

BOX ELDER COUNTY PLANNING COMMISSION MINUTES June 16, 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>the following Staff was present:</i>	
Chad Munns	Chairman		
Laurie Munns	Vice-Chairman/Excused	Scott Lyons	Planner
Kevin McGaha	Member/Excused	Marcus Wager	Planner
Michael Udy	Member	Jeff Scott	Co. Comm.
Bonnie Robinson	Member	Elizabeth Ryan	Exec. Secretary
Desiray Larsen	Member		
Mellonee Wilding	Member		

Prayer was offered by **Commissioner Bonnie Robinson**.
Pledge was led by **Commission Chairman Chad Munns**.

The following citizens were present

Ricki Draper/Willard	John Young/Brigham City
Heather Young/Brigham City	Charles Young/Brigham City
Brent Kenley/Riverdale	Christina Kenley/Riverdale
Kyle Blackburn/	Jason George/Riverdale
Chad Reid/Honeyville	Jared Holmgren/Bear River City

The Minutes of the May 12, 2016 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Bonnie Robinson** 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. After the public hearing on an item the Planning Commissioners would then discuss and take action on the item.

DEWEYVILLE RANCHETTES PHASE 2; SS16-012, SIERRA HOMES FOR THE CREATION OF FOUR (4) BUILDING LOTS OF APPROXIMATELY TWO (2) ACRES

EACH, LOCATED AT APPROXIMATELY 11805 NORTH 3400 WEST IN THE DEWEYVILLE AREA OF BOX ELDER COUNTY.

ACTION: This item was taken off of the agenda for tonight's meeting at the request of the petitioner.

SITE PLAN, SP16-003, FROERER REAL ESTATE (HAVOC K9), LOCATED AT APPROXIMATELY 9500 SOUTH HIGHWAY 89 IN SOUTH WILLARD A NON-PROFIT ORGANIZATION FOR TRAINING AND DONATION OF DOGS TO LAW ENFORCEMENT. ALSO RETAIL SPACE FOR SPORT DOG EQUIPMENT AND PROMOTIONAL ITEMS FOR SALE TO PUBLIC.

Staff explained that this application was for a site plan approval regarding activities related to training and the donation of dogs to law enforcement and a retail space that would offer sport dog equipment and other promotional items to sell to the general public. This is an existing building that has several rooms for training and some private office spaces and bathroom/shower facility that would allow for an overnight watchman/security person if needed. This is located at approximately 9500 South on Highway 89 in South Willard with the access to the property located in Weber County. This is a permitted use in the BECLUM&DC, meets the setback requirements and has been reviewed by the various county departments. No comments were given and the public hearing was closed with a motion by Commissioner Desiray Larsen, seconded by Commissioner Michael Udy and passed unanimously.

ACTION: Staff recommended approval with conditions that were outlined in staff report. Commissioner Bonnie Robinson has a question regarding the access from Highway 89 and onto a private road wondering if there was any plan for signage for directions in locating this facility. Ricki Draper, the Executive Director told the commissioners that currently there were no plans for signage as the road that leads into this site is located in Weber County and they (HAVOC K9) have to work with Weber County regarding that issue. They are also in the process of getting the site (9500 South) on Google Maps as it does not currently exist on the map; and working with the U.S. Post Office to get a more accurate address.

MOTION: A Motion was made by Commissioner Desiray Larsen to grant approval for the Site Plan; SP16-003 for HAVOC K9 with the conditions as outlined by Staff. Motion was seconded by Commissioner Bonnie Robinson and passed unanimously.

Conditions of Approval:

1. Compliance with Section 2-2-090 of the BECLUM&DC
2. Compliance with Article 5, Regulations of General Applicability, of the BECLUM&DC
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

REZONE, Z16-001: COUNTY PROPOSED RE-ZONE OF PARCEL 01-012-0160 ON PROMONTORY POINT FROM THE MUNICIPAL SOLID WASTE ZONE (MSW) TO THE SOLID WASTE ZONE (SW).

Staff explained that Box Elder County was the petitioner for this proposed re-zoning of property located on Promontory Point from the MSW zone to SW zone which is currently the accurate zoning for that area. The MSW zone no longer exists in the BECLUM&DC and this area was overlooked when the other MSW zones in the county were re-zoned correctly. Notice of the re-zone had not been given to the correct landowner previously, but notice had been given for this meeting. The following comments were given during the public hearing.

Mr. John Young of Young Resources said that Young Resources wanted to let the Planning Commissioners know of their feelings regarding the landfill at Promontory. Young Resources are part owners in the landfill and had donated 1000 acres to that landfill. That had been done in order for diversification and allow for other possible incomes. Since that time a lot of things have changed and they are now opposed to having a landfill on Promontory Point and wanted that to be noted at this time. Originally they thought that this would be a municipal landfill but were now concerned that if this becomes a solid waste landfill it would open the door for a Class 5 landfill at this site. A Conditional Use Permit was given as a Class 1 and would provide for different municipalities to use the landfill. They were concerned that if this were to become a Class 5 landfill it could bring in waste from many places and they did not want to become a dumping ground for waste that no one else wants. He also mentioned that there is pending litigation on this property and the county needs to be prepared for the consequences. As the members of the Planning Commission are caretakers of the county they should not let Box Elder County become like Tooele County.

The public hearing was then closed with a Motion by **Commissioner Bonnie Robinson**, seconded by **Commissioner Mellonee Wilding** and was unanimous.

ACTION: Staff noted that the reason for this request is because the MSW zone no longer exists in the County Code. Changing this area from a MSW zone to a SW zone would not have any effects on whether or not this could still be used as a landfill. The Class 5 landfill that was mentioned would be licensed through the state, and could have been grant/licensed under either the MSW or SW zone, but the Planning Commission could still place conditions upon the operation. This area on Promontory Point was considered by the county to be suitable for a landfill about fourteen years ago, and a permit was granted and extended several time, but the permit for that has now expired. It was further explained that over the past year or so and culminating last fall an outside firm was hired to help determine where a landfill corridor should be in the county. It was an oversight that this area was not updated when the text and county map was done after the new location and definition for a landfill was adopted by the county. There were several other scenarios that were brought up and discussed, but were not pertinent to whether or not this area needed to be changed from the MSW to the SW zone. **Chairman Chad Munns** said that this needed to be changed to be in compliance with the new SW zoning. In the future some of the concerns mentioned by **Mr. John Young** could come before the Planning Commission and would be addressed at that point. Changing to the SW zone would not affect the pending litigation.

MOTION: A Motion was made by **Commissioner Michael Udy** to forward a recommendation of approval to the County Commission for approval of a zoning map amendment from the MSW to SW zone for the area at Promontory Point. Motion was seconded by **Commissioner Desiray Larsen** and passed unanimously.

Conditions for Approval:

1. Compliance with Article 5 of the BECLUM&DC.
2. Compliance with Article 2-2-080, Zoning Map and Text Amendments of the BECLUM&DC.

**REZONE, Z16-002: LANNY LEWIS RE-ZONE (PARCEL 05-105-0080; 1.08 ACRE)
PROPERTY LOCATED AT APPROXIMATELY 10195 NORTH 11600 WEST IN THE
THATCHER AREA, FROM RESIDENTIAL TO COMMERCIAL.**

Staff explained that this petitioner was requesting that a 1.08 acre portion of parcel 05-105-0080 be re-zoned from C-G (General Commercial) to M-G (General Manufacturing). This property is located in the Thatcher area. This re-zone will allow LCS Holdings, LLC to expand their cabinet manufacturing. The public hearing was opened and the following comment was made.

Mr. Lanny Lewis said that at the present time the Sagebrush Circle Drive has semi-trucks traveling on it to reach the facility and having this re-zoned would allow for those trucks to have another access on 11600 West with a turnaround and eliminating having to go through a residential area.

No other comments were given and the public hearing was closed with a Motion by **Commissioner Bonnie Robinson** and seconded by **Commissioner Michael Udy**. Unanimous.

ACTION: Staff recommended approval and forwarding to the County Commission for the re-zone of this property.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for the re-zone of the 1.08 acre portion of parcel 05-105-0080 as requested by LCS Holdings, LLC. Motion was seconded by **Commissioner Desiray Larsen** and passed unanimously.

Conditions for Approval:

1. Compliance with Article 5 of the BECLUM&DC.
2. Compliance with Article 2-2-080, Zoning Map and Text Amendments of the BECLUM&DC.

NEW BUSINESS--NONE

UNFINISHED BUSINESS--NONE

WORKING REPORTS

Staff informed the Planning Commissioners that there were portions of the BECLUM&DC that needed to be updated specifically in Section 6 (Subdivisions). Those included: **Section 6-1-060-D**, Compliance required, updating Building Permit Requirements; **Section 6-1-090**, Variances, updating to a Hearings Officer; and **Section 6-1-240-F-6**, updating Public Utility Easement

Requirements. Staff was then directed to move forward with the proposed updating and return with the proposed changes at a future meeting of the Planning Commission.

PUBLIC COMMENTS -- NONE

A **Motion** was made to adjourn at 7:48 p.m., unanimous.

Passed and adopted in regular session this 21st day of July 2016.

Chad Munns, Chairman
Box Elder County
Planning Commission