

BOX ELDER COUNTY PLANNING COMMISSION MINUTES December 15, 2016

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>following Staff member were present:</i>	
Chad Munns	Chairman	Scott Lyons	Com Dev Dir.
Laurie Munns	Vice-Chairman	Marcus Wager	Planner
Kevin McGaha	Excused	Elizabeth Ryan	Exec. Secretary
Michael Udy	Member	Steve Hadfield	Co. Attorney
Bonnie Robinson	Member	Jeff Scott	Co. Commissioner
Desiray Larsen	Member		
Mellonee Wilding	Member		

Prayer was offered by **Commissioner Laurie Munns**
Pledge was led by **Commission Chairman Chad Munns**

The following citizens were present

Jared Holmgren/Bear River City	Shelly Wood/Farr West
June Summers/Willard	John Reese/Brigham
Linda Reese/Brigham	Kris Udy/Tremonton
Boyd Udy/Promontory	Robert Adams/Brigham City
Bill Gilson/Co. Road Dept	Brett Hubbard/Willard
Norris Hubbard/Willard	Nathan Rose/Willard
Brian Rose/Willard	Jim Hunter/Willard
Debbie Hunter/Willard	Joel Murray/Willard
Douglas Walker/Deweyville	Aaron Jensen/Murray

The Minutes of the November 17, 2016 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Laurie Munns** to accept the Minutes with one change; seconded by **Commissioner Mellonee Wilding** 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. After the public hearing on an item the Planning Commissioners would then discuss and take action on the item.

ORDINANCE TEXT AMENDMENT, CHAPTER 3-9: MINING, QUARRY, SAND & GRAVEL EXCAVATION ZONE (MG-EX) AND CHAPTER 4-8: LANDFILL & LAND EXCAVATION OVERLAY. AMENDING LANGUAGE REGARDING MAXIMUM SLOPES.

Planning staff said that they were requesting a text amendment to various sections of Chapter 3-9: Mining, Quarry, Sand & Gravel Excavation Zone (MG-EX) and 4-8: Landfill & Land Excavation Overlay. The county's current code leaves a significant amount of review and control in the hands of the Planning Commission and the Zoning Administrator, and staff felt that neither had the necessary expertise to approve without creating some possible liability on the county's part. It was noted that the State Department of Oil, Gas and Mining oversee and permit gravel pit operations. In the State's review they require core sampling and review by experts that can determine excavation and fill slopes. With this text amendment, appropriate mining slopes would be determined by the Division of Oil, Gas and Mining, and would be part of the applicant's state permit. For those operations that are exempt from having to obtain a state permit, the County Engineer felt that a 2:1 slope would be considered a safe slope.

There were no comments and a Motion was made by Commissioner Mellonee Wilding to close the public hearing; seconded by Commissioner Bonnie Robinson and was unanimous.

ACTION

Considering the information that had been given the following Motion was made.

MOTION: A Motion was made by Commissioner Desiray Larsen to forward a recommendation of approval for the Ordinance Text Amendment; Chapter 3-9 and Chapter 4-8 (various sections) to the County Commission for their review and approval. Motion seconded by Commissioner Bonnie Robinson and passed unanimously.

ORDINANCE TEXT AMENDMENT, SECTION 5-2-060; MAINTENANCE OF PARKING LOTS. AMENDING LANGUAGE REGARDING PARKING LOT AND FENCING STANDARDS.

Planning staff was requesting that a text amendment be made regarding Section 5-2-060, Maintenance of Parking Lots, Subsection A & B of the current county code. Staff then outlined the proposed changes:

5-2-060. Maintenance of Parking Lots.
A. Surfacing
1. Each off-street parking lot in the R-1-20 Zone shall be surfaced with an asphaltic or Portland cement or other binder pavement and permanently maintained so as to provide a dustless surface. All other Zoned and Un-Zoned areas may have a gravel surface parking lot with a Mag-Chloride mixture being applied at least once per year.
B. Screening. In the R-1-20 Zone, the sides and rear of any off-street parking lot which adjoins an area which is to remain primarily residential shall be screened from such area by a masonry wall or solid visual barrier fence not less than four (4) nor more than six (6) feet in height.

There were no comments and the public hearing was closed with a Motion by Commissioner

Laurie Munns, seconded by Commissioner Desiray Larsen and was unanimous.

ACTION

Commissioner Desiray Larsen was not at the meeting where these changes had been suggested and staff explained that this was brought about by a petition where a paved parking lot was required, but because of the location in a more rural area it was really not necessary and the neighbors were against having the fence between the business and their property. Therefore, the change in the language in the code needed to be amended.

MOTION: A Motion was made by Commissioner Bonnie Robinson to forward a recommendation of approval for the Ordinance Text Amendment, Section 5-2-060, Maintenance of Parking Lots of the BECLUM&DC to the County Commission for their review and approval. Motion was seconded by Commissioner Laurie Munns and passed unanimously.

WALKER FAMILY FARMS L.P.; VAC16-002 ROAD VACATE; VACATE FIRST HALF MILE OF ETNA RESERVOIR CUTOFF ROAD ACROSS PRIVATE PROPERTY.

Staff explained that this petitioner was requesting to vacate a portion of road at approximately 79550 West Etna Road in the Grouse Creek area of the county. This is a cut-off road to Etna Reservoir. There are no residences that use this access, but it is used for water access but that access will remain if the road vacation is granted. There are no other right-of-way interests that will be affected by the vacation. There were no comments and the public hearing was closed with a Motion by Commissioner Desiray Larsen, seconded by Commissioner Mellonee Wilding and was unanimous.

ACTION

Staff recommended approval and said that there would be some language included in the Ordinance regarding the easements and that they are not to be vacated. Also, Commissioner Laurie Munns mentioned a letter that had been received in opposition to this road vacate, that was later retracted, and suggested that issue also be cleared up before the road vacate ordinance was presented to the county commission.

MOTION: A Motion was made by Commissioner Laurie Munns to forward a recommendation approving the Walker Family Farms L.P. road vacate to the County Commission with any conditions outlined by staff and with a letter of agreement from those that may be affected by the vacate, that they are in agreement. Motion seconded by Commission Mellonee Wilding and passed unanimously.

NEW BUSINESS

AS16-010, STOREY AG SUBDIVISION, LOCATED AT APPROXIMATELY 5590 NORTH CALLS FORT ROAD IN THE BEAR RIVER CITY AREA OF BOX ELDER COUNTY DIVIDING 2 ACRES WITH A SINGLE FAMILY DWELLING OFF 61.56 ACRES.

Staff explained that this application is for an ag subdivision which would create a two acre parcel when the home is located with the remaining approximate 61.5 acres as agricultural. The request

has been reviewed and meets all of the requirements of the State Code. Staff then recommended approval.

MOTION: A Motion was made by **Commissioner Desiray Larsen** to grant approval to the Storey Ag Subdivision, with a single family dwelling parcel and the remainder parcel as agricultural. Motion seconded by **Commissioner Laurie Munns** and passed unanimously.

DISPOSAL OF SURPLUS PROPERTY, DETENTION BASIN FOR THE FARMS IN SOUTH WILLARD SUBDIVISION PHASE 4, (OWNED BY BOX ELDER COUNTY) PARCEL #: 01-040-0145 IN BOX ELDER COUNTY.

Staff explained that when there is surplus property to be disposed of, county policy requires that it be reviewed by the Planning Commission to ensure that it complies with the General Plan, the LUM&DC and any other applicable ordinances. This request from the County is that Lot 40B [parcel 01-040-0145] Phase IV in The Farms Subdivision located in South Willard transferred to the Box Elder County/Willard City Flood Control and Special Drainage District. All liability would transfer from the county to the Flood Control District.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to recommend approval for the disposal of this surplus property (the detention basin, lot 40B, Phase IV in The Farms Subdivision in South Willard) to the Willard City Flood Control and Special Drainage District. Motion was seconded by **Commissioner Michael Udy** and passed unanimously.

UNFINISHED BUSINESS -- NONE

WORKING REPORTS

TEXT AMENDMENT: Section 2-2-100 Conditional Use Permit

TEXT AMENDMENT: Section 2-2-120 Site Plan Review

The two text amendments that Staff has been working on are not yet completed, but hopefully they will be able to e presented at the January or February meeting.

PUBLIC COMMENTS

Dr. Douglas Walker, from Deweyville thanked the commissioners and Staff, along with Bill Gilson and Commissioner Stan Summers with all the help with the request for the Walker Family Farms road vacate.

A **Motion** was made to adjourn at 7:31 p.m.; unanimous.

Passed and adopted in regular session this _____ 19th of January 2017 _____.

Chad Munns, Chairman Box Elder County Planning Commission