

BOX ELDER COUNTY PLANNING COMMISSION MINUTES April 16, 2015

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 by a roll call, constituting a quorum:

Chad Munns	Chairman	<i>the following Staff was present:</i>	
Desiray Larsen	Vice-Chair	Steve Hadfield	Co Attorney
Kevin McGaha	Member/Excused	Marcus Wager	Planner
Michael Udy	Member	Scott Lyons	Planner
Bonnie Robinson	Member	Comm. Jeff Scott	
Jay Christensen	Member	Elizabeth Ryan	Exec. Sec.
Laurie Munns	Member		

The following citizens were present:

Brenda Sagers/Bothwell	Fred R. Sorensen/Bothwell
John Sagers/Bothwell	Diana Sorensen/Bothwell
Joseph Summers/Bothwell	Katherine Summers/Bothwell
Lee Summers/Bothwell	Kent Baker/Riverside
Shane & Cari Jenkins/Brigham City	Bridger Gerhardt/Brigham City
Steven Hansen/Brigham City	Vonda Smith/Brigham City
John Young/Brigham City	Clayton Grover/Tremonton
Jason Grover/Tremonton	Douglas Newman/Bothwell
Tamera Newman/Bothwell	John Mc Guire/Bothwell
Blake Billmore/Alpine	Jim Flint/Brigham City
Linford Landis/Bothwell	

The Minutes of the March 19, 2015 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.

ORDINANCE TEXT AMENDMENT, Z15-005: PROPOSAL TO PROVIDE REGULATIONS FOR TELECOMMUNICATION FACILITIES WITHIN BOX ELDER COUNTY.

Staff explained that this text amendment was for the purpose of adding Chapter 5-7 to the Land

Use Management Code addressing Telecommunication Towersⁱ. This would provide definitions and some regulations that would govern them, i.e. fencing for security reasons. Also co-location on existing towers would be administratively approved by staff. The public hearing was opened and no comments were received. The hearing was then closed with a Motion by **Commissioner Desiray Larsen** and seconded by **Commissioner Jay Christensen**, unanimous.

ORDINANCE TEXT AMENDMENT, Z15-006: PROPOSAL TO PROVIDE REGULATIONS FOR THE ADMINISTRATIVE CONDITIONAL USE PERMIT PROCESS.

Staff explained that this text amendment was for the addition of Section 2-2-110ⁱⁱ to the Land Use Code that would allow staff to administratively approve certain administrative conditional use permits without having to bring the item before the planning commissioners; i.e. such as a home based business. Staff would review the guidelines and conditions with the applicant at the time of submission outlining what is and is not allowed for approval. (See attachment #1) The regulations for an administrative CUP is basically the same as that for a CUP, but can be approved by Staff. The public hearing was opened and no comments were given. The hearing was then closed with a Motion by **Commissioner Laurie Munns**, seconded by **Commissioner Michael Udy**, unanimous.

REZONE, JOSH SKIDMORE, Z15-004: RE-ZONING OF PROPERTY LOCATED AT APPROXIMATELY 2340 WEST HIGHWAY 13 IN THE BRIGHAM CITY AREA OF BOX ELDER COUNTY FROM RR-20 (RURAL RESIDENTIAL 20,000 SQ. FT.) TO C-G (GENERAL COMMERCIAL).

Staff explained that this applicant is requesting a re-zone for property located on Highway 13 just west of I-15. The property is currently zoned RR-20 (rural residential) and it is being proposed that it change to C-G (General Commercial) for the purpose of building a truck wash facility at this site. The public hearing was opened and no comments were received. A Motion was made by **Commissioner Desiray Larsen** to close the hearing, seconded by **Commissioner Jay Christensen** and was unanimous.

11-LOT SUBDIVISION, DARIN CUTLER, SS15-010: LOCATED AT APPROXIMATELY 4100 WEST 5500 NORTH IN THE BEAR RIVER CITY AREA OF BOX ELDER COUNTY.

Staff explained that this application is currently incomplete having only have the concept plan showing 11 lots presently and no reviews have been done by any of the other county departments. However, as this item had been noticed for the public hearing it was suggested that the hearing be opened for anyone that may have come for this item. The public hearing was then opened by **Chairman Chad Munns**.

Mr. Shane Jenkins said that he lives next to this proposed subdivision and noted that this property has wetlands in the area and approximately 1/3 of an acre had sloughed off into the Bear River sometime in the past. He wondered if there had been a feasibility study and impact study done on this property and noted that there is not any frontage for these lots. Also in case of an emergency, there is only once access point into the subdivision. The river has also flooded in the past. Also would like to see what was proposed for the installation of utility and the size of the lots being proposed.

The hearing was then closed with a Motion by **Commissioner Bonnie Robinson**, seconded by **Commissioner Desiray Larsen**, unanimous. The item will be noticed again for another public hearing once the application is complete.

REZONE, Z-15-001: RE-ZONING IN THE BOTHWELL AREA FROM RR-5* MODIFIED (RURAL RESIDENTIAL 5 ACRES) TO RR-5 (RURAL RESIDENTIAL 5 ACRES).

Staff noted that this is the first of two public hearing dealing with the re-zone and text amendment for the Bothwell area. This first public hearing was to specifically address the zoning map amendment. It is proposed that the RR-5 and RR-5 (modified) zones be combined into one zone of RR-5. Also with the change in zoning there would be a change in the uses allowed and that public hearing will follow. All of the current uses (approximately 60) have been reviewed by Staff. The public hearing was opened and the following comments were made.

Mr. John Sagers: (letter)

Box Elder County Planning Meeting 16 April 2015

Three months ago in this meeting we were told by the county planners, that there would be a meeting with the citizens of Bothwell to discuss the proposed changes to the RR-5 and RR-5 (modified). Despite the assurances that this meeting would be held it never occurred.

The single item, most objects to, in the proposed consolidation of the two RR-5 zones was the permitting of two-family dwellings. (code section 3-2-070-7.2). This single item was universally opposed by everyone in attendance. It was the subject most noted in letters to the Box Elder County commissioners. Despite this universal and overwhelming opposition the code section permitting Two-family dwellings remains in the zoning code. It is interesting that a two-family dwelling doesn't even require a conditional use permit while frog farming does.

I have the following questions which I hope will be answered during the board's discussion.

- 1. Is there a difference between a two-family dwelling and a duplex?*
- 2. Does one side of the two-family dwelling have to be occupied by someone related to the owner of the building?*
- 3. Is it possible two have two owners of the dwelling? How is the ownership of the five acres divided? Can the owner of the dwelling rent either or both parts of the dwelling?*
- 4. Doesn't this in fact increase housing density within the Zone?*

I would in the interest of transparency like to know who advocated the inclusion of the two-family dwelling in the zoning despite complete opposition to the provision. I would also like to hear the planning board discuss the pros and cons of permitting two family dwellings in a RR-5 zone. I hope that I don't hear that it is "progress" and "people in Bothwell shouldn't be against progress".

*John D. Sagers
11516 North 9200 West
Bothwell, Utah*

Mr. John McGuire said he was in favor of making this entire area into one zone, but suggested that perhaps the area should be zoned as RR-5 (modified) as this is where most of the people currently reside. He was opposed to the current description of the RR-5 zone.

Mr. Brett Sorenson compared this area of Bothwell to that of Harper Ward that is also zoned as RR-5. Was concerned that like the proposed subdivision in Harper Ward where smaller lots can be granted with the additional 4 acres somewhere up on the hill that is not developable. Also how many acres would a two-family home required.

No other comments were given and the hearing was closed with a Motion by **Commissioner Michael Udy**, seconded by **Commissioner Laurie Munns** and passed unanimously.

ORDINANCE TEXT AMENDMENT, Z14-015: PROPOSAL TO AMEND AND CHANGE TEXT IN SECTIONS 3-2-070 REGULATIONS FOR SPECIFIC USES, SECTION 3-2-080 REGULATIONS FOR USES, AND SECTION 1-3-040 DEFINITIONS.

Staff explained that this text amendment if to address the various uses in the RR-5, RR-5 (modified), zones as well as other zones included in the Chapter 3-2 of the Land Use Code. Those zones included are *MU-160*, *MU-80*, *MU-40*, *A-20*, *A-1*, *A-1/2*, *RR-10*, *RR-5*, *RR-5 (modified)*, *RR-2*, and *RR-1*. It was also being proposed that the *MU-80*, *A-1*, and *RR-5 (modified)* zones be eliminated altogether. Staff then reviewed each of the uses and the codes stating that a use was either “P”ⁱⁱ, permitted, or allowed; “C”, a conditional use; or “-“, not permitted or allowed in the zone.ⁱⁱⁱ It was noted that the two-family dwellings (3-2-070-7.2) were still included in the uses and would be removed from the RR-5 zone.

Mr. Jim Flint, from Hansen & Associates then addressed the subject of PUDs and talked about the favorable aspect of being able to use land for housing and still being able to set aside valuable land that could continue being used for agricultural purposes. A PUD allows for cluster housing.

Mr. John Sagers was concerned with the limit on the height regulations in the uses that had been reviewed by Staff as he felt a limit of thirty-five and a half feet (35 ½”) could be problematic as there could be silos or grain elevators higher than that in Bothwell..

Mr. John Young asked for a better definition of a PUD. He disagreed that PUDs can be beneficial to an area as he said that the proposed one in Harper Ward will affect his agriculture. He also said that if a PUD is put in a 5 acre zone then all of the area should be developable even if it is up on the hill.

Ms. Tamera Newman asked for some clarification on a conditional use permit and gave the example of an application [for a welding business] that was submitted some time ago and was denied because it was not agricultural in nature. She also noted that if she wanted to apply for a text amendment it would cost her several hundred dollars. Is there some discrimination being done?

Mr. John McGuire felt that a thoughtful job had been done by Staff in reviewing all of the uses. He also asked about the inclusion of the two-family dwellings in the uses. He noted that even though PUDs may be beneficial in some areas, however in Bothwell the citizens liked the RR-5

zone as it made it difficult for large developments to occur.

A Motion was made by **Commissioner Desiray Larsen** to close the public hearing, seconded by **Commissioner Jay Christensen** and passed unanimously.

UNFINISHED BUSINESS

CUP15-001, CONDITIONAL USE PERMIT, MITTON PEAK ESTATES, PRIVATE CAPITAL GROUP FOR A 17 LOT PUD OVERLAY DEVELOPMENT AT APPROXIMATELY 4980 NORTH HIGHWAY 38 IN THE HARPER WARD AREA OF BOX ELDER COUNTY. (FILED 1-28-2015)

Staff reviewed the Mitton Peak Estates PUD application noting that the overall project consists of 88 acres with the lower portion being used for approximately 17 buildable lots and the upper (hill) portion be left as open space. This development is set in the Harper Ward area where the current zoning is RR-5; however a PUD allows for flexible lot sizes, uses, and structures. The proposed setbacks for the lots were reviewed and it was noted that lots 12 through 17 would have a 100 foot setback due to power lines located on the property. There are also power lines on the back sides of these lots and the rear setback may need to be adjusted. The developer said that they would be able to meet any required setbacks that the planning commissioners felt were necessary. The planning commissioners thought that the frontage requirements should be at least 200 to 250 feet as that is closer to what is required in the RR-5 zone and also wanted to have a better plan for what would be done with the open space and who would be responsible for the continued care and maintenance of that space. **Chairman Chad Munns** noted that when the PUD ordinance was originally adopted it was for the South Willard area even though it can be used throughout the county currently. It was suggested that the developer meet with the County Commissioner to determine what would be acceptable regarding the ownership of the remaining open space. If the developer was going to develop this open space into open trails or other recreation possibilities, the commissioners wanted to be able to see a proposed plan for that development; currently the plan is only for the portion where the homes would be built. **Commissioner Bonnie Robinson** still had some concerns with the lower portion of the development and the density of the houses there. She noted that when the property was petitioned for a re-zone it was stated that the upper portion of this area would not be developed and now with the PUD it is proposed as being open space.

Mr. Jim Flint, from Hansen & Associates stated that access to the development can only be off of Highway 38 and UDOT will not allow for any frontage on the highway for the homes. He also noted that this [PUD] is a zone that offers some flexibility for landowners in developing their land and it should not be used to purposely thwart development. He also noted that there are utilities and a water line available that run along Highway 38 and from that perspective it is a feasible way for the development to take place. Agricultural land is not being robbed with this development and this [should] be an ideal location for a PUD to occur. The whole spirit and idea of a PUD is to cluster the houses with the open space being about 30%; this PUD is offering over 50% to 60% as open space. He said that he would work on bringing a proposal back to the commissioners regarding the open space and was willing to work with the commission regarding any necessary changes to the frontage on the lots. He also referred to the River Bend Subdivision that is also on the agenda tonight and that when developments occur in the un-zoned areas of the county they may not have the same guidelines or requirements as developments in

zoned areas of the county. This PUD would allow for the housing and still the rural feel of the area.

MOTION: A Motion was made by **Commissioner Laurie Munns** to Table any final decision on this application and continue to review the application for the PUD and have the developer return with a plan for the proposed open space.

Commissioner Desiray Larsen also suggested that the other items be considered also; setbacks, frontage, etc., and **Commissioner Bonnie Robinson** asked if there was a way to determine just what portion of the area was too steep to even be considered as developable, then that could be taken into consideration in reviewing and approving the PUD. Staff said that [the steep portion] could be quite subjective as there are areas along the Wasatch front that at one time were probably deemed as “too steep” but are now being developed. Sometime in the future the upper portion of this area may too be developable.

At the conclusion of the discussion Staff suggested that the commission give the developer direction regarding the frontage requirements that they desired and also a plan for the open space.

Motion was seconded by **Commissioner Jay Christensen**. The commissioners then discussed other requirements that they wanted to place upon the development. **Commissioner Desiray Larsen** suggested that the frontage for the lower/smaller lots be 200 feet and the upper/larger lots be 250 feet; and a proposal for the open space with perhaps a couple of different plans was also suggested.

Motion then passed unanimously.

At this point a Motion was made by **Commissioner Bonnie Robinson** to break for 10 minutes @ 8:45 p.m.; seconded by **Commissioner Jay Christensen**, unanimous.

Meeting reconvened at 8:52 p.m.

BIG G ENTERPRISES, SS15-006, RIVERBEND ESTATES, 16-LOT SUBDIVISION LOCATED AT APPROXIMATELY 15600 NORTH 4800 WEST IN THE RIVERSIDE AREA OF BOX ELDER COUNTY. (FILED 2-19-2015)

Commissioner Michael Udy asked to be excused from the discussion on this item. Staff then reviewed the petition that was now before the commission for its preliminary approval. This 16-lot subdivision is located in an unincorporated portion of the county. At the March 2015 meeting there were some items that had not been received, but those items are now in the file. The Fire Marshall had required hydrants on the plan and an eight inch line with the flow data on the system. The Chief Building Official recommended that a geotechnical report be submitted and that has been received. The County Road Supervisor had reviewed the second version of the subdivision plan and felt that a roadway through the subdivision be built to the county road standards with a rolled curb and gutter. They road would need to be 30 feet of pavement and a large turnaround at the end. Also the site restrictions at the entrance off of 15600 North have been improved by excavating the hillside to improve the site distance to 400 feet. However, it

was noted that the hillside by the power pole also needed to be excavated and the power pole moved and reset. Staff said that all of the necessary utility letters have been received also and that the geo-tech report showed that six test holes had been dug to a depth of 10 feet and no ground water was found; however, there is no irrigation water running currently on the ground. Those holes could be monitored to see if any water collects after irrigation starts. **Commissioner Laurie Munns** asked about having only one access into the subdivision and was informed that subdivision of less than 30 lots do not require more than one access and the turnaround at the end of the development would be large enough to accommodate emergency vehicles. It was also noted that in the un-zoned areas of the county no minimum frontage is required on the half acre lots.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to grant approval for the Preliminary Plat, SS15-006, of the Big G Enterprises/Riverbend Estates 16 lot subdivision. Motion was seconded by **Commissioner Jay Christensen** and passed unanimously, with **Commissioner Michael Udy** being excused, abstaining from the vote.

CUP15-002, LINFORD LANDIS, CONDITIONAL USE PERMIT FOR A HOME AND EXCAVATION BUSINESS TO BE LOCATED ON PARCEL 05-099-0004 OF 31.2 ACRES AT APPROXIMATELY 10800 NORTH 12000 WEST IN THE BOTHWELL AREA OF BOX ELDER COUNTY. (FILED 2-19-2015)

Staff said that the commissioners could approve this CUP subject to conditions related to the approval and passing of the re-zone and text amendment regarding the Bothwell area, or it could be Tabled to a future meeting once the items concerning changes in the Bothwell area have been adopted by the County Commission.

MOTION: A Motion was made by **Commissioner Michael Udy** to Approve the Conditional Use Permit for Linford Landis, subject to the approval of the text amendment. Motion was seconded by **Commissioner Desiray Larsen** at which point Staff suggested that the additional six points of conditions for approval also be included (that were outlined in the staff report). Motion was then amended by **Commissioner Michael Udy** to include the conditions as outlined by staff as well as the approval of the text amendment. Amended Motion seconded by **Commissioner Jay Christensen** and passed unanimously.

Conditions for Approval:

1. Final approval of this Conditional Use Permit is subject to the approval of applications Z14-015 and Z15-001 by the Box Elder County Commission.
2. Compliance with Chapter 5-1, Regulations Applicable to All Zones, of the Box Elder County Land Use Management & Development Code.
3. Compliance with Section 2-2-100, Conditional Use Permits, of the Box Elder County Land Use Management & Development Code.
4. Any conditions the Planning Commission finds necessary as part of the Home Business.
5. Any conditions the County Roads Superintendent, County Engineer, and County Fire Marshal find necessary as part of the Home Business and building permit.
6. Compliance with all applicable county, state and federal laws regulating the proposed use, including all current licenses, permits, etc.

NEW BUSINESS

ORDINANCE TEXT AMENDMENT, Z15-005: PROPOSAL TO PROVIDE REGULATIONS FOR TELECOMMUNICATION FACILITIES WITHIN BOX ELDER COUNTY.

This text amendment is to add language to the Land Use Code regarding Telecommunication Towers by adding Chapter 5-7.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for Z15-005 text amendment regarding Telecommunication Towers by adding Chapter 5-7 to the *Box Elder County Land Use Management & Development Code*. Motion seconded by **Commissioner Jay Christensen** and passed unanimously.

ORDINANCE TEXT AMENDMENT, Z15-006: PROPOSAL TO PROVIDE REGULATIONS FOR THE ADMINISTRATIVE CONDITIONAL USE PERMIT PROCESS.

This text amendment was for the purpose of adding Section 2-2-110 to Article 2 of the Land Use Management Code in order to better define the administrative and development review process for administratively approving applications that are submitted which are (or may) not be required to be presented to the Planning Commission for approval, i.e. home (occupation) business applications such as daycare facilities, lawn care, in-home beauty salon, accounting services, etc. (Attachment #1). **Commissioner Laurie Munns** asked for some clarification on the administrative conditional use permit and was told by Staff that administrative CUPs are already included within the Code that allows the planning and zoning staff, or zoning administrator, the ability to administratively grant approval; however there is not a [clear] process for granting those approvals. **Chairman Chad Munns** said that this would be similar to the administrative approval for one-lot subdivisions that do not have to come to the planning commission for approval. There were still some questions regarding the differences between a Conditional Use Permit and an Administrative Conditional Use Permit; therefore the following motion was made.

MOTION: A Motion was made by **Commissioner Laurie Munns** to table approval for this text amendment in order for more discussion to take place and allow the commissioners the opportunity to read through the proposed text amendment and better understand the differences. Motion was seconded by **Commissioner Jay Christensen** and passed unanimously. **Commissioner Desiray Larsen** agreed that the additional time to review the amendment would be advantageous to insure that the Planning Commission was not giving up any approval authority that might prove erroneous in the future.

REZONE, JOSH SKIDMORE, Z15-004: RE-ZONING OF PROPERTY LOCATED AT APPROXIMATELY 2340 WEST HIGHWAY 13 IN THE BRIGHAM CITY AREA OF BOX ELDER COUNTY FROM RR-20 (RURAL RESIDENTIAL 20,000 SQ. FT.) TO C-G (GENERAL COMMERCIAL).

This request for a zone change from RR-20 to C-G (General Commercial) is not prohibited in the County General Plan and Staff also stated that as this property is located close to the Brigham City limits the landowners may need to approach Brigham City for water if a truck wash is built

at this site in the future and if they do not currently have sufficient water for such a use. If that were the case, then Brigham City would probably have this property annexed into the city. Brigham City currently shows the area by this proposed re-zone as commercial general. **Commissioner Laurie Munns** asked what other uses were allowed in the general commercial zone and Staff said that there are many uses including, agricultural, hotels/motels, commercial printing, bakeries, books, drive-in restaurants, grocery stores, sporting goods, other retail sales, etc.; more commercial and not manufacturing or industrial uses. The possibility of future annexation was not something needed to be considered in approving or not approving this application according to Staff, nor was the availability of water for a truck wash as that was not for the planning commission to decide if water was going to be available to the applicant.

MOTION: A Motion was made by **Commissioner Desiray Larsen** to forward a recommendation of approval to the County Commission for the re-zone of property located at approximately 2340 West Highway 13. Motion was seconded by **Commissioner Jay Christensen** and passed unanimously.

11-LOT SUBDIVISION, DARIN CUTLER, SS15-010: LOCATED AT APPROXIMATELY 4100 WEST 5500 NORTH IN THE BEAR RIVER CITY AREA OF BOX ELDER COUNTY

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to Table this application for the Darin Cutler Subdivision as the application was incomplete. Another public hearing will be noticed when the application is complete and has been reviewed by various county departments. Motion seconded by **Commissioner Laurie Munns** and passed unanimously.

REZONE, Z-15-001: RE-ZONING IN THE BOTHWELL AREA FROM RR-5* MODIFIED (RURAL RESIDENTIAL 5 ACRES) TO RR-5 (RURAL RESIDENTIAL 5 ACRES).

Staff stated that based on the three public hearings that had been held regarding this re-zone and the work session it was recommended that the planning commission forward a recommendation to the County Commission for approval of the re-zone in the Bothwell area to RR-5 for the entire area [known as Bothwell].

MOTION: A Motion was made by **Commissioner Jay Christensen** to forward a recommendation to the County Commission to approve the zoning map amendment changing the zoning from RR-5 (modified) to RR-5 and to adopt the findings of Staff and to also include the condition that text amendment Z14-015 is also passed and adopted pertaining to the uses allowed in the zone(s). Motion was seconded by **Commissioner Laurie Munns** and passed unanimously.

ORDINANCE TEXT AMENDMENT, Z14-015: PROPOSAL TO AMEND AND CHANGE TEXT IN SECTIONS 3-2-070 REGULATIONS FOR SPECIFIC USES, SECTION 3-2-080 REGULATIONS FOR USES, AND SECTION 1-3-040 DEFINITIONS.

After having reviewed all of the proposed uses, with the elimination of two-family dwellings (at least from the RR-5 zone) as a use, Staff recommended that the planning commission forward a recommendation of approval to the County Commission. **Commissioner Bonnie Robinson** asked

if the two-family dwelling should also be eliminated from the two acre zones and if there were any existing two-family dwellings located in these zones currently. Staff was unsure if there were any, but they would be grandfathered in anyway. The exemption of the 35 ½ feet height limit for any agricultural structures was also addressed. The MU-80 will stay in the Code as a zoning district as it was discovered that there are some existing parcel meeting this requirement.

MOTION: A Motion was then made by **Commissioner Bonnie Robinson** to forward a recommendation of approval of the Ordinance Text Amendment, Z14-015 to the County Commission with the three correction noted: *1) elimination of the two-family dwellings; 2) exemption for building height on agricultural structures; and 3) the inclusion of the MU-80 zone.* Motion was seconded by **Commissioner Laurie Munns** and passed unanimously.

WORKING REPORTS

Chairman Chad Munns talked about the PUD (Planned Unit Development) and the concern that had been voiced by several citizens. He noted that there are some misconception concerning how the acreage is determined in a PUD and that it is all inclusive and not with some of the property where the home is located and the remaining acreage elsewhere. PUDs allow for smaller lots than the required zoned, such as in the Mitton Peak proposal where the surrounding zone is RR-5 and the lots are smaller than five acres. As this is now a pending ordinance it will be reviewed to see what will be the best for Box Elder County. During the next six months no other PUD proposals will be considered and once the new ordinance regulating PUDs is adopted they would follow the new guidelines. Staff concurred with what had been said and that some work sessions will take place in order to work through a new PUD ordinance.

A date of Thursday, May 7, 2015 was set for a work session to discuss the Mitton Peak Estates in Harper Ward and also to review the findings of the research done regarding the county's landfill corridor.

Staff suggested that the agenda for future meetings be changed to hold the public hearings and then act on those items immediately following the hearing rather than after the unfinished business has been dealt with.

PUBLIC COMMENTS

A **Motion** was made to adjourn at 9:59 p.m., unanimous.

Passed and adopted in regular session this _____ 21st day of May 2015 _____.

Chad Munns, Chairman
Box Elder County
Planning Commission

ⁱ Article 5: Regulations of General Applicability; Chapter 5-7

ⁱⁱ Article 2 – Administration and Enforcement; Chapter 2-2-110

ⁱⁱⁱ Article 3: Zoning Districts (proposed changes)

Attachment #1