

BOX ELDER COUNTY PLANNING COMMISSION

16 March 1989

Minutes of the meeting of the Box Elder County Planning Commission held 16 March 1989 in the County Commission Chambers of the County Courthouse. Members present were:

Mr. Don Christensen, Member

Mr. Steve Grover, Member

Commissioner Robert Valentine, Member

Mr. DeVon Breitenbeker, Member

Mr. Jon Thompson, Member

Surveyor Mr. Denton Beecher, Ex-Officio Member

Clerk Mr. Allen Jensen, Ex-Officio Member

Chairman Richard Kimber and Mr. Junior Okada were excused. Mr. Breitenbeker acted as Chairman.

AGENDA (ATTACHMENT 1):

Mr. Breitenbeker convened the meeting at 7:00 p.m. and asked for a motion to approve the Minutes of 16 February 1989, noting Mr. Steve Grover's name had been omitted as having attended and asked that the Minutes be changed to include this omission. Mr. Thompson made the motion to approve the Minutes as changed. Mr. Grover seconded. None opposed. The motion carried.

Willard City Mayor Lonnie Thorpe and Councilman Rod Mund presented an application to amend the County Zoning Ordinance affecting the property within the east boundary of Willard City to the west boundary of the National Forest and extending from the North Willard Boundary to the South Willard Boundary (Attachment 2). Included with the request was a list of adjoining property owners affected by the request and a map of the area. He also presented a copy of a letter dated June 14, 1985 to the Planning Commission making known Willard City's position on the gravel pit issue.

Mayor Thorpe made mention of a previous request to the Planning Commission that apparently was never acted upon since no response was made to Willard City. He discussed a sensitivity ordinance now in effect in their City and requested the County Zoning Ordinance be amended to include sensitivity and excavation conditions.

Councilman Mund asked what they (Willard City) must do to have the change considered.

Mr. Beecher was requested to advise the Commission as to what procedures were necessary to request a zone change that will permit growth yet restrict certain development that does not coincide with the Willard City Master Plan. He stated the Planning Commission is not the agency that does the zoning; they recommend to the County Commission. The Planning Commission can only adopt a Master Plan. The County Commission adopts zoning ordinances. He continued, the County does not have in their ordinances, a sensitivity zone. The County would have to prepare and the County Commission adopt this type of zone. He said the County's MU Zone is basically the same as a sensitivity zone since it requires the issuance of a conditional use permit.

Commissioner Valentine stated he felt the action needed to be taken by the Planning Commission is to review the request and study the alternatives to determine what zones are needed to be more compatible and acceptable to all citizens of Willard.

Mr. Breitenbeker asked for a motion on the issue. Commissioner Valentine made a motion to accept the zone change request from Willard City and try to establish within the existing County zoning ordinances, something more compatible with the zoning within Willard City. Mr. Thompson made the second. None opposed. The motion carried.

Mayor Thorpe agreed to provide a copy of their zoning ordinance, zoning map and any other information that could aid the Planning Commission in this effort.

Mr. Darrell Nielsen's request for "Basin to be deleted from conditions" was not discussed. Mr. Nielsen stated that since Willard City was on the Agenda for a zone change request, he wanted to attend and be on the Agenda if the gravel pit was discussed. Mr. Jeff Thorne, Mr. Nielsen's Attorney, requested the record show they (Mr. Nielsen and Mr. Thorne) agree the property owners should be consulted and have input on the zone change. Mr. Breitenbeker agreed to this statement for the Minutes.

Mr. John Law discussed his proposed minor subdivision, the percolation test requirement, and culinary water for each lot.

Mr. Beecher advised the percolation tests were inadequate and additional tests would be required. He stated there was not sufficient information on the required water supply. It was suggested that Mr. Law make application for all water permits. He further stated the Planning Commission, in order to approve the subdivision, will require a letter stating a well can be drilled on each lot before a building permit can be issued.

Mr. Law agreed to get with the State Offices to complete the requirements of the percolation tests and water permits.

The billing from Russ Brown for flood review was discussed. Mr. Beecher advised the Box Elder County-Willard City Flood Control and Drainage Special Service District has given him some bills from Russ Brown and they feel the County should pay for his services on the Darrell Nielsen application for the gravel pit. He said the Flood District feels the County owes Mr. Brown about \$3,540.00 for his review and study of the gravel pit. Mr. Beecher was requested to review past Minutes and to determine from Mr. Brown who he was working for on the dates shown on the bill.

Mr. Breitenbeker tabled the issue until it can be determined who Mr. Brown was working for and what services were provided.

Mr. Breitenbeker asked to entertain a motion to adjourn. Mr. Thompson made the motion, Mr. Grover seconded. None opposed. The motion carried. The meeting was adjourned at 8:00 p.m.

Passed and adopted in regular session this 20<sup>th</sup> of April, 1989.



Richard D. Kimber, Chairman  
Box Elder County Planning Commission

ATTEST:



Allen L. Jensen  
Box Elder County Clerk

AGENDA

BOX ELDER COUNTY PLANNING COMMISSION

MEETING PLACE: COUNTY COMMISSION CHAMBERS  
BOX ELDER COUNTY COURTHOUSE  
BRIGHAM CITY, UTAH

- I. Public agenda for Box Elder County Planning Commission  
Meeting scheduled for March 16, 1989 at 7:00 p.m.
- II. Notice given to newspaper this 15th day of March 19 89
- III. Approval of minutes of February 16 19 89
- IV. Scheduled Delegations:
  1. John Laws Minor Subdivision
  2. Willard City - Zone Change Request
  3. Darrell Nielsen - Request for Basin to be deleted from conditions.
  4. Russ Brown Bill for Flood Review
  - 5.
  - 6.
- V. Old Business:
  - 1.
  - 2.
  - 3.

BOX ELDER COUNTY  
PLANNING COMMISSION

By:

  
Denton H. Beecher  
Ex-Officio Member

*at ch. m. 1*

APPLICATION FOR AMENDING THE  
ZONING ORDINANCE

Fee Paid N/C

Date 3/16/89

X (we) the undersigned ~~PROPERTY OWNERS~~ <sup>Willard City</sup> respectfully request that the Zoning Ordinance be amended by the Box Elder Planning Commission to declare and identify the immediate -  
properties (east boundary of Willard City to west boundary of National Forest and extending from north boundary to the south boundary of Willard City) adjoining Willard City as a controlled or sensitivity zone for master plan development and uniformity.

for the purpose of Adhering and complying with all applicable Willard City ordinances, including zoning, sensitivity and excavation ordinances.

\*\* The Planning Commission must review the request from the standpoint that changes in the Zoning Ordinance cannot be made unless it is in the best interest of the public generally and in conformity with the policies of the general or specific Master Plan.

Please answer the following questions: (Attach additional sheet for statements, if necessary).

1. How is this proposal consistent with the policies of the general or specific Master Plan? This action causes the Box Elder County master plan and ordinances to be compatible and in compliance with the Willard City Master Plan and ordinances, controlling future growth and development and at the same time complying with the desires of other governmental entities.

2. How will this proposal promote the health, safety, morals, convenience, order, prosperity, or welfare of the general public? Numerous public hearings and petitions by Willard City citizens have been held in conjunction with the events surrounding these properties. The health, safety, morale, convenience, order, prosperity and/or Welfare of the general public is the issue and this request is a response by the citizens of Willard supporting the issue.

3. Names of all owners of property in the proposed amendment area and signatures of property owners as available (Planning Commission may require signatures of all property owners showing approval of proposed change).

Name ..... Address ..... Phone ..... Approve Disapprove

*atch no. 2(1)*

# Willard City Corporation

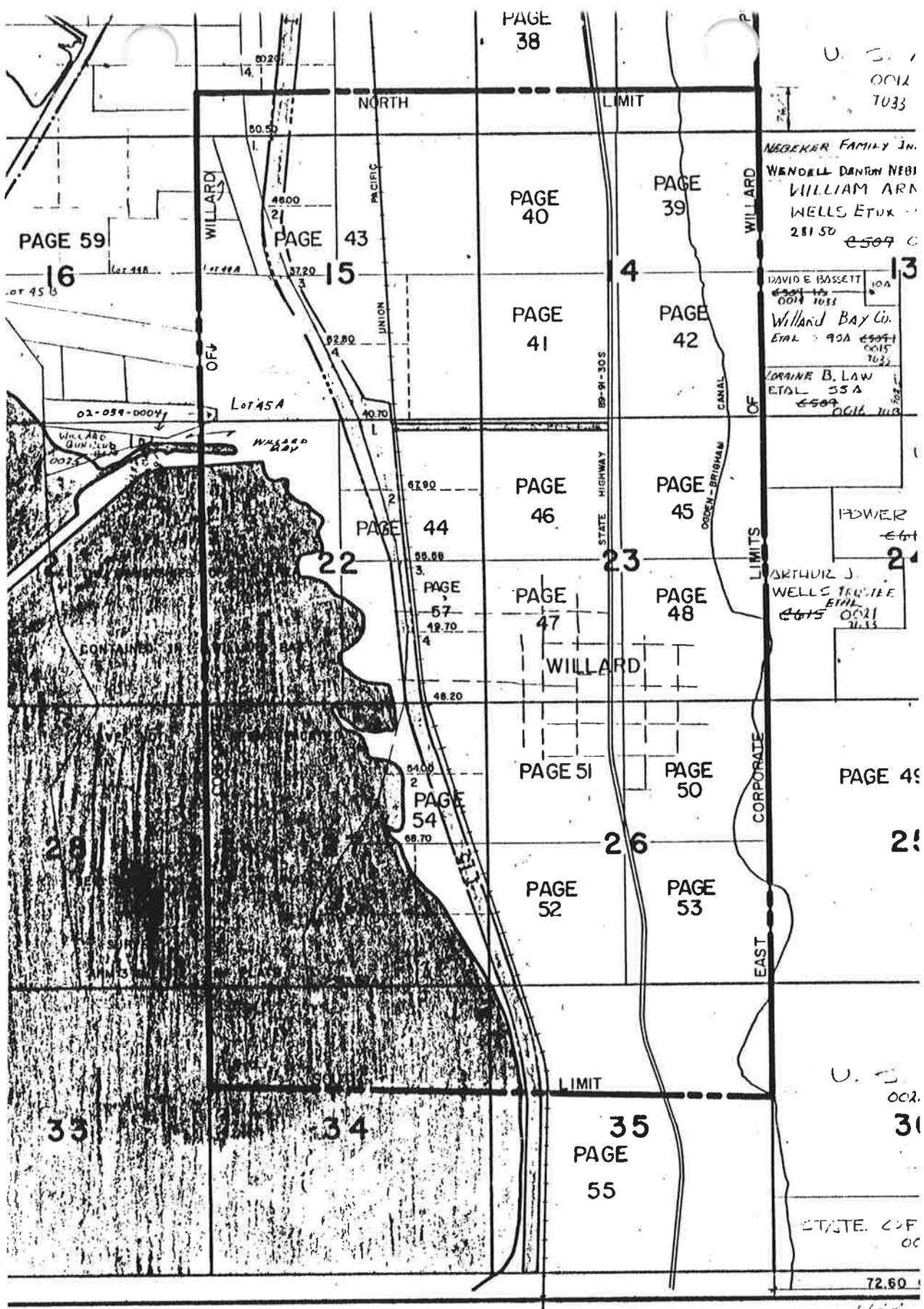
80 West 50 South



Willard, Utah 84340

PROJECT - COUNTY ZONING CHANGE

Adjoining property owners - Mearle Clyde Marsh  
- Arthur J. Wells  
Glenn Woodyatt  
Darrell Neilson  
Gordon Nicholas  
Clark Hillam  
B.E. County  
J.W. Perry  
Roma Anderson  
- Arthur J. Wells  
Don C. Barker  
John H. Willis  
- Arthur J. Wells  
George A. Nielson  
David Bassett  
Willard Bay Co.  
Nebeker Family  
Wendall D. Nebeker  
Lorraine Law



NEGEKER FAMILY INC.  
WENDELL DANTON NEBI  
WILLIAM ARN  
WELLS ETUX  
281 50 6509 C

DAVID E BASSETT  
6504 10  
0014 1031  
Willard Bay Co.  
ETAL 90A 6504  
0015  
7023

ORRINE B. LAW  
ETAL 55A  
6504  
0016 7023

POWER  
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ARTHUR J.  
WELLS TRUSTEE  
ETAL  
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STATE. COF  
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ATCH NR 2 (3)

*Attachment  
Council City*

# Willard City Corporation

49 North Main



Willard, Utah 84340

June 14, 1985

Box Elder County Planning Commission  
Box Elder County Courthouse  
Brigham City, Utah 84302

ATTN: Chairman Richard Kimber

We acknowledge your request for Willard City Council to make known to you their position on the gravel pit issue. Our position is as follows:

We request that Box Elder County Planning Commission issue no new gravel pit permits. We further request that no extensions be given on present gravel pit permits.

We ask that you acknowledge this position and make it a part of your stand on gravel pits in and around the Willard area.

We will take necessary steps to strengthen our position in this matter and hope you see fit to give the citizens of Willard their protection through your planning also.

Thanking you in advance,

*Wayne H. Braegger*

WAYNE H. BRAEGGER  
Mayor, Willard City

*ATCH NR 2(4)*