

MINUTES
BOX ELDER COUNTY PLANNING COMMISSION
APRIL 17, 1997

The Board of Planning Commissioners of Box Elder County met in regular session in the Commission Chamber of the Box Elder County Courthouse, 01 South Main in Brigham City, Utah at 7:00 p.m. on April 17, 1997.

The following members were present constituting a quorum:

Richard Kimber	Chairman
Louis Douglas	Member
David Tea	Member
Royal Norman	Commissioner
Denton Beecher	Ex-Officio Member, Surveyor
LuAnn Adams	Recorder/Clerk

EXCUSED:

Stan Reese	Member
Deanne Halling	Member
Jon Thompson	Member

AGENDA: (ATTACHMENT NO. 1)

CHAIRMAN RICHARD KIMBER PRESENTED THE MINUTES OF MARCH 6, 1997 FOR APPROVAL. A MOTION WAS MADE BY ROYAL NORMAN TO APPROVE THE MINUTES AS WRITTEN. THE MOTION WAS SECONDED BY DAVID TEA AND UNANIMOUSLY CARRIED.

ROY LEMON MOBILE HOME

County Surveyor Denton Beecher explained that Doug Lemon previously came to the Planning Commission requesting a conditional use permit for a mobile home. At that time a motion was made that the Planning Commission agreed with the conditional use permit providing that there is adequate parking for at least two vehicles, approval from South Willard Water Company, Health Department approval, there be a 30-foot set back and that the home be used for seasonal workers and not on a year-round basis. Mr. Roy Lemon came to the Planning Commission table and presented a copy of the Health Department's approval for a waste disposal system. He said South Willard Water Company has agreed that they can hook onto the existing water connection that is used for the fruit stand. Mr. Lemon met all of the conditions previously asked for.

MOTION: A motion was made by David Tea to accept the Roy Lemon Mobile Home Conditional Use Permit on the condition that a yard is maintained and a side-yard dimension of 15 feet on the north be maintained. The motion was seconded by Commissioner Norman and unanimously carried.

BRANDON EVANS MINOR SUBDIVISION

County Surveyor Denton Beecher explained that this minor subdivision is located in the Bothwell area on the south side of Hwy 102. The plat was signed by the health department. A right-of-way encroachment has been applied for, but they have not received the permit yet.

MOTION: A motion was made by Commissioner Norman to approve the Brandon Evans Minor Subdivision on the condition that UDOT give them access onto Hwy 102. The motion was seconded by David Tea and unanimously carried.

DAWN REEDER MINOR SUBDIVISION NO. 2

County Survey Denton Beecher explained that this minor subdivision is located at 6400 West and 1600 North in West Corinne. Mr. Beecher said that in 1898 a subdivision was put on called Fruitvale. This subdivision has never been vacated. This is not a recorded subdivision. He stated the water and septic tank are existing and approved.

MOTION: A motion was made by David Tea to approve the Dawn Reeder Minor Subdivision No. 2. The motion was seconded by Commissioner Norman and unanimously carried.

RODNEY MAST MINOR SUBDIVISION

County Surveyor Denton Beecher said the minor subdivision is located North of Garland. Mr. Beecher explained that the health department has signed the plat. It was indicated that water will be available, but the county has not received a letter from the water company. He said notes also need to be placed on the plat.

MOTION: A motion was made by David Tea to approve the subdivision with the stipulation that no permit be issued until a water permit is approved, and that the general county notes be added to the plat. The motion was seconded by Louis Douglas and unanimously carried.

SUNNY HOLLOW SUBDIVISION AMENDED

This subdivision is located north of Deweyville on the Thayne Secrist property. A proposal as to how this property may be developed was presented to the Commission to show how this will fit into future plans. The lots meet the zoning in this area. County Surveyor Denton Beecher explained that the health department has signed the plat, there will be private wells and each lot must provide septic tank approval.

MOTION: A motion was made by David Tea to approve the Sunny Hollow Amended Minor Subdivision with the stipulations as noted on the plat. The motion was seconded by Louis Douglas and unanimously carried.

DWAYNE JULANDER MINOR SUBDIVISION

This is located east of Bear River and has many items still lacking.

MOTION: A motion was made by Louis Douglas to conceptually approve the Dwayne Julander Minor Subdivision. The motion was seconded by David Tea and unanimously carried.

CAPENER MINOR SUBDIVISION

County Surveyor Denton Beecher stated that the minor subdivision was located north of Riverside.

The forty feet to the east side of the property was owned by a deceased person and the Capeners have always traveled the road but did not own the right-of-way. They are in the process of probating the estate. Mr. Beecher said that the sewer shall be individual septic systems.

MOTION: A motion was made by Louis Douglas to approve the Capener Minor Subdivision with the stipulations as noted on the plat. The motion was seconded by Commissioner Norman and unanimously carried.

JUNE C. GARFIELD MINOR SUBDIVISION

County Surveyor Denton Beecher stated that this minor subdivision is located ½ mile west of the Crossroads. He stated individual wells will be required because this minor subdivision is located outside of Tremonton City Limits. He said it should be noted on the plat that all property owners recognize the gravel road, and that it will remain a gravel road until a service district is put in and the road will be maintained as such. It should also be noted that no building permit will be issued until there is approval of a water system.

MOTION: A motion was made by Commissioner Norman to approve the June C. Garfield Minor Subdivision with the condition that if more homes are built that they will have to install all road improvements at no cost to the county, install all approaches, entrances, etc., and be responsible to protect against flooding. The motion was seconded by Louis Douglas and unanimously carried.

DOMINY MINOR SUBDIVISION

This subdivision is located in South Willard just south of Colman's Mobile Home Court. It was explained to the Commission that these lots will be served with a twenty foot easement for access. This plat has not been approved by the Health Department to date.

MOTION: A motion was made by Commissioner Norman to conditionally approve the plat and authorize the Chairman to sign when all the conditions are met, that the county take no responsibility for maintenance of any type for the right-of-way. The motion was seconded by David Tea and unanimously carried.

FIRE PROTECTION IN SUBDIVISIONS:

County Surveyor Denton Beecher discussed wording to be added onto each subdivision regarding fire protection. The Commissioners asked for more information before action is taken. The item will be placed on the next Planning Commission Agenda.

WIRELESS ORDINANCE

County Surveyor Denton Beecher stated that he has received a letter from suppliers of cell phones who suggested looking into adopting an ordinance called Wireless Communication Ordinance. They sent a sample ordinance that Box Elder County could adopt. Chairman Kimber asked that a copy of the sample ordinance be sent to each Planning Commission Member and that several of the cell phone providers be invited to attend the next Planning Commission Meeting.

DISCUSSION ON MINOR SUBDIVISION ORDINANCE

County Surveyor Denton Beecher stated that some of the counties have done away with the minor subdivision laws and have made them recordable. No action was taken

FULL-TIME COUNTY PLANNER DISCUSSION

County Surveyor Denton Beecher informed the members that the County has budgeted to bring a full-time planner on in July, and he wanted to get input from the Planning Commission. Mr. Beecher said he has talked to Perry, Tremonton Plymouth, Deweyville and Snowville, and they have all indicated they would be interested in sharing a county planner. Chairman Kimber said the

County is at a point where we recognize the need for a planner. He said a county planner would be invaluable with the issue of rezoning. Chairman Kimber would like the County to continue to pursue getting a planner on board and explore ways to finance this planner with other communities.

AGRICULTURAL PROTECTION AREA ORDINANCE

County Surveyor Denton Beecher explained that the County Commissioners were presented with adopting an agricultural protection area ordinance in Box Elder County. This ordinance will protect existing farmers from a law suit for agriculture nuisances. He said there is a state statute that has been amended allowing the counties to create their own ordinance relevant to agriculture protection areas. County Attorney Bunderson has been asked to write a draft ordinance.

ADJOURNMENT

A motion was made by Louis Douglas to adjourn. The motion was seconded by David Tea and the meeting adjourned at 9:10 p.m.

Passed and adopted in regular session this 15 day of May, 1997



Richard D. Kimber, Chairman

ATTEST:


LuAnn Adams
Recorder/Clerk

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

1. Public agenda for the Box Elder County Planning Commission meeting schedule for April 17, 1997 at 7:00 P.M.
2. Notice given to the newspaper this 16 Day of April 1997.
3. Approval of the minutes of March 6, 1997
4. Scheduled Delegations:
 - A. Wireless Ordinance.
 - B. Willard Bay Reservoir Plan.
 - C. Roy Lemon Mobile Home.
 - D. Misc. Minor Subd.
 - E. Discussion on Minor Subd. Ordinance.
 - F. Full time County Planner Discussion.
 - G. Agricultural Protection Area Ordinance.
 - H.
 - I.
 - J.
5. Old Business:
 - A.
 - B.



March 12, 1997

Dear Denton:

Over the past few years, wireless communications have become an increasingly important part of our community's infrastructure. More than ever, local government depends on wireless communication services to meet the needs of its employees and the citizens it serves.

In the last few months, several Utah cities and counties have adopted ordinances regulating wireless telecommunications facilities. The wireless industry has been involved to varying degrees in the formulation of these ordinances. We appreciate the opportunity to participate in this process, and we believe that citizens, local government and the industry benefit by working together on these ordinances.

Several local government entities currently in the process of developing ordinances have approached the wireless industry seeking input and ideas. As a result of these requests, a group of wireless providers has come together to develop a model wireless ordinance based largely on provisions from several Utah ordinances. We believe this ordinance represents a fair, balanced approach that takes into consideration the rights and obligations of both local government and the industry.

We encourage you to carefully review this ordinance, and where possible, incorporate its provisions. We would be happy to discuss the ordinance and any of its provision with you. Please feel free to call any of the individuals listed below. We look forward to working with you.

Sincerely,

Gary Jones, 699-0415
AirTouch

Tim Sheehan, 575-1253
AT&T Wireless Services

Harold Dudley, 956-2325
Sprint PCS

Jon Allred, 972-9452
VoiceStream