BOX ELDER COUNTY
PLANNING COMMISSION MINUTES
July 17, 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/Excused		
Desiray Larsen	Vice-Chair	Scott Lyons	Planner
Kevin McGaha	Member		
Michael Udy	Member	Elizabeth Ryan	Ex. Secretary
Bonnie Robinson	Member	County Commissioner Jeff Scott	
Jay Christensen	Member		
Laurie Munns	Member		

The following citizens were present:

James & Jody Jensen/Brigham City	Bret & Marianne Craynor/Brigham City
Brian Rose/Willard	Michael Taylor/Providence
Dakota Hawks/Ogden	Tom Bowen/Corinne

The Minutes of the June 19, 2014 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by Commissioner Jay Christensen to accept the Minutes as written; seconded by Commissioner Kevin McGaha and passed unanimously.

PUBLIC HEARINGS

Vice-Chairman Desiray Larsen 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.

ROAD VACATE, CHESAPEAKE DUCK CLUB; PETITION TO VACATE APPROXIMATELY 2200 FEET (SOUTH) ON 1015 SOUTH 6800 WEST IN THE CORINNE AREA OF BOX ELDER COUNTY WHERE IS CEASES TO BE A COUNTY ROAD. (FILED 5-27-2014)

This petition is to vacate approximately 2200 feet of the county road on 6800 West south of the gate at 800 South in the West Corinne area at the Chesapeake Duck Club. Tom Bowen told the commissioners that this should have been done about thirty years ago as there are no public lands beyond this point. Mr. Bowen said that he had also spoken with Bill Gilson of the County Road Department and Mr. Gilson had no objection to the vacating of the road. No other comments were received and the hearing was closed with a Motion by Commissioner Laurie Munns, seconded by Commissioner Kevin McGaha, unanimous.

Z14-003, TECHNOLOGY ASSOCIATES; DAKOTA HAWKS PETITION TO AMEND THE *BECLUM&DC* AT ALLOW CELLULAR TOWERS IN THE RR-5* (5 ACRE MODIFIED RURAL RESIDENTIAL ZONE) IN THE BOTHWELL AREA OF BOX ELDER COUNTY. (FILED 6-10-2014)

This request for a text amendment from Technology Associates was to change the BELUM&DC; Section 3-2-070-15, to allow for cellular towers in the RR-5* (Modified) zone as a conditional use. Currently they are not allowed in this zone. No comments were given during the public hearing and the hearing was closed with a Motion by Commissioner Bonnie Robinson; seconded by Commissioner Kevin McGaha, unanimous.

TECHNOLOGY ASSOCIATES; CUP14-003, INSTALLATION OF WIRELESS COMMUNICATION FACILITY LOCATED AT APPROXIMATELY 11483 WEST 12000 NORTH IN THE TREMONTON AREA OF BOX ELDER COUNTY. (FILED 6-10-2014)

Technology Associates, after having applied for the above text amendment to the land use code, were then asking for a conditional use permit to locate a cell tower on parcel 05-099-0042 with access via county road 12000 North in the Bothwell area. Dakota Hawks, a representative from Technology Associates, informed the Commissioners that Verizon Wireless (their client) is proposing a wireless communication tower at this location (approximately 11483 W 12000 N) once the text amendment is approved. Commissioner Jay Christensen asked about the timeframe for this cell tower and if others would be allowed to co-locate at this site. Mr. Hawks said that the proposed building of the tower would be next summer and others would be able to co-locate. No other comments were given and the hearing was closed with a Motion by Commissioner Bonnie Robinson, seconded by Commissioner Kevin McGaha, unanimous.

SS14-018, VALLEY VIEW ESTATES PHASE III, AN EIGHT LOT SUBDIVISION LOCATED AT APPROXIMATELY 7225 SOUTH 600 WEST IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-19-2014)

This is Phase 3 of the Valley View Estates in South Willard consisting of eight lots (two cul-de-sacs with four lots each). The petitioner was requesting preliminary approval at this time. No comments were received during the public hearing and a Motion was made by Commissioner Laurie Munns to close the hearing, seconded by Commissioner Bonnie Robinson, unanimous.

WAKEBOARD/SNOWBAORD CABLE PARK, SP14-005, MATHES SABERON APPLICANT. LOCATION OF PROPOSED PARK AT APPROXIMATELY 9500 SOUTH HIGHWAY 89 IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-20-2014)

This site plan review was for a proposed wakeboard/snowboard cable park to be located at approximately 9500 South Highway 89 (east of I-15 and west of HWY 89 in the South Willard area). This property is being leased to the applicant, Mathis Saberon. Mr. Saberon told the commissioners that this would be a year-round facility and would feature rails, jumps for the summer and winter cable systems. This cable system can be torn down, moved and reconstructed in about six hours time period. There is also a hot springs on the property and access to that may become available in the future. No other comments were given and the hearing was closed with a Motion by Commissioner Michael Udy, seconded by Commissioner Jay Christensen, unanimous.

RE-ZONE, Z14-004, BRET AND MARIANNE CRAYNOR PETITION TO RE-ZONE APPROXIMATELY 9.86 ACRES LOCATED AT APPROXIMATELY 3150 WEST FOREST STREET IN UNINCORPORATED BOX ELDER COUNTY FROM THE CURRENT A-20 (AGRICULTURAL 29 ACRE) ZONE TO A1/2 (ONE-HALF ACRE ZONE). (FILED 6-20-2014)

Bret and Marianne Craynor were requesting a re-zone for their property from the current A-20 (20 acre agricultural use) to A-1/2 (agricultural one-half acre) zone. No comments were made and the hearing was closed with a Motion by Commissioner Laurie Munns, seconded by Commissioner Kevin McGaha, unanimous.

SS14-019, THE FARMS SUBDIVISION AMENDMENT, RICHARD DAY; TO AMEND TWO EXISTING LOTS INTO ONE LOT LOCATED AT APPROXIMATELY 739 W 7325 S IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-24-2014)

This petition to amendment The Farms subdivision was to combine lot 13 (Phase I) and lot 111 (Phase 6) together. Mr. Richard Day currently owns both lots and there are several out-buildings on lot 111 with one of those buildings crossing over the boundary line into lot 13. No comments were given and the hearing was closed with a Motion by Commissioner Kevin McGaha, seconded by Commissioner Bonnie Robinson, unanimous.

UNFINISHED BUSINESS -- NONE

NEW BUSINESS

ROAD VACATE, CHESAPEAKE DUCK CLUB; PETITION TO VACATE APPROXIMATELY 2200 FEET (SOUTH) ON 1015 SOUTH 6800 WEST IN THE CORINNE AREA OF BOX ELDER COUNTY WHERE IS CEASES TO BE A COUNTY ROAD. (FILED 5-27-2014)

Staff explained that he was waiting for an approval/review from Bill Gilson, the county road supervisor. Mr. Tom Bowen asked if he needed to contact Mr. Gilson again, but was told that was the duty of the planning staff.

MOTION: A Motion was made by Commissioner Bonnie Robinson to approve the road vacate with the condition of approval from Bill Gilson of the road department and forward on to the county commissioners. Motion was seconded by Commissioner Kevin McGaha and passed unanimously.

Z14-003, TECHNOLOGY ASSOCIATES; DAKOTA HAWKS PETITION TO AMEND THE *BECLUM&DC* AT ALLOW CELLULAR TOWERS IN THE RR-5* (5 ACRE MODIFIED RURAL RESIDENTIAL ZONE) IN THE BOTHWELL AREA OF BOX ELDER COUNTY. (FILED 6-10-2014)

Staff explained that this text amendment is to change the [current] language in the BECLU&DC , Section 3-2-070-15 which states: *"Correctional institutions, public or quasi-public facilities, essential service facilities, airports, private schools (with a curriculum corresponding to public schools), churches, dams and reservoirs, radio and television transmitting stations or towers*

(including repeating towers), cemeteries, roads (public and private) recreation trails, railroad and utility lines rights-of-way, and substations, etc. approved by the County Commission".
The proposed amendment's language would be*: "Correctional institutions, public or quasi-public facilities, essential service facilities, airports, private schools (with a curriculum corresponding to public schools), churches, dams and reservoirs, radio, cellular, and television transmitting stations or towers (including repeating towers), cemeteries, railroad and utility lines rights-of-way, and substations."*
When asked what the difference between the RR-5 zone and the RR-5* Modified zone, staff said that there is very little and questioned way there were the two zones in the first place. Commissioner Laurie Munns said that it would probably be a good time for the commissioners to review both of the zones and Commissioner Jay Christensen agreed that taking the time to review both and the languages current and proposed was advisable before making a recommendation to the text amendment.

MOTION: A Motion was made by Commissioner Kevin McGaha to table any recommendation on the text amendment to the RR-5* Modified zone at this time. Motion was seconded by Commissioner Jay Christensen, and passed unanimously.

TECHNOLOGY ASSOCIATES; CUP14-003, INSTALLATION OF WIRELESS COMMUNICATION FACILITY LOCATED AT APPROXIMATELY 11483 WEST 12000 NORTH IN THE TREMONTON AREA OF BOX ELDER COUNTY. (FILED 6-10-2014)
After reviewing the petition for the text amendment which affects this conditional use permit the following motion was made.

MOTION: A Motion was made by Commissioner Laurie Munns to table the Conditional Use Permit for Technology Associates until the text amendment associated with this CUP is approved or denied. Seconded by Commissioner Jay Christensen and passed unanimously.

SS14-018, VALLEY VIEW ESTATES PHASE III, AN EIGHT LOT SUBDIVISION LOCATED AT APPROXIMATELY 7225 SOUTH 600 WEST IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-19-2014)
Phase III of the Valley View Estates located in South Willard will be made up of two cul-de-sacs with 4 lots each. This plat is for preliminary approval and the petitioner is working on obtaining verification for the utilities, as well as with South Willard Water and will have to submit another plat for final approval. There are still lots in Phase II that have not sold.

MOTION: A Motion was made by Commissioner Laurie Munns to grant approval to the Valley View Estates Phase III preliminary plat with the conditions as outlined by Staff. Motion was seconded by Commissioner Kevin McGaha and passed unanimously.

CONDITIONS FOR APPROVAL:

1. Compliance with Article 5 of the BECLUM&DC.
2. Compliance with Article 6-1, Subdivisions, of the BECLUM&DC.
3. Compliance with all applicable county, state, and federal laws regulating the

proposed subdivision.

4. Verification for all utilities and from South Willard Water Company.

WAKEBOARD/SNOWBOARD CABLE PARK, SP14-005, MATHES SABERON APPLICANT. LOCATION OF PROPOSED PARK AT APPROXIMATELY 9500 SOUTH HIGHWAY 89 IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-20-2014)

Staff explained that the applicant is still working of obtaining some utility verification, i.e. Rocky Mountain Power and UDOT even though there is not a new access to the property it is necessary for UDOT to be notified of the impending [change in] use. Also he is working with the fire marshal for any changes that may be necessary for the road width and any turn-around or hammerhead that may be needed. Commissioner Bonnie Robinson asked about the crossing of the railroad tracks to access the property. Staff said that UDOT has to be notified regarding the access permit that is required and Union Pacific has been sent a notice stating that the use of the road crossing the tracks would be changing. Commissioner Laurie Munns asked if the RR crossing was adequate for emergency vehicles. Restrooms are already at the site. It was also asked if there was a letter from the landowner regarding the lease of the property and one is in the file. The applicant said that he is still waiting for a response from UDOT and also from Rocky Mountain Power. As this is a seasonable business/operation, he said that he would like to be able to open up as soon as possible. The road will need to be widened for a distance of approximately 300 to 360 feet and an all-weather surface placed down on it. The current county road standards don't address paving of roads that are used for commercial use, as they only deal with the roads in residential areas. Even though this is a commercial use there will [probably] not be a high volume of traffic. The Commissioners then talked with the applicant about the business and asked more questions about the specific uses at the park. Customers would use the wakeboard in the summer over a pond that is about 520' x 190' and in the winter the cable system would be relocated on the land south of the pond in an area about the same size of the pond. There are no plans to build any structures on the property at this time. The applicant also explained to the commissioners how the system works as they found this to be an interesting prospect, but not sure they would want to try it out themselves.

MOTION: A Motion was made by Commissioner Michael Udy to grant approval for the Wakeboard/Snowboard Cable Park Site Plan with the conditions as outlined by Staff. Motion was seconded by Commissioner Bonnie Robinson and passed unanimously.

CONDITIONS OF APPROVAL:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 2-2-110, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
3. Submit a letter from Rocky Mtn Power.
4. Get an access permit from UDOT.
5. Work with Fire Marshal on final road design.
6. Compliance with all applicable county, state, and federal laws regulating the proposed amendment.

RE-ZONE, Z14-004, BRET AND MARIANNE CRAYNOR PETITION TO RE-ZONE APPROXIMATELY 9.86 ACRES LOCATED AT APPROXIMATELY 3150 WEST FOREST STREET IN UNINCORPORATED BOX ELDER COUNTY FROM THE CURRENT A-20 (AGRICULTURAL 29 ACRE) ZONE TO A1/2 (ONE-HALF ACRE ZONE). (FILED 6-20-2014)

After the commissioners discussed this re-zone issue and that when this area was re-zoned many residents in the area thought that their property would also be included in the RR-20 zone, but for some reason was not, the issue of obtaining new water tabs from Brigham City was a concern. Brigham City has been trying to annex this property into the city, but many do not want that to happen. They like being in the county and just want to be able to break off a parcel from their acreage (which is often not the required 20 acres for the zone) and give to their child(ren) in the future. Commissioner Laurie Munns asked if the property is re-zoned and then annexed into Brigham City would that change the zoning. Unknown.

MOTION: A Motion was made by Commissioner Bonnie Robinson to approve the re-zone for Bret and Marianne Craynor from the current A-20 to A ½ Zone. Motion seconded by Commissioner Kevin McGaha and passed unanimously.

SS14-019, THE FARMS SUBDIVISION AMENDMENT, RICHARD DAY; TO AMEND TWO EXISTING LOTS INTO ONE LOT LOCATED AT APPROXIMATELY 739 W 7325 S IN THE SOUTH WILLARD AREA OF BOX ELDER COUNTY. (FILED 6-24-2014)

This amendment to the Farms Subdivision was to combine Lot 13 from Phase I and Lot 111 from Phase 6 into one lot. Both parcels/lots are owned by the petitioner and with the several out-buildings on Lot 111 he does not want to use it as a residential lot.

MOTION: A Motion was made by Commissioner Jay Christensen to approve the Farms Subdivision Amendment for Richard Day and forward to the county commission for their consideration. Motion was seconded by Commissioner Laurie Munns and passed unanimously.

WORKING REPORTS

The August meeting of the Planning Commission was changed to the fourth Thursday (August 28, 2014) due to the County Fair being held during the third week of August.

Scheduling for a site visit/work session was also discussed. Several of the landowners in the Hansel Valley area wanted the planning commissioners to visit locations around the proposed landfill; it was decided that a site visit would be scheduled for Tuesday, August 12, 2014 with the commissioners and landowners meeting at 6:00 p.m. At 7:00 the planning commissioners would then have a work session at either the Howell or Snowville Town Hall and Commissioner Laurie Munns would check into the availability of one of those places.

PUBLIC COMMENTS -- NONE

A **Motion** was made to adjourn at 8:19 p.m., unanimous.

Passed and adopted in regular session this 28th of August 2014 .

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Chad Munns, Chairman
Box Elder County
Planning Commission