

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES AUGUST 15, 2019

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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:

<i>Roll Call</i>		<i>the following Staff was present:</i>	
Laurie Munns	Excused	Scott Lyons	Comm Dev Director
Mellonee Wilding	Vice-Chair	Marcus Wager	County Planner
Kevin McGaha	Member	Steve Hadfield	County Attorney
Michael Udy	Member	Jeff Scott	Excused
Desiray Larsen	Member	Diane Fuhriman	Executive Secretary
Bonnie Robinson	Member		
Jared Holmgren	Member		

Vice-Chair Mellonee Wilding called the meeting to order at 7:00 p.m.

The Invocation was offered by Commissioner Desiray Larsen.  
Pledge was led by Commissioner Kevin McGaha.

### The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

**MOTION:** A Motion was made by Commissioner Desiray Larsen to approve the August 15, 2019 agenda. The motion was seconded by Commissioner Jared Holmgren and passed unanimously.

The Minutes of the July 18, 2019 meeting were made available to the planning commissioners prior to this meeting and upon review a **Motion** was made by Commissioner Bonnie Robinson to approve the minutes as written. The motion was seconded by Commissioner Jared Holmgren and passed unanimously.

### UNFINISHED BUSINESS

**LAND USE TEXT AMENDMENT, Z19-006. Request to amend text of the Box Elder Land Use Management & Development Code Chapter 3-3, Residential & Multiple Residential, to remove a zoning district and amend other text. ACTION**

Staff explained a public hearing was held last month for the Chapter 3-3 text amendment. At the request of the planning commission, staff has changed the purpose statement to read “The purpose of this chapter is for currently zoned R-1-8 parcels within Box Elder County. The R-1-8 zone is

not an option for rezones due to Box Elder County lacking the adequacy of facilities and services to serve this type of development”. Staff has also removed from the table the R-1-12, R-1-6, RM-7 and RM-15 columns.

Commissioner Kevin McGaha questioned the wording of the first line of the purpose. Staff suggested rewording it to: “The purpose of this chapter is to set forth regulations for areas currently zoned R-1-8 within Box Elder County”.

Commissioner Bonnie Robinson would like to have Section 3-3-070-8.2 “Private recreational grounds and facilities, not open to the general public, and to which to admission charge is made” removed from the text and also strike Section 3-3-70-3.93 “Accessory Dwelling Units”.

**MOTION:** A Motion was made by Commissioner Bonnie Robinson to forward to the county commission a recommendation of approval for Z19-006 with all the conditions listed by staff, and striking Section 3-3-070-8.2 and Section 3-3-70-3.93 and correct the wording of Section 3-3-010. The motion was seconded by Commissioner Jared Holmgren and was carried unanimously.

#### **PUBLIC HEARINGS - NONE**

#### **NEW BUSINESS**

#### **DAVIS AGRICULTURAL SUBDIVISION, AS19-004, six acre agricultural subdivision at approximately 1500 W 7800 S in the South Willard area of unincorporated Box Elder County. ACTION**

Staff said the applicant has requested a 6-acre parcel be agriculturally subdivided from a larger parcel located at 1500 West 7800 South in the South Willard area. Requirements for review per Utah State Code for an agricultural subdivisions are as follows:

17-27a-605(1)(b) the proposed subdivision-

A. Is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes; *Yes*.

B. Has been approved by the culinary water authority and the sanitary sewer authority; *Yes*.

C. Is located in a zoned area; *Yes*.

D. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance. *Yes*

(2)(a)(ii) the new owner of record completes, signs, and records with the county recorder a notice-

A. describing the parcel by legal description; and

B. stating that the lot or parcel is created for agricultural purposes as defined in Section 59-2-502 and will remain so until a future zoning change permits other uses.

Staff stated the subdivision meets these requirements and recommends approval of Application AS19-004.

Commissioner Desiray Larsen asked about the purpose of subdividing the smaller parcel.

Staff explained there is a 4-plex on the larger parcel and both parcels meet the minimum acreage required for a subdivision. The applicant plans on splitting the 6-acre piece off to sell to a buyer.

**MOTION:** A Motion was made by Commissioner Michael Udy to approve the Davis Agricultural Subdivision, AS19-004 The motion was seconded by Commissioner Desiray Larsen and unanimously carried.

**RIVER VIEW ESTATES SUBDIVISION, SS19-031, Request to amend Lots 7 & 8 of the River View Estates Subdivision to combine them into one lot. Located at approximately 4540 W 12000 N in the Tremonton area of unincorporated Box Elder County. ACTION**

Staff said the River View Estates subdivision was approved in 1979. The owners' home is on Lot 8; Lot 7 has a small shed on the property. The owners would like to put a larger garage/shop on Lot 7. To avoid setback requirements and also for utility purposes, it makes sense to combine the two lots into one. The applicants are requesting to amend the subdivision plat to reflect combining the lots. The proposed subdivision plat is currently under review. The landowners' surveyor has finalized the plat, and the county surveyor department has reviewed the plat, and have changes that need to be made.

Commissioner Kevin McGaha asked if it is county code that requires a survey to combine the lots. Staff replied it is state code but there is a difference of opinion on the code. The county recorder takes the position a survey with a plat is required to amend any aspect of a subdivision.

**MOTION:** A Motion was made by Commissioner Desiray Larsen to approve Application SS19-031 amending the River View Estates Subdivision, subject to conditions outlined by staff as well as the surveyor's recommendations. The motion was seconded by Commissioner Kevin McGaha and unanimously carried.

**WORKING REPORTS - NONE**

**PUBLIC COMMENTS - NONE**

**ADJOURN**

**MOTION:** A Motion was made by Commissioner Bonnie Robinson to adjourn planning commission meeting. The motion was seconded by Commissioner Jared Holmgren and meeting adjourned at 7:25 p.m.

  
Laurie Munns, Chairman  
Box Elder County Planning Commission