regarding this ordinance.

Animal Ordinance Section 1-3-040 (Definitions) in the BECLUM&DC

Staff discussed the changes to the animal ordinance and the types and number of animals allowed for both outside and inside the home. The commissioners made some suggestions to the types and numbers to be included and this updated ordinance would be placed on a future agenda for a public hearing and approval by the Planning Commission.

Ordinance 350, location of municipal solid waste corridors within the county.

Staff said that the department is still waiting for bids from two other companies that had been contacted as it is necessary to secure three bids for a project of this type. If those companies do not respond, then other firms will be contacted by staff.

PUBLIC COMMENTS – NONE

A **Motion** was made to adjourn at 8:03 p.m., unanimous.

Passed and adopted in regular session this 20th day of November 2014.

Chad Munns, Chairman
Box Elder County
Planning Commission