

# BOX ELDER COUNTY PLANNING COMMISSION AGENDA

July 21, 2022

Agenda review with Planning Commissioners at 6:00 p.m.

1. **CALL TO ORDER 7:00 p.m.** (County Commission Chamber Room, Main Floor)
  - a. Roll Call (Commissioners S. Zollinger, K. McGaha, B. Robinson, M. Wilding, J. Holmgren, J. Pugsley, V. Smith, J. Jacobsen, and L. Jensen)
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL of the June 16, 2022 Planning Commission Minutes.**
5. **UNFINISHED BUSINESS**
  - a. **None.**
6. **PUBLIC HEARINGS**
  - a. **ZONING MAP AMENDMENT, Z22-012**, Request for a zone change of 92.4 acres from RR-20 (Rural Residential 20,000 sq. ft.) to C-G (General Commercial), located at approximately 1650 North 2400 West in the West Corinne area of Unincorporated Box Elder County. **ACTION**
  - b. **ZONING MAP AMENDMENT, Z22-013**, Request for a zone change of 639.61 acres from Unzoned to MG-EX (Mining, Quarry, Sand, & Gravel Excavation), located at approximately 14000 North 9700 West in the Bothwell/Tremonton area of Unincorporated Box Elder County. **ACTION**
7. **NEW BUSINESS**
  - a. **ALPINE SPRING ESTATE SUBDIVISION, SS22-020**, Request for preliminary approval for a 19 lot subdivision located at approximately 300 West 100 South in the Fielding area of Unincorporated Box Elder County. **ACTION**
  - b. **SUMMER LAND RANCHES PHASE 1 SUBDIVISION, SS22-021**, Request for preliminary approval for a 12 lot subdivision located at approximately 10800 West 13600 North in the Bothwell area of Unincorporated Box Elder County. **ACTION**
8. **WORKING REPORTS**
  - a. **None.**
9. **PUBLIC COMMENT**
10. **ADJOURN**\_\_\_\_\_

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES JUNE 16, 2022

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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 by a roll call, constituting a quorum:

## *Roll Call*

Mellonee Wilding	Chairman
Jared Holmgren	Excused
Kevin McGaha	Excused
Lonnie Jensen	Member
Steven Zollinger	Excused
Bonnie Robinson	Excused
Jed Pugsley	Member
Jennifer Jacobsen	Alternate/Member
Vance Smith	Alternate/Member

## *the following Staff was present:*

Scott Lyons	Excused
Marcus Wager	County Planner
Destin Christiansen	County Planner
Steve Hadfield	County Attorney
Jeff Scott	Co. Commissioner
Diane Fuhriman	Executive Secretary

**Chairman Mellonee Wilding** called the meeting to order at 7:00 p.m.

The Invocation was offered by **Commissioner Jed Pugsley**.  
Pledge was led by **Commissioner Lonnie Jensen**.

## **No citizens were in attendance**

The Minutes of the May 19, 2022 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jed Pugsley** to approve the minutes as written. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

## **UNFINISHED BUSINESS -NONE**

## **PUBLIC HEARINGS**

### **GENERAL PLAN AMENDMENT, GP22-001, Text amendment to the Box Elder County General Plan to update the County Resource Management Plan.**

Staff stated the Utah Public Lands Policy Coordinating Office (PLPCO) had legislation passed for every county to update their County Resource Management Plan (CRMP) to address the following topics:

- Access to Public Lands • Renewable Energy • Critical Materials • Utility Corridors • Pipelines & Infrastructure.

All of the above topics have already been addressed in their respective chapters. The proposed changes for Chapter 16 is for Mineral Resources to include established and potential mineral resources from the updated 2022 USGS critical minerals lists. The minerals in Box Elder County are lithium, antimony, and tungsten. Also to amend Chapter 23, Utilities, to include additional information, goals, and policies regarding utility corridors and pipelines and infrastructure.

Staff read the procedure for a General Plan Amendment from LUM&DC 2-2-070. These amendments are decided upon by the County Commission with a recommendation from the Planning Commission.

**Land Use Ordinance Standards Review:**

Box Elder County Land Use Management & Development Code section 2-2-070(D)(2)(c) outlines the following procedural requirements for General Plan Amendments.

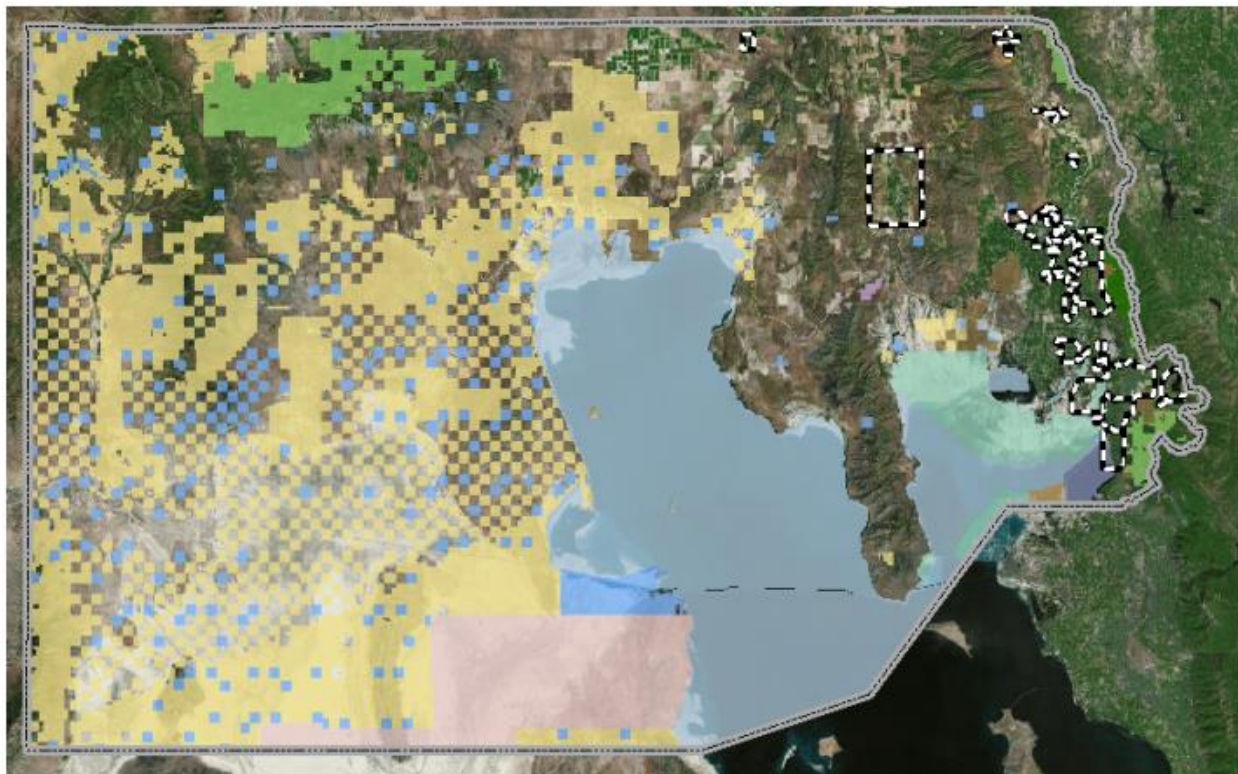
**A. Written statement showing the desired language change;**

*See Attachment No. 1 – Amendments*

**B. Written statement explaining why existing General Plan language is no longer appropriate or feasible;** This text amendment to the General Plan is not to replace “no longer appropriate or feasible” language, but to add information to an existing section of the plan as mandated by the Utah State Legislature and Public Lands Policy Coordinating Office.

**C. Analysis of the potential impacts of the proposed amendment; and** The language and impacts of the proposed amendment have been reviewed and analyzed by county staff and the Utah PLPCO. The proposed changes should benefit the county and landowners when it comes to future planning and permitting for critical materials as well as utility corridors and projects.

**D. Map showing the affected areas if text changes will affect specific geographic areas.**



The public hearing was then opened for comments. There were no comments.

Hearing no comments, a motion was made by **Commissioner Jed Pugsley** to close the public hearing on the General Plan Amendment, GP22-001. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

### **ACTION**

Staff explained based on their findings that 1) the Box Elder County LUM&DC allows for General Plan text amendments subject to review procedures and approval by the County Commission with a recommendation from the Planning Commission and 2) the procedural requirements as set forth in Section 2-2-070(D)(2)(c) have been met, staff recommends forwarding a recommendation of approval to the County Commission.

**MOTION:** A Motion was made by **Commissioner Vance Smith** to forward a recommendation of approval to the County Commission to amend the Box Elder County General Plan to include the proposed County Resource Management Plan amendments and adopt the conditions and findings of staff with the exception of changing Duchesne County to Box Elder County. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

### **NEW BUSINESS**

#### **AGRICULTURAL PROTECTION AREA, AP22-004, Request to create a new agricultural protection area on multiple parcels around the Brigham City area of Unincorporated Box Elder County. ACTION**

Staff said the applicants are requesting to establish an Agriculture Protection Area on approximately 193.01 acres located on multiple parcels in the West Brigham City Area. The surrounding land use is Agriculture; the surrounding zones are Unzoned, A-20 and RR-5.

Staff read the standards for reviewing the creation of Agriculture Protection Areas as they apply to this request as follows:

**A. The effect of the creation of the proposed area on the planning policies and objectives of the county;** At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. The one aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change.

**B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;**

**a. Whether or not the land is currently being used for agriculture production;** The proposed parcels are currently being used for agriculture production.

**b. Whether or not the land is zoned for agricultural use;** The proposed parcels are currently Unzoned (parcels 03-004-0082), RR-5 (03-109-0065), and A-20 (all remaining

parcels).

**c. Whether or not the land is viable for agricultural production;** The proposed parcels are viable for agricultural production.

**d. The extent and nature of existing or proposed farm improvements;** 100% of the acreage is currently being used for agricultural production.

**e. In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.** This is something Planning Commissioners familiar with agricultural production may be more familiar with.

**C. Recommends any modifications to the land to be included in the proposed agricultural protection area;** None at this time.

**D. Analyzes and evaluates any objections to the proposal;** No objections to the proposal have been submitted.

**E. Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.** This recommendation must come from the Planning Commission to the County Commission.

Following the motion, staff will prepare a recommendation to the County Commission on behalf of the Planning Commission.

**MOTION:** A Motion was made by **Commissioner Jed Pugsley** to forward a recommendation to the County Commission to accept the proposal to create the Agriculture Protection Area on multiple parcels in the West Brigham City area in unincorporated Box Elder County. The motion was seconded by **Commissioner Vance Smith** and unanimously carried.

#### **WORKING REPORTS - NONE**

#### **PUBLIC COMMENTS - NONE**

#### **OPEN RANGE/FENCE IN-FENCE OUT**

**Commissioner Jed Pugsley** said there has been an issue out west with livestock being hit on the road. If an animal is hit and killed along Highway 30, insurance companies are not paying for the animal because the area is not designated as open range. The issue ends up in court for 8 to 12 months fighting the insurance company. He is aware of at least four on-going cases in the county caught up in litigation. He asked if this is an issue to be brought before the Planning Commission or the County Commission. **County Attorney Stephen Hadfield** said it depends on what the County Commission wants to do. Box Elder County does not have open range but rather fence in – fence out.

**Commissioner Jed Pugsley** will look into the issue further with the County Commission.

## **ADJOURN**

**MOTION:** A Motion was made by Commissioner Vance Smith to adjourn commission meeting. The motion was seconded by Commissioner Jed Pugsley and meeting adjourned at 7:14 p.m.

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Mellonee Wilding, Chairman  
Box Elder County Planning Commission





## PLANNING COMMISSION

Meeting Date: July 21, 2022

### STAFF REPORT

Agenda Item #: 6a

**Application Type:**

Zoning Map Amendment

**APPLICANT(S):**

Shand Hardy

**PROJECT #:**

Z22-012

**ADDRESS:**

Appx. 1650 N 2400 W  
Brigham City, UT

**PARCEL #:**

03-068-0020

**CURRENT ZONE:**

RR-20

**TYPE OF ACTION:**

Legislative

**REPORT BY:**

Destin Christiansen,  
County Planner

**BACKGROUND**

The applicant is requesting that parcel 03-068-0020 be rezoned from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone. The parcel is in the West Corinne/West Brigham City area and contains approximately 92.4 acres. The intent is to use a portion (appx. 2 acres) as a landscape and garden materials supply yard.

**ANALYSIS****County Code:**

Land Use Management & Development Code 2-2-080.C allows a property owner to apply for and request a re-zone subject to zoning map amendment approval by the County Commission with a recommendation from the Planning Commission.

**Surrounding Land Use and Zoning:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture	RR-20
South	Commercial	C-G/Brigham City
East	I-15/Brigham City	RR-20/Brigham City
West	Agriculture	RR-20

**Land Use Ordinance Standards Review:**

Box Elder County Land Use Management & Development Code section 2-2-060-A states that zoning map amendments are a legislative proceeding. Per said section:

Decisions regarding a legislative application shall be based on the "reasonably debatable" standard, as follows:

- The decision-making authority shall determine what action, in its judgment, will reasonably promote the public interest, conserve the values of other properties, avoid incompatible development, encourage appropriate use and development, and promote the general welfare.
- In making such determination, the decision-making authority may consider the following: (1) Testimony presented at a public hearing or meeting; and (2) personal knowledge of various conditions and activities bearing on the issue at hand, including, but not limited to, the location of

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businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of utilities; the zoning of surrounding property; and the effect that a particular proposal may have on such conditions and activities, the values of other properties, and upon the general orderly development of the County.

- The decision-making body should state on the record the basis for its decision.

Box Elder County Land Use Management & Development Code section 2-2-080-E outlines the following standards for review for zoning map amendments.

**A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;**

*The County's General Plan states that the West Corinne area is primarily dairy farms and is generally a large lot, agricultural area. The vision for the area suggests continuing the agricultural heritage of the area, while allowing for some flexible, residential lot sizes through residential clustering and expanding the industrial/warehousing uses in the area (ex: Walmart and Proctor & Gamble).*

*Additional information: Brigham City's Future Land Use Map for their proposed annexation area calls for "Highway Commercial" zoning defined as, "commercial uses that cater to the highway service and retail areas."*

**B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;**

*The area is a combination of mainly agricultural uses and some highway commercial operations to the south of the property (both unincorporated and within Brigham City limits). The Planning Commission needs to decide if a commercial zone could be considered harmonious.*

**C. The extent to which the proposed amendment may adversely affect adjacent property; and**

*The proposed amendment shouldn't affect the values of adjacent property. Commercial zoning and properties exist to the south, I-15 to the east, and agricultural properties to the north and west; however, the public hearing process may bring forth additional information.*

**D. 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.**

*It is likely that the facilities and services already exist. The developer would have to verify this and bring them into the project.*

**FINDINGS:**

Based on the analysis of the zoning map amendment application request for the rezone of the subject parcel from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone and a



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survey of the surrounding area, staff concludes the following:

1. The Box Elder Land Use Management and Development Code allows for the re-zone of properties subject to zoning map amendment review procedures and approval.
2. It can be interpreted that the proposed map amendment meets the Approval Standards found in Section 2-2-080(E) of the Box Elder County Land Use Management and Development Code.
3. This application is for a rezone from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone.

**USE EXAMPLE:** An example of a potential, impactful use for the General Commercial zone could be paper product manufacturing (books and/or newspaper manufacturing (conditional use)) or food product manufacturing (baked goods, dairy, confectionery, etc. (conditional use)).

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission has three options to forward as a recommendation to the County Commission.** As this is a legislative decision, additional information may be taken into account such as public input, resident preferences, private property rights, economic considerations, etc.

If a recommendation of approval is forwarded to the legislative body staff recommends it be subject to the following conditions:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 2-2-080, Zoning Map and Text Amendments, of the Box Elder County Land Use Management & Development Code.
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

### **MODEL MOTIONS**

**Approval** – “I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z22-012, a zoning map amendment from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

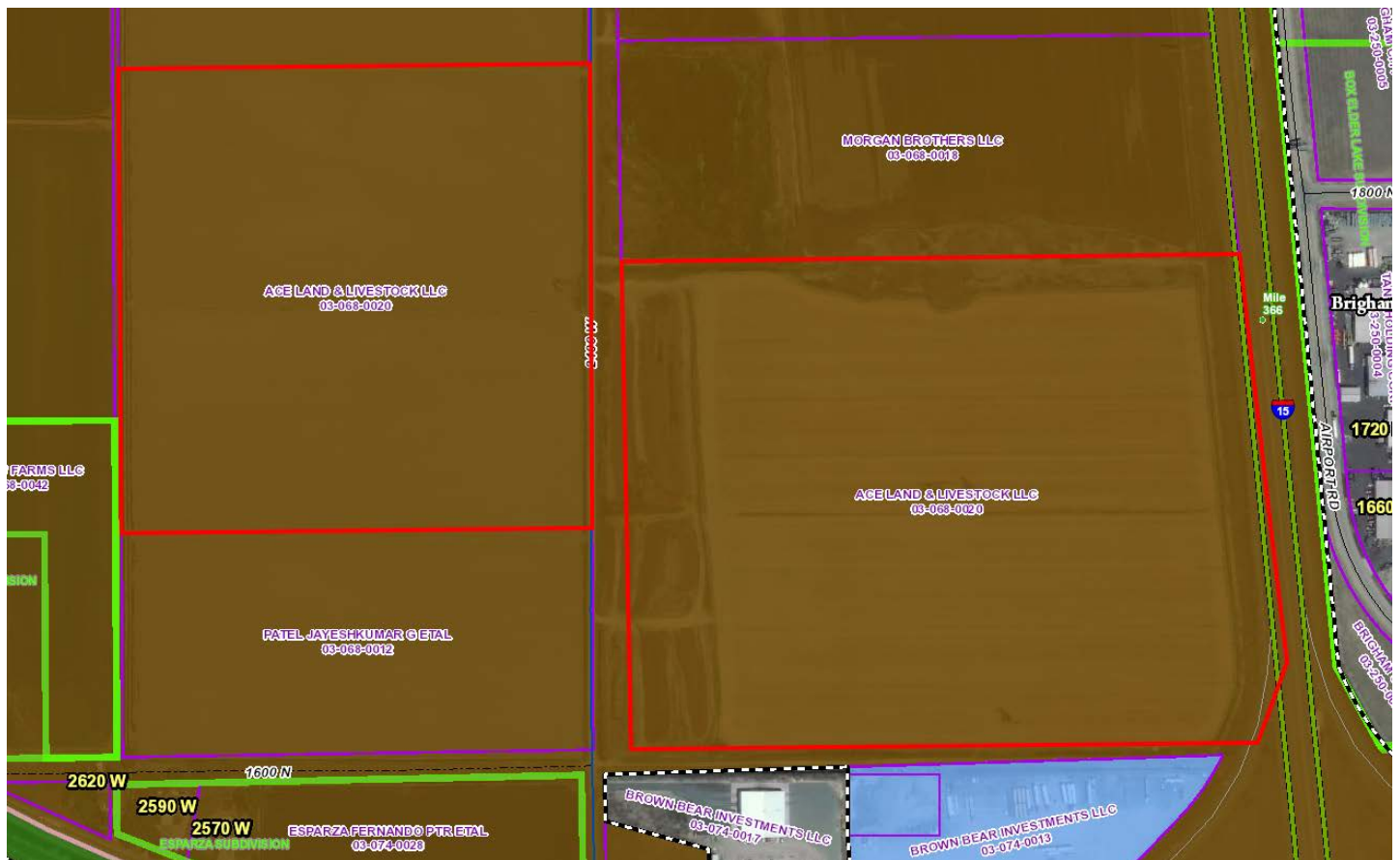
**Table** – “I move the Planning Commission table the review of application number Z22-012, a zoning map amendment from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone to (give date), based on the following findings:”

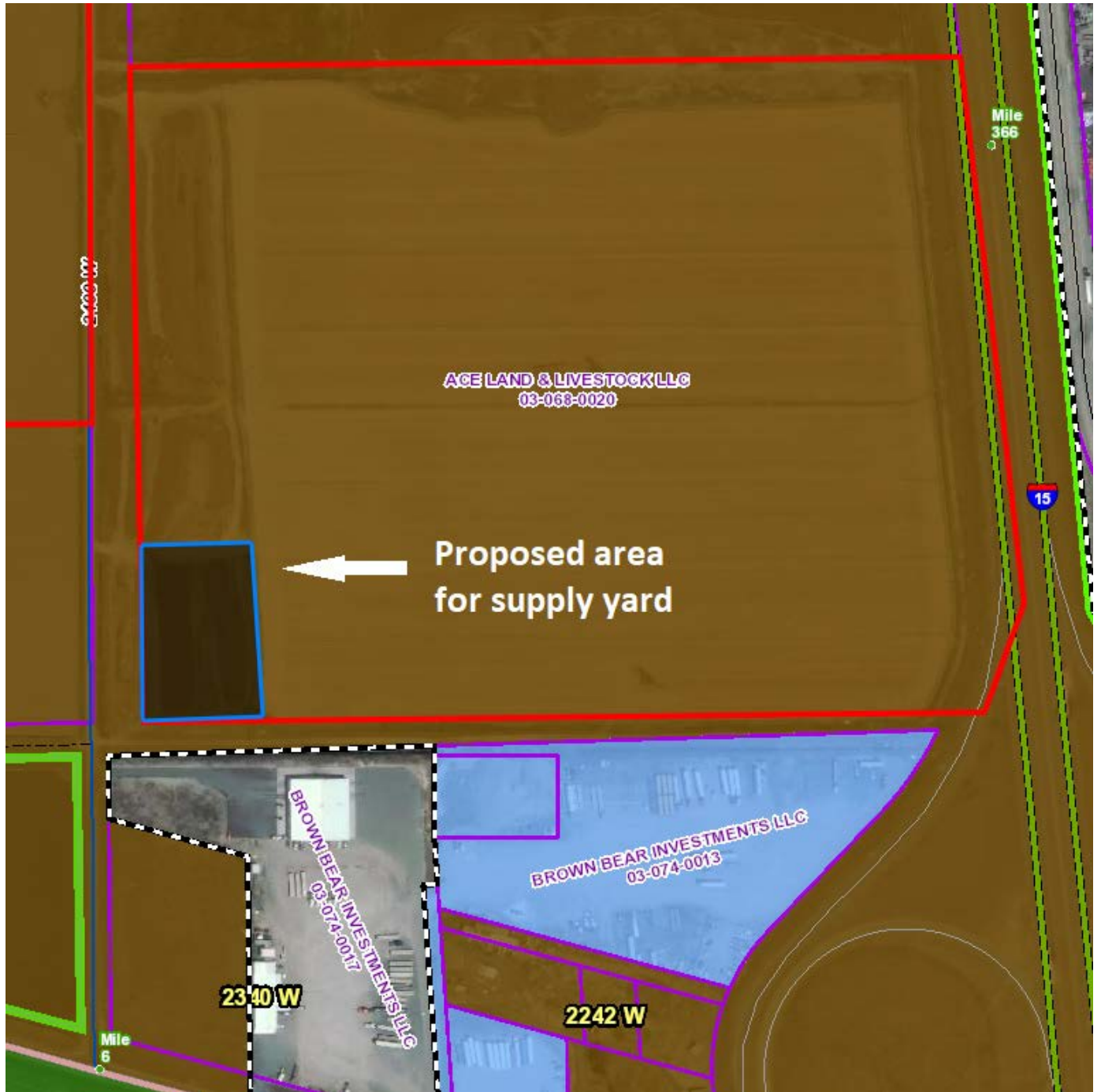
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

**Denial** – “I move the Planning Commission forward a recommendation of denial to the County Commission, application number Z22-012, a zoning map amendment from RR-20 (Rural Residential - 20,000 sq. ft. lots) to the C-G (General Commercial) zone based on the following findings:”

1. List findings for denial...

Please feel free to contact Destin Christiansen at 435-695-2547 if you have any questions.







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## PLANNING COMMISSION

### STAFF REPORT

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Meeting Date: July 21, 2022

Agenda Item #: 6b

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**Application Type:**

Zoning Map Amendment

**APPLICANT(S):**

Stacie Webster

**PROJECT #:**

Z22-013

**ADDRESS:**

Approx. 14000 North 9700  
West

**PARCEL #:**

06-003-0050

**CURRENT ZONE:**

Unzoned

**TYPE OF ACTION:**

Legislative

**REPORT BY:**

Marcus Wager,  
County Planner

**BACKGROUND**

The applicant is requesting that parcel 06-003-0050 (639.61 acres) be rezoned from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone. The parcel is in the Bothwell/Tremonton area.

**ANALYSIS**

**County Code:**

Land Use Management & Development Code 2-2-080.C allows a property owner to apply for and request a re-zone subject to zoning map amendment approval by the County Commission with a recommendation from the Planning Commission.

**Surrounding Land Use and Zoning:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agricultural	Unzoned
South	Gravel Pit	Unzoned
East	Agricultural	Unzoned
West	Agricultural	Unzoned/RR-5

**Land Use Ordinance Standards Review:**

Box Elder County Land Use Management & Development Code section 2-2-060-A states that zoning map amendments are a legislative proceeding. Per said section:

Decisions regarding a legislative application shall be based on the “reasonably debatable” standard, as follows:

- The decision-making authority shall determine what action, in its judgment, will reasonably promote the public interest, conserve the values of other properties, avoid incompatible development, encourage appropriate use and development, and promote the general welfare.
- In making such determination, the decision-making authority may consider the following: (1) Testimony presented at a public hearing or meeting; and (2) personal knowledge of various conditions and activities bearing on the issue at hand, including, but not limited to, the location of businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of utilities; the zoning of surrounding property; and the effect that a particular proposal may have on

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such conditions and activities, the values of other properties, and upon the general orderly development of the County.

- The decision-making body should state on the record the basis for its decision.

Box Elder County Land Use Management & Development Code section 2-2-080-E outlines the following standards for review for zoning map amendments.

**A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;**

*The County's General Plan states the following for the future land use in the Bothwell area: as part of the agricultural heritage area large lot zoning should remain, to encourage continued agricultural activity. A GIS lot size analysis should be performed to evaluate additional zoning options.*

*In the Natural Resources Section the General Plan states: We conserve our natural resources, which have inherent value and contribute to our quality of life in Box Elder County.*

**B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;**

*The area is a combination of mainly agricultural and some gravel pit uses. The Planning Commission needs to decide if an MG-EX zone could be considered harmonious.*

**C. The extent to which the proposed amendment may adversely affect adjacent property; and**

*The proposed amendment shouldn't affect the values of adjacent property. The public hearing process may bring forth additional information.*

**D. 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.**

*It is likely that the facilities and services do not exist on this side of the freeway, the developer would have to verify this and bring them into the project if they are not there.*

**FINDINGS:**

Based on the analysis of the zoning map amendment application request for the re-zone of the subject parcel from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone and a survey of the surrounding area, staff concludes the following:

1. The Box Elder Land Use Management and Development Code allows for the re-zone of properties subject to zoning map amendment review procedures and approval.
2. The Planning Commission will need to determine if the proposed map amendment meets the Approval Standards found in Section 2-2-080(E) of the Box Elder County Land Use Management and Development Code.



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3. This application is for a rezone from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone.

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission has three options to forward as a recommendation to the County Commission.** As this is a legislative decision additional information may be taken into account such as public input, resident preferences, private property rights, economic considerations, etc.

If a recommendation of approval is forwarded to the legislative body staff recommends it be subject to the following conditions:

1. Compliance with Section 2-2-080, Zoning Map and Text Amendments, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Chapter 3-9, Mining, Quarry, Sand, & Gravel Excavation Zone, of the Box Elder County Land Use Management & Development Code.
3. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
4. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

### **MODEL MOTIONS**

**Approval** – “I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z22-013, a zoning map amendment from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

**Table** – “I move the Planning Commission table the review of application number Z22-013, a zoning map amendment from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone to (give date), based on the following findings:”

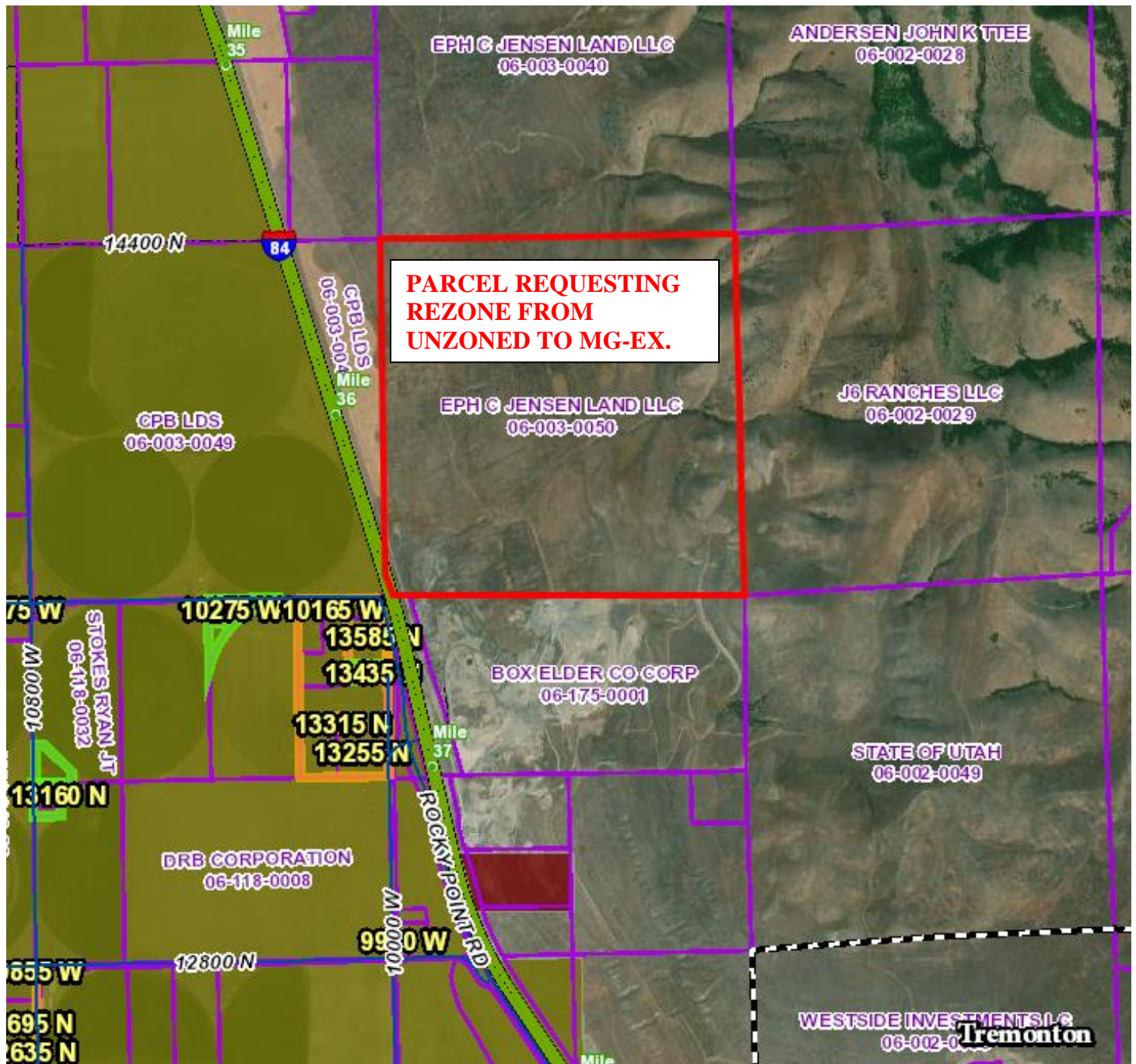
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

**Denial** – “I move the Planning Commission forward a recommendation of denial to the County Commission, application number Z22-013, a zoning map amendment from Unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone based on the following findings:”

1. List findings for denial...

Please feel free to contact Marcus Wager at 435-734-3308 if you have any questions.





# PLANNING COMMISSION

## STAFF REPORT

Meeting Date: July 21, 2022

Agenda Item #: 7a

### Application Type:

Preliminary Subdivision

### APPLICANT(S):

Mark Whitworth

### PROJECT #:

SS22-020

### ADDRESS:

300 West 100 South

### ZONE:

Unzoned

### PARCEL #:

06-022-0115

### REPORT BY:

Scott Lyons,  
Community Development  
Director

### BACKGROUND

The applicants are requesting preliminary approval of the Alpine Spring Estates Subdivision plat. The proposed subdivision is for 19 new lots, between 0.5 and 0.73 acres in size. The existing parcel is 70.47 acres in size.

### ANALYSIS

#### **Land Use Ordinance Standards Review:**

Land Use Management & Development Code 6-1-130 requires the subdivision of property receive preliminary approval from the Box Elder County Planning Commission.

#### **Surrounding Land Use and Zoning:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Rural Residential	Fielding Town
South	Agriculture	Unzoned
East	Agriculture	Unzoned
West	Agriculture/Rural Residential	Unzoned

#### **Access:**

Access would be via a proposed new road, 4200 West, connecting to 300 West/100 South in Fielding Town.

#### **Utilities:**

The County has received utility will-serve letters from the gas, power, and water companies. The letter from Ukon Water only states that 13 water connections are available for this development. This is enough to cover Phase 1, but six more will be needed to cover Phase 2. We have also received a feasibility letter from the Bear River Health Department. A geotechnical report has also been submitted. Secondary water has not been addressed at this point in the project.

#### **Setbacks:**

All setbacks for unzoned areas can be met. Setbacks will be reviewed and enforced during the building permit process.

#### **County Department Reviews:**

This application is a preliminary subdivision plat application. All applicable County departments are currently reviewing this subdivision – Comments can be provided at the Planning Commission meeting. The main thing we are waiting for on this subdivision is a Letter Of Map Amendment from FEMA. This is a document that officially changes the location of the mapped floodplain. Per our subdivision ordinance:

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*No lot of one (1) acre or less in area shall be included within a 100-year flood plain. All lots more than one (1) acre shall contain not less than 40,000 square feet of land which is at an elevation at least two (2) feet above the elevation of the 100-year recurrence interval flood, or, where such data is not available, five (5) feet above the elevation of the maximum flood record.*

The following message was provided to the applicant on May 26th:

*Looking at the proposed plat it appears Lots 3-6 (phase 1) and 17-19 (phase 2) are all less than one acre and within the floodplain. Please be aware that if FEMA does not approve the LOMA you will need to make changes to the subdivision layout.*

It is our understanding that the applicant is currently working with FEMA on the LOMA process.

### **Findings:**

Based on the analysis of the proposed subdivision plat and a survey of surrounding area, staff concludes the following:

1. With conditions outlined in the recommendation section of the staff report, the preliminary subdivision plat will comply with the preliminary subdivision regulations of Box Elder County, after all of the comments are satisfied.

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission may TABLE or APPROVE the preliminary plat** with the following conditions:

1. Submission of a water will-serve letter prior to Phase 2 final plat application.
2. Submission of an approved Letter Of Map Amendment from FEMA for the removal of the floodplain burdening Lots 3-6 and 17-19.
3. Compliance with all County Staff reviews and comments.
4. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
5. Compliance with Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code.
6. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

### **MODEL MOTIONS**

**Approval** – “I move the Planning Commission approve application number SS22-020, a preliminary plat for the Alpine Spring Estates Subdivision, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

**Table** – “I move the Planning Commission table application number SS22-020, a preliminary plat for the Alpine Spring Estates Subdivision, located in unincorporated Box Elder County, to (give date), based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...



**Denial** – “I move the Planning Commission deny application number SS22-020, a preliminary plat for the Alpine Spring Estates Subdivision, located in unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

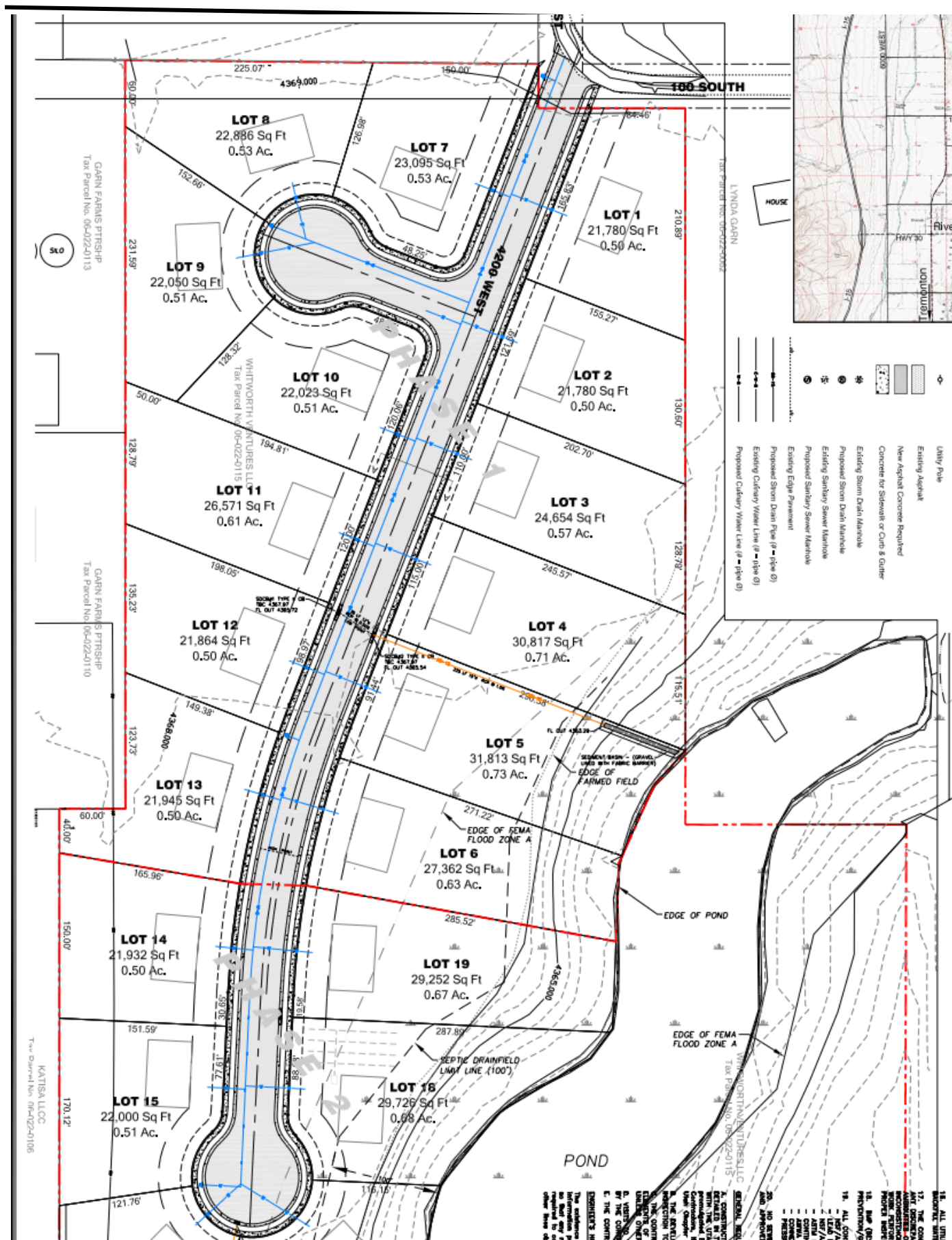
Please feel free to contact Scott Lyons at 435-734-3316 with any questions.





COMMUNITY DEVELOPMENT DEPARTMENT  
01 South Main Street  
Brigham City, Utah 84302  
(435) 734-2634 Fax: (435) 734-2728  
[www.boxeldercounty.org](http://www.boxeldercounty.org)

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# PLANNING COMMISSION

## STAFF REPORT

Meeting Date: July 21, 2022

Agenda Item #: 7b

### **Application Type:**

Preliminary Subdivision

### **APPLICANT(S):**

Ryan Stokes, Shane  
Barthlome, Michael Collins

### **PROJECT #:**

SS22-021

### **ADDRESS:**

10800 West 13600 North

### **ZONE:**

RR-5 (Rural Residential-5  
acres)

### **PARCEL #:**

06-118-0032

### **REPORT BY:**

Destin Christiansen,  
County Planner

### **BACKGROUND**

The applicants are requesting preliminary approval of the Summer Land Ranches Subdivision plat. The proposed subdivision is for 12 new lots, averaging 5.61 acres in size. The existing parcel is 70.47 acres in size.

### **ANALYSIS**

#### **Land Use Ordinance Standards Review:**

Land Use Management & Development Code 6-1-130 requires the subdivision of property receive preliminary approval from the Box Elder County Planning Commission.

#### **Surrounding Land Use and Zoning:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Rural Residential/Agriculture	RR-5
South	Rural Residential/Agriculture	RR-5
East	Agriculture	RR-5
West	Agriculture	RR-5

#### **Access:**

Access will come off of 10800 West for the whole subdivision as well as a new, additional road, 13400 North.

#### **Utilities:**

The County has received all utility will-serve letters from the power, gas, and water companies and they are satisfactory for this subdivision. We have also received a feasibility letter from the Bear River Health Department. A geotechnical report has also been submitted.

#### **Setbacks:**

All setbacks for the RR-5 zone can be met. Setbacks will be reviewed and enforced during the building permit process.

#### **County Department Reviews:**

This application is a preliminary subdivision plat application. All applicable County departments are currently reviewing this subdivision – Comments can be provided at the Planning Commission meeting. The main thing we are waiting for on this subdivision is to finalize the review process.

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### **Findings:**

Based on the analysis of the proposed subdivision plat and a survey of surrounding area, staff concludes the following:

1. With conditions outlined in the recommendation section of the staff report, the preliminary subdivision plat will comply with the preliminary subdivision regulations of Box Elder County, after all of the comments are satisfied.

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **staff recommends the Planning Commission APPROVE the preliminary plat** with the following conditions:

1. Compliance with all County Staff reviews and comments.
2. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
3. Compliance with Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code.
4. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

### **MODEL MOTIONS**

**Approval** – “I move the Planning Commission approve application number SS22-021, a preliminary plat for the Summer Land Ranches Subdivision, Phase 1, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

**Table** – “I move the Planning Commission table application number SS22-021, a preliminary plat for the Summer Land Ranches Subdivision, Phase 1, located in unincorporated Box Elder County, to (give date), based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

**Denial** – “I move the Planning Commission deny application number SS22-021, a preliminary plat for the Summer Land Ranches Subdivision, Phase 1, located in unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

Please feel free to contact Destin Christiansen at 435-695-2547 with any questions.

