

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES MAY 17, 2012

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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 constituting a quorum:

*the following Staff was present:*

Chad Munns	Chairman		
Desiray Larsen	Vice Chairman	Kevin Hamilton	Director
Kevin McGaha	Member		
Michael Udy	Excused	Elizabeth Ryan	Ex. Secretary
Bonnie Robinson	Member	Scott Lyons	Planner
Jay Christensen	Excused	Steve Hadfield	Co. Attorney
Laurie Munns	Member		

### The following citizens were present:

Pat Garner/Collinston	Scott & Nikki Anderson/Bear River City
Janea L Fowers/Bear River City	Steve Huggins/Tremonton
Jay & Sharyn Stephens/Tremonton	Tony Powell/Elwood
Gary Stephens/Layton	Curtis Tingey/Fruit Heights
Newell Norman/Corinne	Blake Norman/Corinne
Charles Holmgren/Bear River City	Spencer Holmgren/Bear River City
Richard Holmgren/Bear River City	Davie Grange/Wellsville
Lowell Huber/Logan	Ken Love/Collinston
Barbara & Kay Frost/Bear River City	Mitch Zundel/Willard
Jeff Packer/Brigham City	

**Chairman Chad Munns** called the Planning Commission meeting to order at 7:02 p.m. The Minutes of the April 19, 2012 were made available to the Planning Commissioners prior to this meeting. A **Motion** was made by **Commissioner Laurie Munns** 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 questions/answer time. **Commissioner Bonnie Robinson** asked to be excused from discussion on this first petition as her family owns property next to the proposed rezone.

**WESTERN PRIDE FOODS, Z12-003, REZONE OF APPROXIMATELY 175 ACRES (PARCELS 04-003-0018, AND 04-003-0017) FROM RR-20 (1/2 ACRE RURAL RESIDENTIAL) TO MG (GENERAL INDUSTRIAL) FOR A PROPOSED AGRICULTURAL INDUSTRY USE. THE PROPERTY IS LOCATED AT APPROXIMATELY 4800 NORTH WAKEGAN ROAD IN THE BEAR RIVER CITY AREA OF UNINCORPORATED BOX ELDER COUNTY.**

Staff explained that this petition is for rezoning of some 175 acres from the current RR-20 (half acre residential lot) to M-G (General Industrial) to allow for agricultural industry. The ordinance standards review included the following:

1. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan
2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property
3. The extent to which the proposed amendment may adversely affect adjacent property; and
4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

Based on the findings, Staff would recommend approval for this rezone petition. The petitioner was then invited to expand on the purpose of this rezone.

**Mr. Tom Welch** came forward and spoke with the Planning Commissioners and the citizens present in regards to the plan for this area and the requested rezone application. **Mr. Welch** said that he and his colleagues have been working on this project for over a year and it is much bigger than what is being looked at this meeting. He then gave an overview of this project and what it could mean to Box Elder County beginning with this zone change. This is a 3.7 million dollar project and would employ 500 to begin with and by the third year there would be 1100 employees and that would mean a lot to the local and state economy. The processing plant and pet food production plant would be located on the Reeder Ranch property. This would be a poultry production facility center, 1) the poultry; 2) the by-products that would be used in the production of premium dog food; and would be integrated into the dog food the same day the chickens were harvested. This will be built on 71 acres and the buildings are designed to have no smell. That will be on Campus 1. On Campus 2 there will be the granaries and that is what this rezone is for tonight. **Mr. Welch** continued to talk about this project and all that was involved, but the rezone for this property was for the placement of the granaries. At the conclusion of his comments, the public was invited to present any concerns or comments that they might have.

**Steve Huggins:** Had concerns regarding the smell of the facilities; who would maintain Wakegan Road; the number of employees and what the low wages would bring in and also where would the water for this project come from.

**Nikki Anderson:** There are four communities that have children come into Bear River City for school and must cross the highway without a crossing guard or flashing light.

Was concerned for their safety. What kind of supporting businesses would be brought in along with this production facility, and why would so many acres purchased for this project (175 acres). How many employees would there be at the growth facility. Trucks traveling on 6400 North goes to the Bear River City limits and then through the city. Was this the route the trucks would be taking or Iowa String Road.

**Jay Stephens:** Was concerned with the number of trucks that travel on these roads with P & G and a hay operation already in the area. Did not think that the road or the bridge was made for this heavy of travelling. Also the dog food processing plant in Ogden does have a smell with it and can't get rid of it.

**Charles Holmgren:** Representing Bear River Canal Company and they have not been involved in any of the planning process for this proposed industry. Also he and his brother own property to the south of these parcels and have an irrigation ditch that in on this property. Also the water table on this property is very near the surface and his family went to the expense to install drains on their property. The weight of the railroad bed could impact their property.

**Rich Holmgren:** Mayor of Bear River City and was also concerned with the traffic generated from P&G and WalMart and this new plant would add to that traffic. Was also concerned regarding the school children and crossing the highway. Noted that Wakegan Road is a farm road and would need some structure improvement.

**Ken Loveland:** Talked about Tyson Foods in southwest Missouri and being similar to this proposed facility and how it has caused contamination to the rivers and streams there. Also the pay is minimum wage with lots of turnover in employees.

**Barbara Frost:** Was also concerned with the traffic through Bear River City [night and day moving faster than the 40 MPH] and that the trucks do not obey the speed limits. Also wanted to know where the water for this project would come from and where would the water go after the processing of the birds. Wasn't sure how the dog food plant was related to the chicken processing plant. Hated to see the agricultural ground being used for industrial and manufacturing uses; isn't there another location with existing buildings that could be used instead.

At the conclusion of the public comments a motion was made by **Commissioner Desiray Larsen** to close the public hearing and seconded by **Commissioner Laurie Munns**. Unanimous.

## **UNFINISHED BUSINESS**

**CRESLEY WALKER, CUP11-010, LARGE WIND ENERGY SYSTEM, A PROPOSED LARGE WIND ENERGY SYSTEM CONSISTING OF 120 WIND TURBINES, ACCESSORY STRUCTURES, EQUIPMENT, AND ACCESS ROADS LOCATED IN T13N, R4W, SECTION 14 IN THE WEST HILLS AREA OF THE TREMONTON/RIVERSIDE AREA OF BOX ELDER COUNTY.**

Staff explained that this application first came to the Planning Commission in March 2012. This project is for 90-120 large wind turbines in the area of Tremonton/Riverside. At this time there is still not sufficient information on this application as the petitioner still needs to meet the following requirements:

- Compliance with Article 5 of the BECLUM&DC
- Compliance with Article 2-2-100, Conditional Use Permit of the BECLUM&DC
- Compliance with Article 5-4-040, Large Wind Energy Systems, of the BECLUM&DC.
- Compliance with requirements and recommendations of the County Engineer, Road Supervisor, and Community Development staff.
- Compliance with the other requirements and reviews as stated under Section VI of this report.
- Compliance with all applicable county, state and federal laws regulating the proposed use, including all current licenses, permits, etc.

**MOTION:** A Motion was made by **Commissioner Desiray Larsen** to Table action on this petition for the Cresley Walker CUP11-010; seconded by **Commissioner Laurie Munns** and passed unanimously.

**R. LOWELL HUBER, RE-ZONE Z12-002, RE-ZONE APPLICATION FOR PARCEL 06-033-0022 – 0024, APPROXIMATELY 2.71 ACRES FROM THE CURRENT RR-2 (RURAL RESIDENTIAL) ZONE TO M-G (GENERAL INDUSTRIAL) ZONE. RE-ZONE FOR THE PROPOSED USE OF A TOWING COMPANY AND STATE IMPOUND FACILITY AT APPROXIMATELY 14660 NORTH HIGHWAY 38 IN THE COLLINSTON AREA OF BOX ELDER COUNTY.**

Staff noted the comments that were made at the last meeting of the Planning Commission by the public in the area of this purposed rezone. Due to those concerns, Staff has looked further into the difference between a zone and a use for a particular area and whether this request for the rezone would be in harmony with the surrounding area. With that taken into consideration, Staff recommended denial of the rezone petition. It was also noted that with Wheatland Seed in this same vicinity that perhaps the zone for that property should also be reviewed to determine if it needs to be down-zoned to better fit the area.

**MOTION:** A Motion was made by **Commissioner Kevin McGaha** to deny this rezone petition as incompatible for the area and to direct Staff to review the existing [M-G] zone to determine whether or not it should be considered for a down-zone. Motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

**NEW BUSINESS**

**WESTERN PRIDE FOODS, Z12-003, REZONE OF APPROXIMATELY 175 ACRES (PARCELS 04-003-0018, AND 04-003-0017) FROM RR-20 (1/2 ACRE RURAL RESIDENTIAL) TO MG (GENERAL INDUSTRIAL) FOR A PROPOSED AGRICULTURAL INDUSTRY USE. THE PROPERTY IS LOCATED AT APPROXIMATELY 4800 NORTH WAKEGAN ROAD IN THE BEAR RIVER CITY**

## AREA OF UNINCORPORATED BOX ELDER COUNTY.

*Kevin Hamilton, Planning Director*, told the Planning Commissioners and the public that this petition [at this time] was solely for the purpose of a rezone. Much of the plan for this area was discussed during the public hearing, but if this rezone was not granted, the petitioner could move their facility one mile to the south or east and the correct zoning is already in effect (A-20) and is even closer to the Bear River City limits. **Chairman Chad Munns** asked if the county roads department had looked at this petition, but was told that the various county department do not [usually] get involved with rezone requests, but rather when a proposed site (use) plan is submitted. *Mr. Hamilton* also noted that with a rezone for an area there are many uses and some of them could be more intrusive that what is being proposed here. Also there are other applications that have to be submitted for this proposed facility and other public hearings would be held. After some further discussion on the subjects that had been brought up during the public hearing a motion was made on the petition for the rezone.

**MOTION:** A Motion was made by **Commissioner Kevin McGaha** to forward a recommendation of approval for this rezone petition Z12-003 to the County Commission for their consideration and action. Motion was seconded by **Commissioner Desiray Larsen** and passed unanimously.

## WORKING REPORTS -- NONE

## PUBLIC COMMENTS

**Barbara Frost** asked about a proposed industrial park that was being considered for this area and was told that there is nothing in the plans at this time, but could possibly be in the future.

**Jeffery Packer** said that he had been working [as a realtor] with Western Pride Foods and that this facility/production would have a positive impact on Box Elder County with additional employment and an increase in home values.

A **Motion** was made to adjourn at 8:31 p.m., unanimous.

Passed and adopted in regular session this 21st day of June 2012.

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Chad Munns, Chairman  
Box Elder County  
Planning Commission