

BOX ELDER COUNTY PLANNING COMMISSION AGENDA

April 17, 2025

***Please note Planning Commission meeting will be held at the
Justice Center 81 N Main Brigham City**

Agenda review with Planning Commissioners at 6:30 p.m.

1. **CALL TO ORDER 7:00 p.m.** (County Commission Chamber Room, Main Floor) a. Roll Call
(Commissioners B. Robinson, M. Wilding, J. Holmgren, J. Pugsley, J. Jacobsen, L. Jensen, B. East, B. Bowen)

2. INVOCATION

3. PLEDGE OF ALLEGIANCE

4. APPROVAL of the March 20, 2025 Planning Commission Minutes.

5. APPOINT NEW CHAIR AND VICE CHAIR

6. **UNFINISHED BUSINESS**
 - a. None

7. PUBLIC HEARINGS

- a. **ORDINANCE TEXT AMENDMENT, Z25-005**, Request for a text amendment to Chapter 5-2 Off Street Parking Requirements in the Box Elder County Land Use Management & Development Code. **ACTION**

8. NEW BUSINESS

- a. **GRIFFIN AG PROTECTION AREA APA25-001**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
- b. **MUNNS AG PROTECTION AREA APA25-002**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
- c. **ADAMS AG PROTECTION AREA APA 25-003**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
- d. **LITTLE MOUNTAIN LOOKOUT 1ST AMENDMENT SS25-004**, Request for an amendment to the final plat of the Little Mountain Lookout Subdivision located in the Bear River area of Unincorporated Box Elder County. **ACTION**

9. WORKING REPORTS

- a. Fire Marshal Presentation

10. PUBLIC COMMENT

11. ADJOURN_____

BOX ELDER COUNTY PLANNING COMMISSION MINUTES MARCH 20, 2025

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
Jed Pugsley	Vice-Chair
Lonnie Jensen	Excused
Bonnie Robinson	Member
Jared Holmgren	Member
Jennifer Jacobsen	Member
Brandon East	Member
Vance Smith	Alternate/Member
Brian Bowen	Alternate/Member

the following Staff was present:

Scott Lyons	Comm Dev Director
Marcus Wager	County Planner
Destin Christiansen	County Planner
Stephen Hadfield	County Attorney
Boyd Bingham	Co. Commissioner
Diane Fuhrman	Excused

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

The Invocation was offered by **Commissioner Bonnie Robinson**.
Pledge was led by **Commissioner Brian Bowen**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the February 20, 2025 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 Jared Holmgren** and passed unanimously.

UNFINISHED BUSINESS

ORDINANCE TEXT AMENDMENT, Z24-005, Request for a text amendment to Chapter 3-6, Mobile Home Parks, of the Box Elder County Land Use Management & Development Code. ACTION

Staff explained last year an applicant wanted to modify the code from its existing state to something more modernized. The agritourism aspect of the code was also addressed and a public hearing was held in October 2024. Staff received additional feedback and over time worked on the verbiage of the chapter. The language has been narrowed down to what staff feels simplifies

the chapter. The main takeaway is the county is not equipped to handle the density as seen in city parks with lines and lines of RVs.

Staff then focused on the agritourism aspect making it similar to the Accessory Dwelling Unit ordinance. The applicant would apply for an Administrative Conditional Use Permit and be given a list of requirements to be met. Once those requirements are met and the permit issued, the applicant can proceed and have one space, or up to five spaces maximum, and begin operations. The revision focuses on short-term agritourism with the length of stay being seven days as opposed to the original proposal of 90 days and eliminates mobile home subdivisions. The proposed language also includes density of allowed spaces and infrastructure/utility requirements.

(See Attachment No. 2 - Chapter 3-6 – Recreational Vehicle Facilities for Agritourism.)

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z24-005, an ordinance text amendment with the addition of no available sewer or water hookups; clarification of item C in Section 3-6-030 that storage is not just for personal items, and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Jared Holmgren** and unanimously carried.

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.

THATCHER HILLS SUBDIVISION, SS24-032, Request for preliminary approval of a 27-Lot subdivision located in the Thatcher area of Unincorporated Box Elder County. **ACTION**

Staff explained the request came before the Planning Commission in December of last year. The item was tabled due to not having an accurate plat for review. A revised plat has been submitted and has been reviewed and approved by all applicable departments. Staff also received a geotechnical report which has been reviewed and approved by the building department. The surrounding land uses are Agricultural and Residential. The surrounding zones are A-20, R-1-8, RR-1, R-1-20, and Unzoned. Utility letters have been received for all phases except the will serve letters for the water and from the health department, are for phase one only.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to approve Phase 1 of application SS24-032, a preliminary plat for the Thatcher Hills Subdivision, located in unincorporated Box Elder County and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Jed Pugsley** and unanimously carried.

CONDITIONS

1. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Chapter 6-1, Subdivisions, 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.

PUBLIC HEARINGS - None

NEW BUSINESS

HOWELL SITE PLAN, SP25-002, Request for site plan approval of a telecommunications facility expansion located at approximately 17125 W Frontage Road in the Howell area of Unincorporated Box Elder County. ACTION

Staff said the site plan is located on a 6.13 acre parcel. The surrounding land use is Agricultural and the surrounding zones are Unzoned.

Staff read the standards for approval of permitted uses as they apply to this request as follows:

A. The proposed use shall be allowed as a permitted use in the applicable zone. Yes

B. The proposed use shall conform to the development standards of the applicable zone. The review process is currently underway, once finished the development will conform.

C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set for in the Code. The review process is currently underway, once finished the development will conform.

D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances. The review process is currently underway, once finished the development will conform.

E. If the proposed use is located on a lot or parcel which has been subdivided without County approval a subdivision plat shall be approved and recorded as a condition of approval. N/A

Staff stated all applicable county departments have reviewed and approved the request except for the county surveyor who has some minor fixes suggested. Staff recommends approval subject to the conditions listed in the staff report.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to approve application SP25-002, a request for site plan approval of a telecommunications facility in the Howell area of Unincorporated Box Elder

County. The motion was seconded by Commissioner Jared Holmgren and unanimously carried.

CONDITIONS:

1. Compliance with all comments from Staff
2. Compliance with Section 2-2-090 of the Box Elder County Land Use Management & Development Code.
3. Compliance with Article 5, Regulations of General Applicability, 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.

WORKING REPORTS

Low Density Subdivisions

Staff introduced the concept of low density subdivisions, proposed by Mitchell James, aiming to address recurring issues in subdivision development.

The proposal includes phases for planning, distribution, interim utilization, homesteading, aggregation, and finalization, with specific requirements for each phase.

Commissioners expressed concerns about the potential for developers to bypass requirements and the impact on long-term maintenance and public works.

The discussion highlighted the need for clear guidelines and the importance of preserving agricultural land while allowing for development.

Agricultural Heritage Area Zone

Staff introduced the concept of an agricultural heritage area zone, aiming to balance private property rights and community interests. The proposal includes a base density of five acres per lot, with additional requirements for septic and well systems.

The Commissioners discussed potential incentives for farmers to participate in the zone, including the ability to sell development rights and the preservation of agricultural land. The discussion also covered the implications of the zone for existing and future development, including the need for clear guidelines and the potential for increased tax revenue.

Commissioners also discussed the impact of splitting land into smaller lots, noting that splitting 10 acres into two lots leaves 9 acres. Staff agreed emphasizing that new homes will trickle in along the frontage and that the impact of code changes may need to be revisited.

The Commissioners mentioned the challenge of people wanting to give their kids ground, suggesting a base density of 5.5 acres. They discussed the tax advantages and green belt requirements, clarifying that the land remains one piece with small lots.

Parking Considerations for Event Centers

Commissioner Bonnie Robinson shared an experience at a prom at Castle Manor in Cache Valley, highlighting the need for adequate parking for events where people stay for two hours. The Commissioners discussed the capacity of parking lots, noting that high school kids often park on streets due to limited space. Event centers should consider parking for events like dances, which have different parking needs than receptions or dinners.

Secondary Water Systems and Maintenance Responsibilities

The subject of the county-wide water master plan and the potential inclusion of secondary water systems in subdivision codes was brought up.

Staff explained the ongoing county-wide water master plan and the discussion about requiring secondary water systems in development codes. The conversation touched on potential maintenance responsibilities, including culinary water providers, HOAs, and the Bear River Water Conservancy District. There was discussion of the challenges of maintaining secondary water systems, including the lack of interest from culinary suppliers and the unreliability of HOAs.

Staff provided an update on the Conservancy District's feasibility study for requiring and maintaining small secondary systems county-wide. The study includes different types of developments and the associated costs, with a consultant expected to present findings by July or August. The Commissioners discussed the potential impact of the study on future subdivision codes and the logistics of implementing secondary water systems. Commissioner Vance Smith shared a past experience with the Bear River Canal Company, noting their reluctance to take on the responsibility of setting up secondary water systems.

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by Commissioner Bonnie Robinson to adjourn commission meeting. The motion was seconded by Commissioner Jared Holmgren and the meeting adjourned at 8:37 p.m.

Mellonee Wilding, Chairman
Box Elder County Planning Commission



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 17, 2025

Agenda Item #: 7a

Application Type:

Ordinance Text Amendment

APPLICANT(S):

Box Elder County

PROJECT #:

Z25-005

ORDINANCE:

Chapter 5-2

TYPE OF APPLICATION:

Legislative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

A request has been made to amend Chapter 5-2, Off-Street Parking Requirements, by amending the verbiage in multiple Sections. (See attached for proposed verbiage).

ANALYSIS

County Code:

The Box Elder Land Use Management & Development Code 2-2-080.C allows the Planning Commission and authorized county staff to initiate amendments to the text of the Box Elder County Land Use Management & Development Code. 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 2-2-080 outlines the following standards for review for zoning text amendments.

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

The proposed amendment is consistent with the goals, objectives, and policies of the County's General Plan.

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

This text amendment would apply to all areas of unincorporated Box Elder County.

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

The proposed amendment should not adversely affect adjacent property. The public hearing process may shed additional light on this subject.

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.

The proposed text amendment should not have an effect on the adequacy of facilities.

FINDINGS:

Based on the analysis of the ordinance text amendment application, staff concludes the following:

1. The Box Elder Land Use Management and Development Code does allow for ordinance text amendments subject to review procedures and approval by the County Commission with a recommendation from the Planning Commission.
2. The Planning Commission will need to determine if this application meets the standards in Section 2-2-080.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and a review of areas, the Planning Commission should forward 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 County Commission 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 Section 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 Z25-005, an ordinance text amendment 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 Z25-005, an ordinance text amendment 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 Z25-005, an ordinance text amendment 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.

Proposed Amendments:

Chapter 5-2 – Off-Street Parking Requirements

Box Elder County Zoning Ordinance

Sections.

- 5-2-010. Off-Street Parking Required.
- 5-2-020. Size of Parking Space.
- 5-2-030. Access to Individual Parking Space.
- 5-2-040. Number of Parking Spaces Required.
- 5-2-050. Access Requirements.
- 5-2-060. Maintenance of Parking Lots.
- 5-2-070. Location of Off-Street Parking.

5-2-010. Off-Street Parking Required.

At the time any building or structure is erected or enlarged or increased in capacity or any use is established, there shall be provided off-street parking spaces for automobiles in accordance with the following requirements; nonetheless, sufficient parking shall be provided off street to avoid the necessity of parking on the street except for certain areas designated by the County where off-street parking requirements cannot be met by past development and redevelopment and there are other programs in effect to mitigate the parking problem; ~~or as may be required and established by conditional use permit.~~

5-2-020. Size of Parking Space.

The dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least nine (9) feet by twenty (20) feet for diagonal and ninety-degree spaces; and nine (9) feet by twenty-two (22) feet for parallel spaces.

5-2-030. Access to Individual Parking Space.

Except for single-family and two-family dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle.

5-2-040. Number of Parking Spaces Required.

- A. When calculating the floor area of a building to establish parking requirements, reasonable reductions for hallways, closets & storage space, restrooms, kitchens and mechanical equipment may be deducted.
- B. **Business or Professional Offices:** One parking space for each two hundred (200) square feet of net usable or leasable floor area.
- C. **Churches with Fixed Seating:** One parking space for each three and one-half (3.5) fixed seats, or one parking space for each seven (7) feet of linear pew, whichever is greater.
- D. **Churches without Fixed Seats, Sports Arenas, Auditoriums, Theaters, Assembly Halls, Meeting Rooms:** One parking space for each three (3) seats of maximum seating capacity.
- E. **Dwellings:** Two parking spaces for each dwelling unit.
- F. **Event Center:** one space for each 3 persons, based on occupancy as determined by the architect, or one space per 100 sq. ft. of the building, whichever is greater.
- G. **Furniture and Appliance Stores:** One parking space for each six hundred (600) square feet of floor area.
- H. **Hospitals and Clinics:** Two parking spaces for each bed, and/or examining room.
- I. **Hotels, Motels, Motor Hotels:** One space for each living or sleeping unit, plus parking space for all accessory uses as herein specified.
- J. **Nursing Homes:** Four parking spaces, plus one (1) space for each five (5) beds.
- K. **Restaurants, Taverns, Private Clubs, and all other similar dining and/or drinking establishments:**
 - 1. One parking space for each three and one-half (3.5) seats or 1 parking space for each 100 square feet of floor area, whichever is greater.
 - 2. In addition, drive-in facilities shall provide stacking area for at least six (6) cars in a drive through lane.
- L. **Retail Stores:**
 - 1. One parking space for each hundred (100) square feet of retail floor space.
 - 2. In addition, convenience stores which sell gasoline shall provide stacking area for six (6) cars in lanes serving the gas pumps, which stacking area may be considered to help fulfill basic parking requirements.

M. Wholesale Establishments, Warehouses, Manufacturing Establishments and All Industrial

Uses: ~~As determined by conditional use permit or by planned unit development requirements, if applicable, or by the Planning Commission, but in no case less than~~ **One (1) space per 500 gross square feet or one (1) space for each employee projected for the highest employment shift, whichever is higher.**

N. Shopping Center or other groups of uses not listed above: One parking space for each one hundred and fifty (150) square feet of total floor space, ~~or as determined by conditional use permit.~~

O. All Other Uses not listed above: ~~As~~ **Will be** determined ~~by conditional use permit~~ based on the nearest comparable use standards **by the Zoning Administrator**. Sufficient parking should be provided to ensure:

1. maximum utilization of the facilities on site will not unduly impose on neighbors rights in the vicinity;
2. that in the future if there is a change of use that the parking is adequately related to the site so that a new use has a reasonable chance to provide satisfactory parking;
3. where the precise parking standards are not known or have proven unsatisfactory in other instances that care is given in the analysis of the parking requirements of the site and its proposed use to ensure a reasonable number of parking spaces that cannot become an excuse for failure of the use on the site to perform its function properly; and
4. the intent of minimum parking requirements is that normal or competitive functions are not to be curtailed due to lack of sufficient parking and therefore the use or function of the principal user of the site fails or otherwise deteriorates.

~~**P. It shall be the responsibility of the reviewing body to prepare its analysis of parking requirements in writing and make copies available to the property owner(s)/lessee(s) and other parties of interest, as well as the County Commission.**~~

5-2-050. Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

- A. Residential Lots.** For each residential lot not more than 1 access driveway which shall be a maximum of 20 feet wide at the street lot line, except lots with a frontage greater than 100 feet have the option to provide two (2) access driveways each up to twelve (12) feet wide for circular driveways and other special type circulation and parking.

B. Other than Residential Lots. Access shall be provided to meet the following requirements:

1. Not more than two (2) driveways shall be used for each one hundred (100) feet of frontage on any street.
2. No two of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three (3) feet.
3. Each driveway shall be not more than thirty-five (35) feet wide, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii, ~~or as established by conditional use permit.~~ The entire flare of any return radius shall fall within the right-of-way.
4. No driveway shall be closer than fifty (50) feet to the point of intersection of two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line.
5. On a street where there are no curbs and gutters, all driveways shall be well marked and protection provided the entire length of the frontage exclusive of the driveways as per approved plans.

5-2-060. Maintenance of Parking Lots.

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

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.
2. The parking area shall be so graded as to dispose of all surface water.
3. If such water is to be carried to adjacent streets, it shall be piped under sidewalks.
4. Each parking spot shall be marked with clearly delineated lines and shall be restriped when fading.

- 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.

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- C. **Landscaping.** Each parking lot shall be adequately landscaped to comply with a plan approved by the Planning Commission and such landscaping shall be permanently maintained.
- D. **Lighting.** Lighting ~~used to illuminate any parking lot shall be arranged to reflect the light away from adjoining residential premises and from street traffic~~ shall conform to Chapter 5-9, Outdoor Lighting Standards of the Box Elder County Land Use Management & Development Code.

5-2-070. Location of Off-Street Parking.

Off-street parking shall not be allowed in required front yard setbacks except ~~by conditional use permit and then only~~ in areas where the character of the street and general landscaping plan will not be adversely affected. Landscaping plan and ingress/egress points shall be shown on the site plan.

PLANNING COMMISSION STAFF REPORT

Meeting Date: April 17, 2025

Agenda Item #: 8a

APPLICATION TYPE:

Agricultural Protection Area

APPLICANT(S):

David Griffith and several others

PROJECT #:

AP25-01

ADDRESS:

Multiple parcels in the Harper Ward area

PARCEL #:

Multiple Parcels listed in the Background Section

CURRENT ZONE:

RR-5 (Rural Residential 5 acre)

TYPE OF ACTION:

Legislative

REPORT BY:

Scott Lyons,
Comm. Dev. Director

BACKGROUND

The applicants are requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcel	Acres	Use
1	6.1	Horse pasture, and grass hay production/harvest
2	6.01	Cattle pasture, and grass hay production/harvest
3	6.1	Cattle, larger animal pasture, and grass hay production/harvest
4	6.49	Pasture and hay production, large animal
5	17.56	Pasture, cattle
6	118.43	Pasture, cattle
7	8.95	Pasture, cattle
8	12.63	Large animal pasture, weed control, hay production, egg production
9	5.5	Large animal pasture; garden, hay, egg, milk production
10	8.85	Pasture, hay production
11	3.11	Pasture, hay
12	31.5	Pasture, hay
13	96.75	Pasture, hay
14	12.86	Grass hay production, pasture, houses

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture/Rural Residential	RR-5/MU-160
South	Agriculture/Rural Residential	RR-5/MU-160
East	Hillside	MU-160
West	Agriculture	A-20

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture Protection Areas.

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;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

Staff can't say whether more than 50% of the production from the proposed parcels is for commercial purposes. This may be something the Planning Commission desires to bring up during their meeting.

b. Whether or not the land is zoned for agricultural use;

All parcels are zoned RR-5. This zone allows for agriculture as a land use.

c. Whether or not the land is viable for agricultural production;

According to BEC Ordinance 556, Section 2, any area in an agriculture protected area must have 5.5 continuous acres. The full area proposed exceeds 5.5 continuous acres. Staff believes the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

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 with which Planning Commissioners familiar with agricultural production may be more familiar.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed agriculture protection area.

D. Analyzes and evaluates any objections to the proposal; and

No objections have been received by staff.

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

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-01 on multiple parcels in the Harper Ward area in unincorporated Box Elder County.

Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-01 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, with the following modifications...

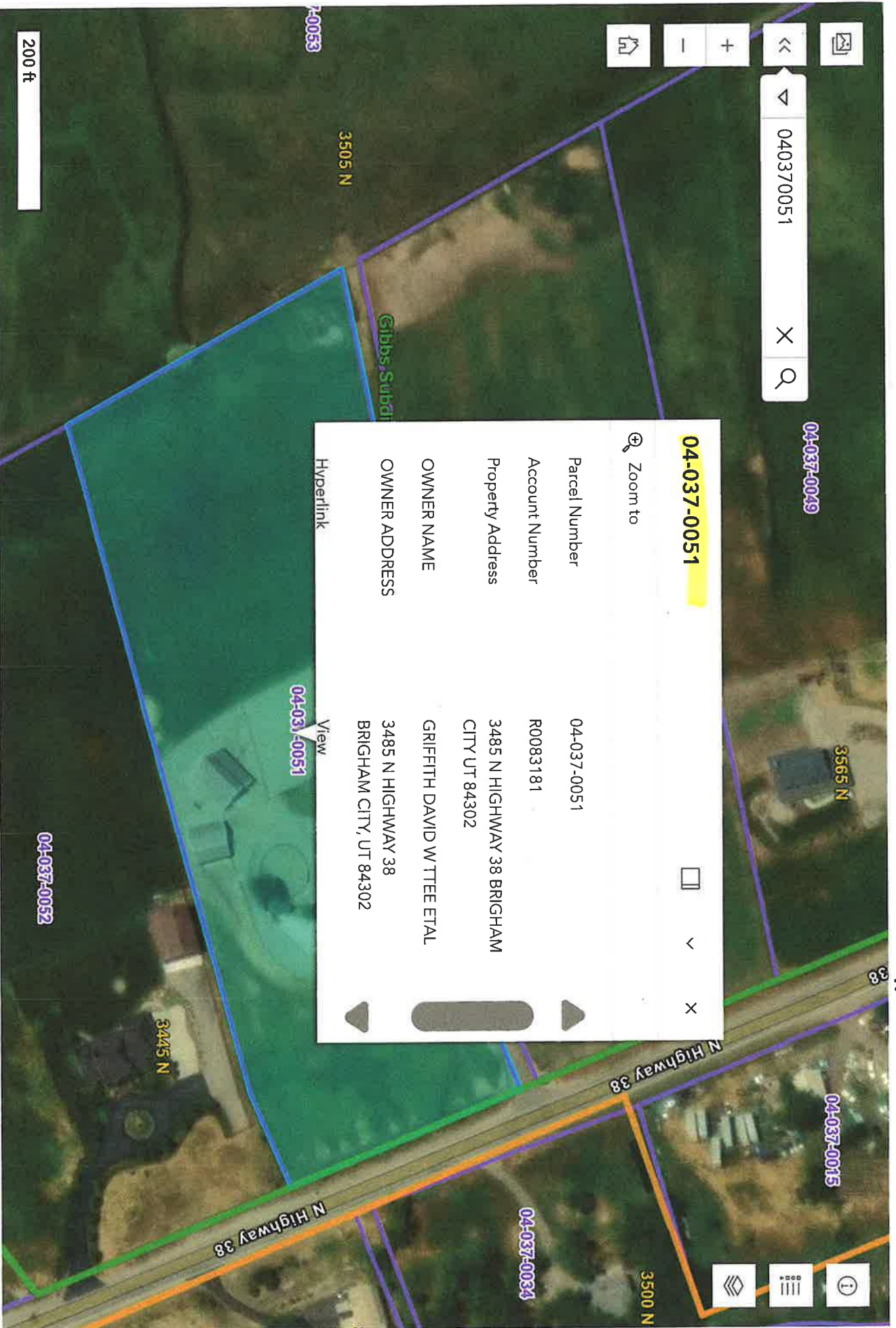
Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-01 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, based on the following findings:”

1. List findings for rejection...

Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

Box Elder County Web Map

Parcel 1



Parcel 2



< >

04-037-0052

Zoom to

Parcel Number

Account Number

Property Address

OWNER NAME

OWNER ADDRESS

04-037-0052

R0083182

3445 N HIGHWAY 38 BRIGHAM CITY UT 84302

BISCHOFF JEREMY JT

3445 N HWY 38

BRIGHAM CITY, UT 84302

2 of 2

Parcel 3



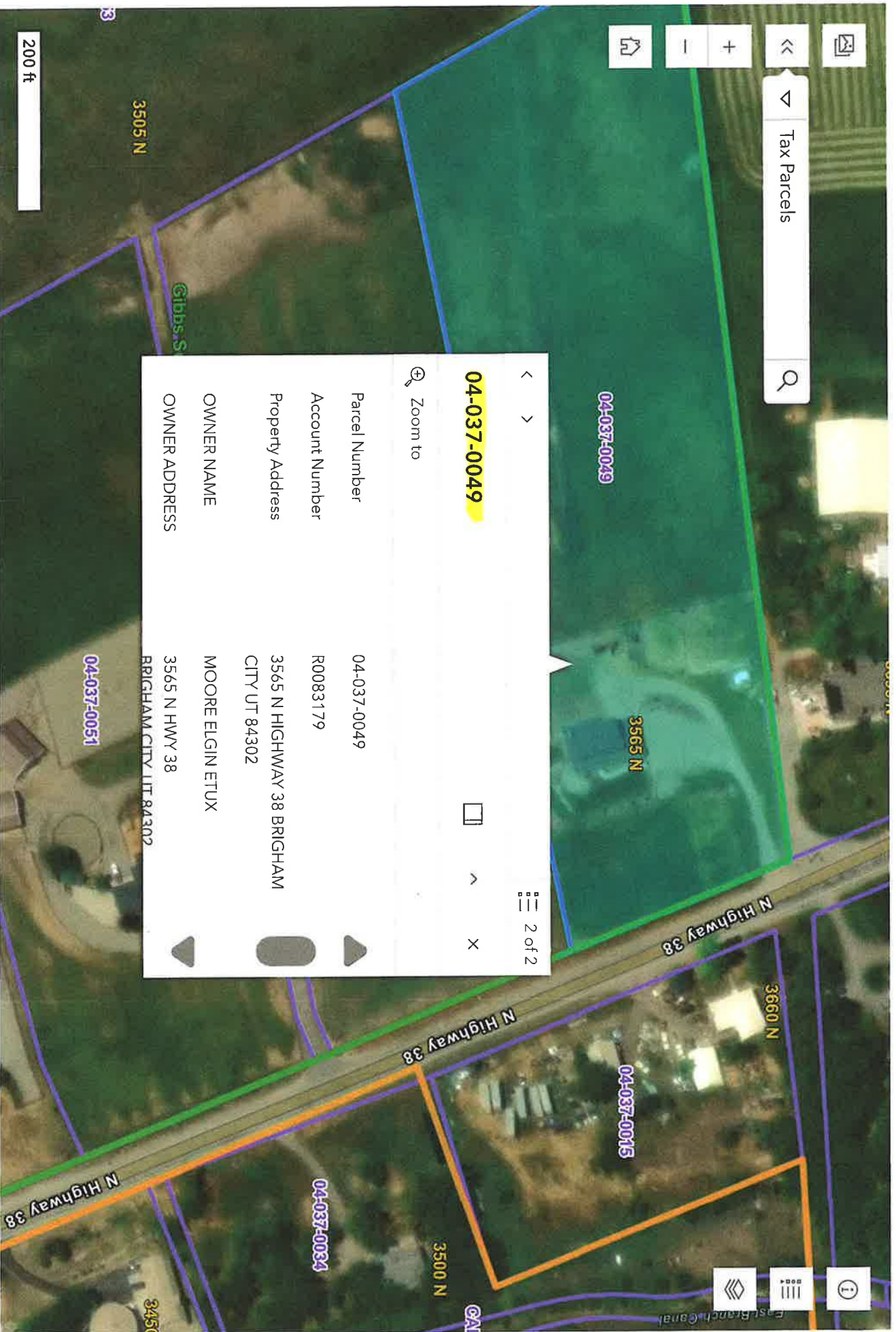
04-037-0050

Zoom to

Parcel Number	04-037-0050
Account Number	R0083180
Property Address	3535 N HIGHWAY 38 BRIGHAM CITY UT 84302
OWNER NAME	HESS BRANDON E JT
OWNER ADDRESS	PO BOX 717 BRIGHAM CITY UT 84302

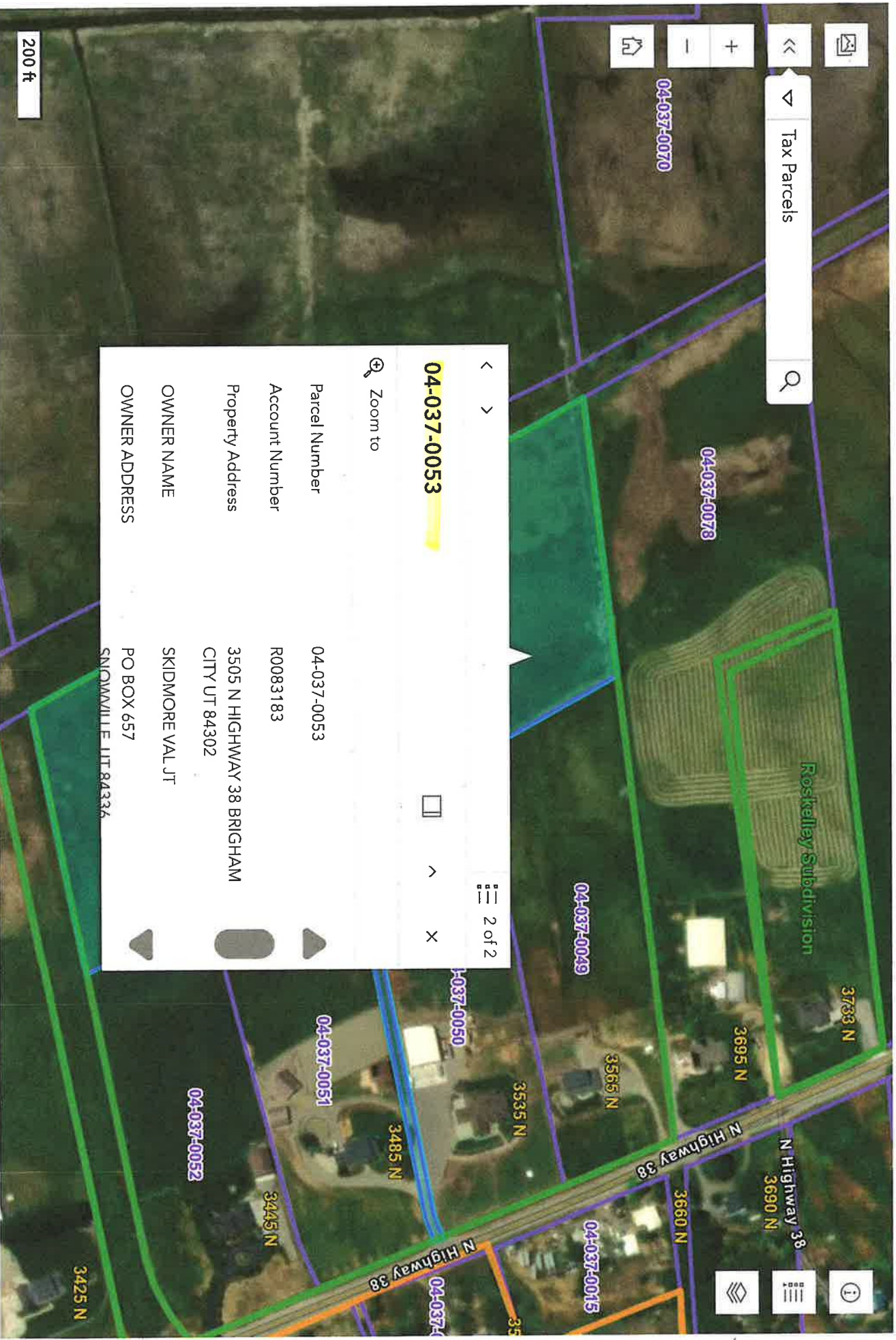
2 of 2

Parcel 4



Parcel 15





Box Elder County Web Map

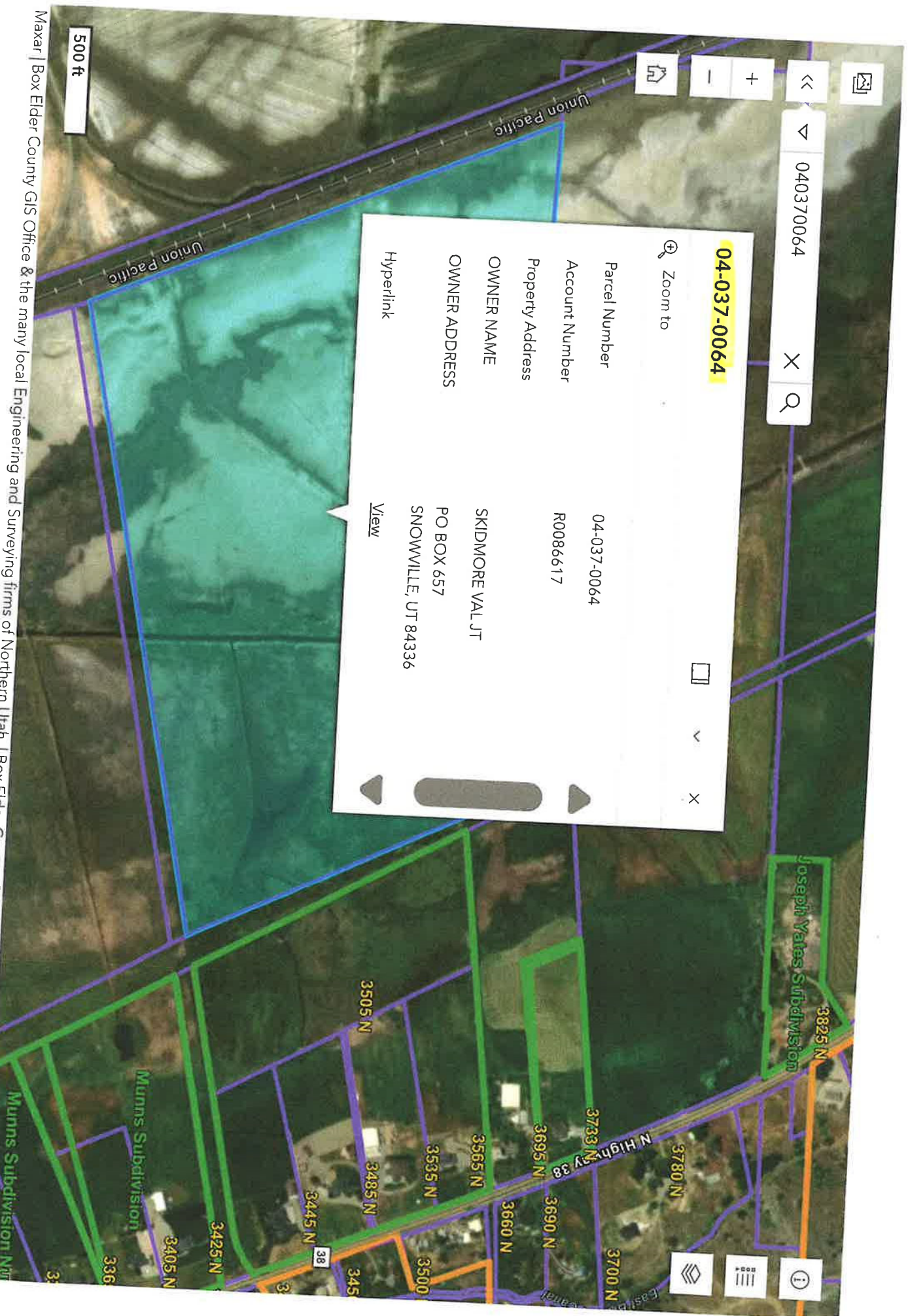
Parcel 6

04-037-0064

Zoom to

Parcel Number	04-037-0064
Account Number	R0086617
Property Address	SKIDMORE VAL JT
OWNER NAME	PO BOX 657
OWNER ADDRESS	SNOWVILLE, UT 84336
Hyperlink	View





Box Elder County Web Map

PAGE 1 of 2

Parcel 7

04-037-0070

Zoom to



Parcel Number

04-037-0070

Account Number

R0089177

Property Address

OWNER NAME

SKIDMORE VAL JT

OWNER ADDRESS

PO BOX 657
SNOWVILLE, UT 84336

Hyperlink

[View](#)



040370070



04-037-0075

04-037-0070

04-037-0078

200 ft

BOX ELDER COUNTY Web Map

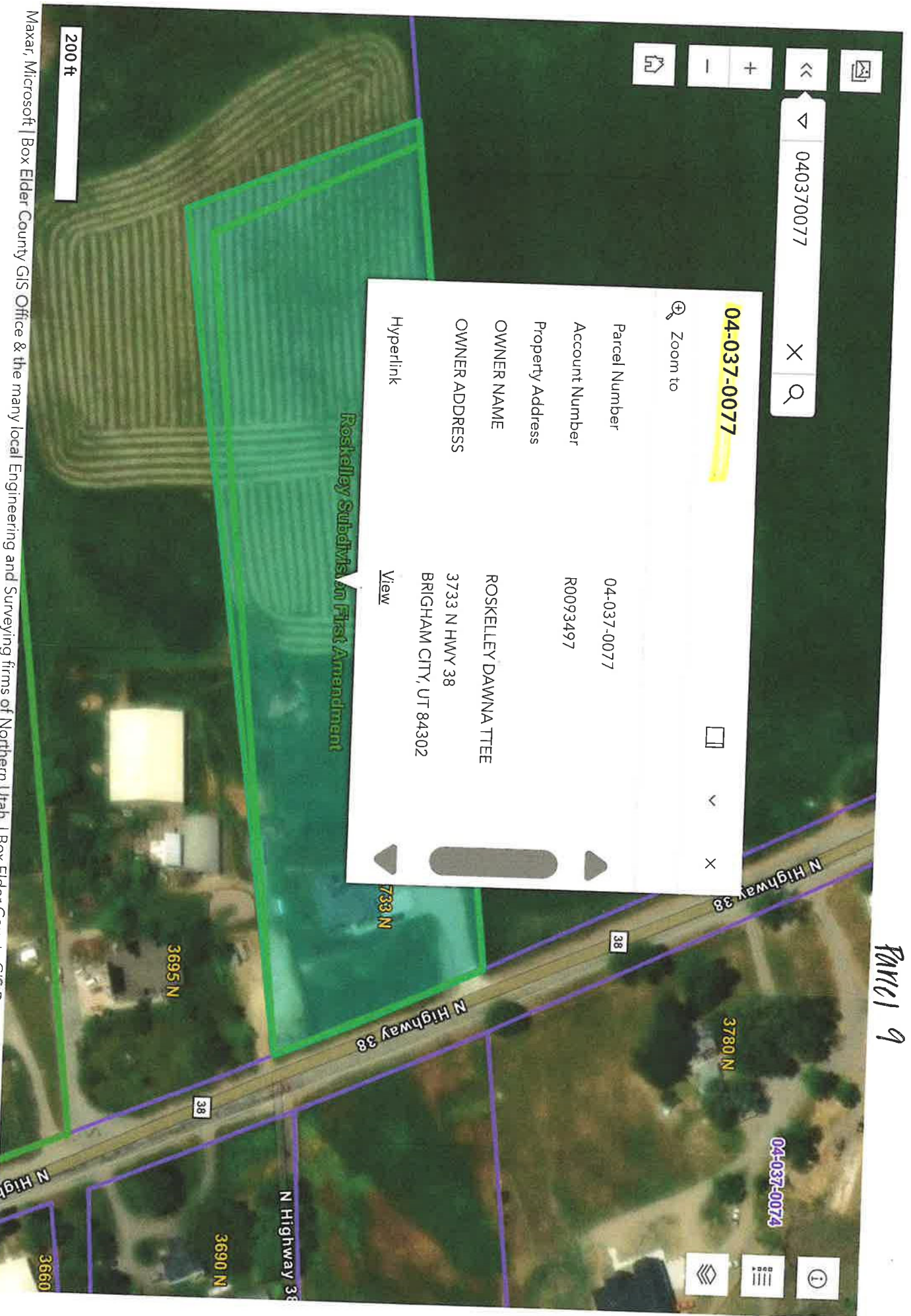


Part 1 8

04-037-0078		
Zoom to	>	
Parcel Number	04-037-0078	X
Account Number	R0093498	
Property Address	3733 N HIGHWAY 38 BRIGHAM CITY UT 84302	
OWNER NAME	TAYLOR MATHEW P JT	
OWNER ADDRESS	3695 N HWY 38 BRIGHAM CITY, UT 84302	
Hyperlink	View	

Box Elder County Web Map

Parcel 9



Box Elder County Web Map

Parcel 10

04-037-0058

040370051

38

N Highway 38

38

East Branch Canal

East Branch Canal

3700 N

04-037-0074

Zoom to

Parcel Number

04-037-0074

Account Number

R0091733

Property Address

3780 N HIGHWAY 38 BRIGHAM CITY UT 84302

OWNER NAME

WALKER LADD H TTEE ETAL

OWNER ADDRESS

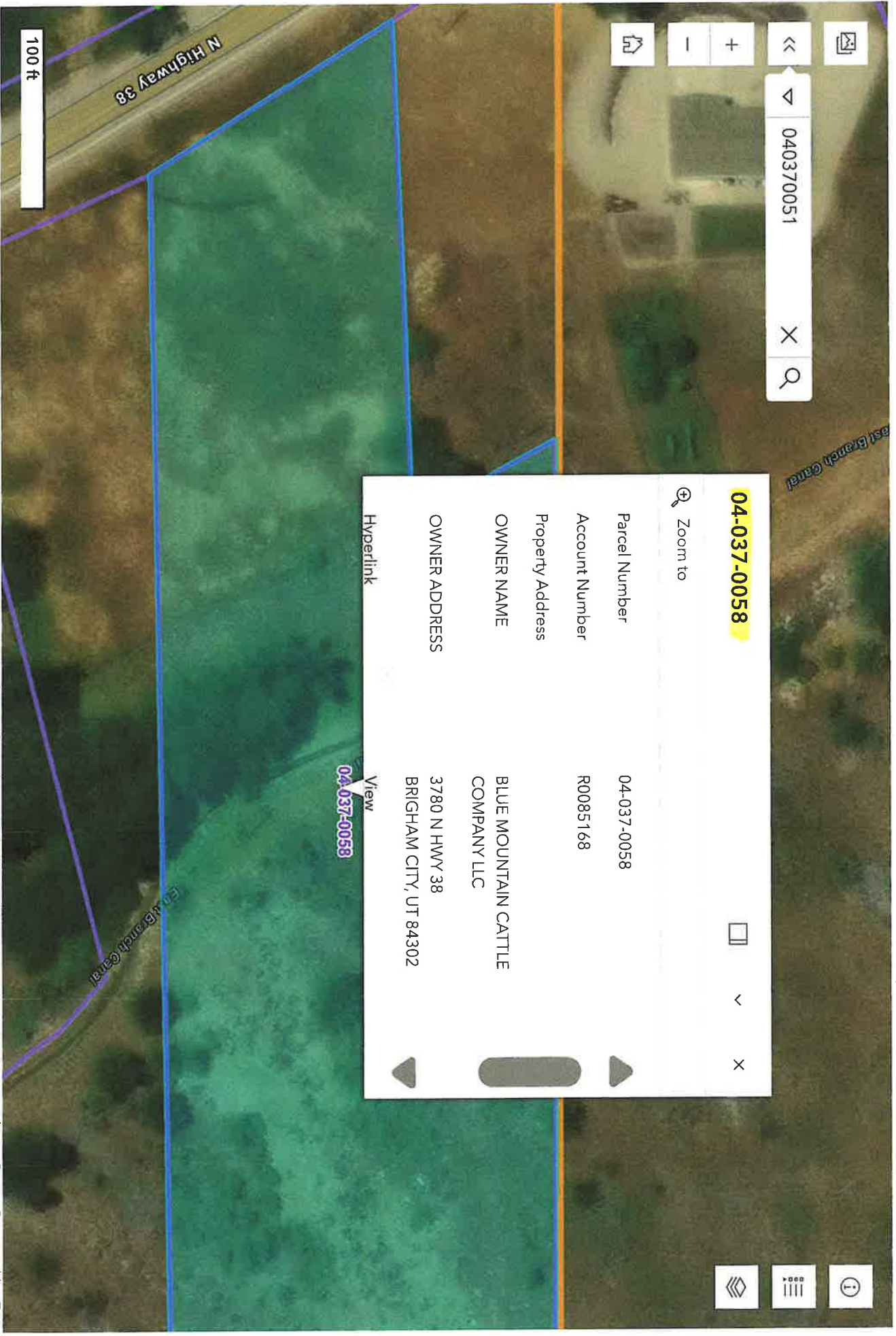
3780 N HWY 38
BRIGHAM CITY, UT 84302

200 ft

Hyperlink

View

Parcel 11



04-037-0058

Zoom to

Parcel Number	04-037-0058
Account Number	R0085168
Property Address	
OWNER NAME	BLUE MOUNTAIN CATTLE COMPANY LLC
OWNER ADDRESS	3780 N HWY 38 BRIGHAM CITY, UT 84302

Hyperlink

View

04-037-0058

PAGE 1042

Page 112

Parcel 112

04-037-0066

04-038-0002

04-038-0002

Zoom to

Parcel Number: 04-038-0002

Account Number: R0018879

Property Address: 3780 N HWY 38, BRIGHAM CITY, UT 84302

OWNER NAME: BLUE MOUNTAIN CATTLE COMPANY LLC

OWNER ADDRESS: 3780 N HWY 38, BRIGHAM CITY, UT 84302

Hyperlink View

04-038-0002

200 ft

Maxar | Box Elder County GIS Office & the many local Engineering and Surveying firms of Northern Utah. | Box Elder County GIS Department | Esri

Box Elder County Web Map

PAGE 1022

040380002

+

-

X

Q

Zoom to

04-038-0002



Parcel Number

Account Number

Property Address

OWNER NAME

OWNER ADDRESS

Hyperlink

04-038-0002

R0018879

BLUE MOUNTAIN CATTLE
COMPANY LLC

3780 N HWY 38
BRIGHAM CITY, UT 84302

[View](#)

500 ft

Union Pacific

40753N

N Highway 38

3780 N

3700 N

3690 N

3695 N

3660 N

3565 N

3535 N

3500 N

PANEL 113



Box Elder County Web Map

Parcel 14



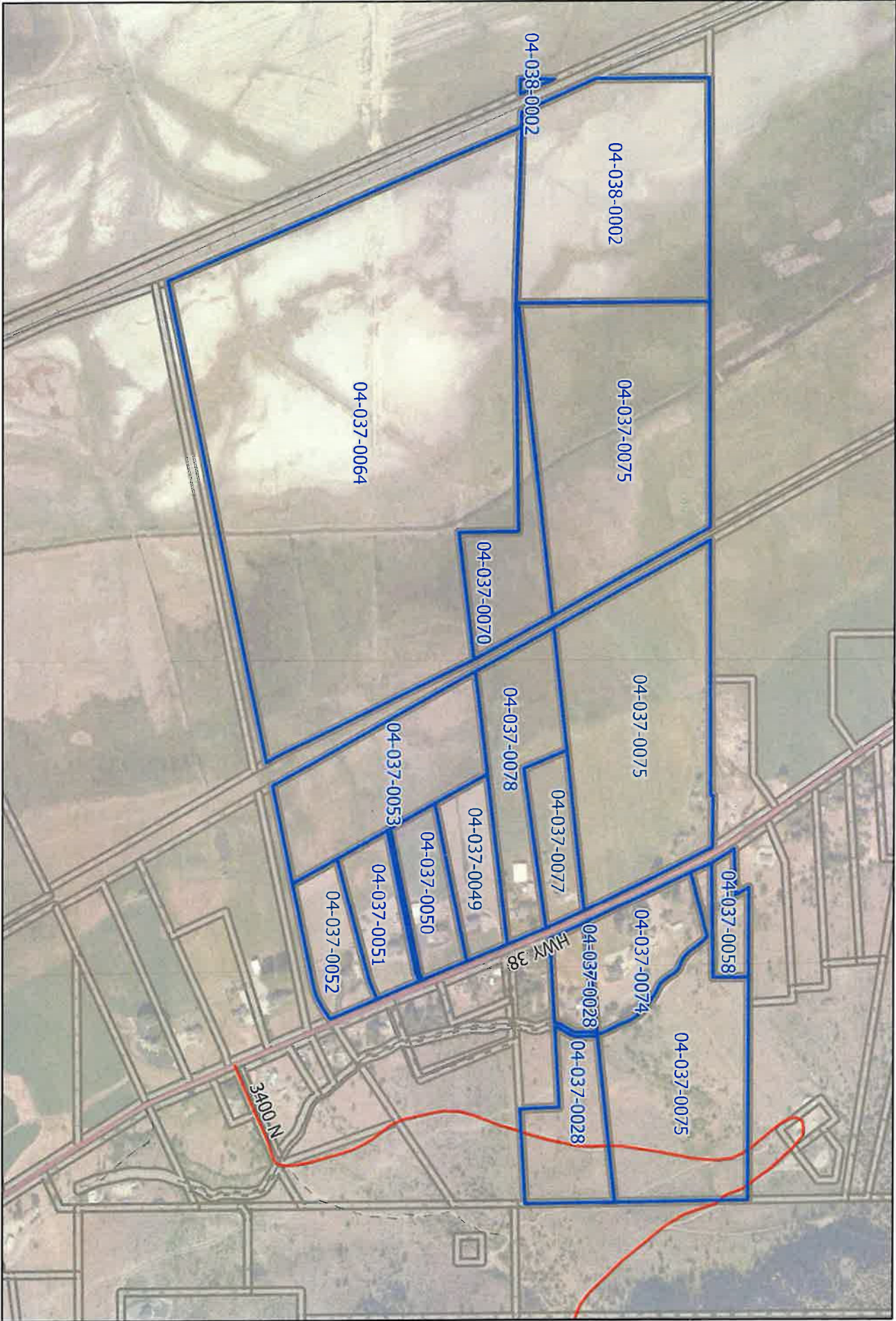
04-037-0028

Zoom to

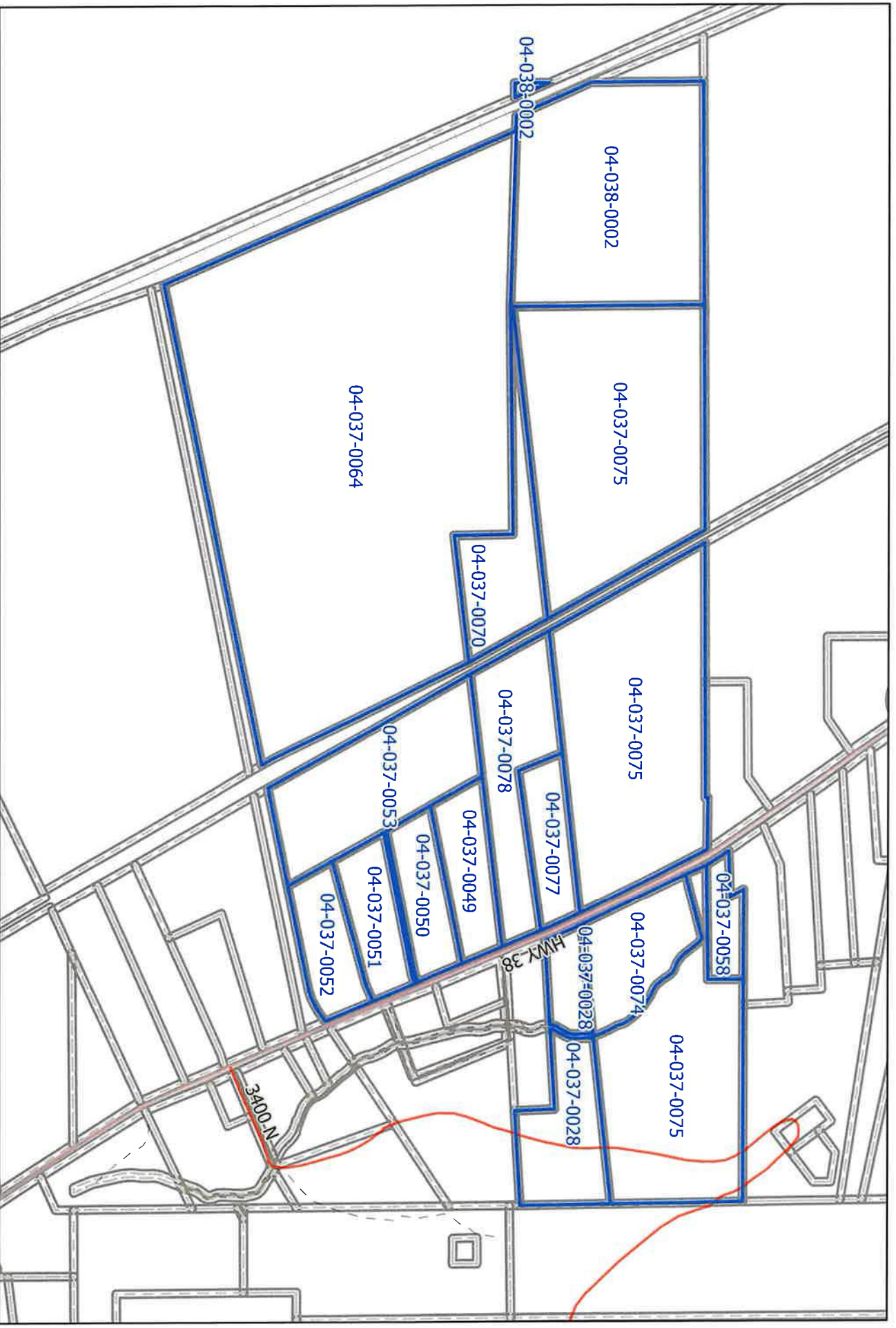
Parcel Number	04-037-0028
Account Number	R0018869
Property Address	3700 N HIGHWAY 38 BRIGHAM CITY UT 84302
OWNER NAME	WOODARD L GREG
OWNER ADDRESS	3700 N HIGHWAY 38 BRIGHAM CITY, UT 84302-3723
Hyperlink	View

Last edited by becogis on 1/16/2025, 12:40 PM.

Griffith Ag Protection Zone - Harper Ward



Griffith Ag Protection Zone - Harper Ward



PLANNING COMMISSION STAFF REPORT

Meeting Date: April 17, 2025

Agenda Item #: 8b

APPLICATION TYPE:

Agricultural Protection Area

APPLICANT(S):

Monte Munns and several others

PROJECT #:

AP25-02

ADDRESS:

Multiple parcels in the Harper Ward area

PARCEL #:

Multiple Parcels listed in the Background Section

CURRENT ZONE:

RR-5 (Rural Residential 5 acre)

TYPE OF ACTION:

Legislative

REPORT BY:

Scott Lyons,
Comm. Dev. Director

BACKGROUND

The applicants are requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcel	Acres	Use
1	11.58	Beef cattle, hay production
2	5.5	Beef cattle, hay production
3	15	Beef cattle, hay production
4	95.3	Beef cattle, hay production
5	13.49	Beef cattle, hay production
6	7.79	Beef cattle, hay production, general farming and animal husbandry

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Surrounding Land Use and Zoning:

Direction

North
South
East
West

Land Use

Agriculture/Rural Residential
Agriculture/Rural Residential
Rural Residential
Agriculture

Zoning

RR-5
RR-5
RR-5
A-20

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture

Protection Areas.

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;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

Staff can't say whether more than 50% of the production from the proposed parcels is for commercial purposes. This may be something the Planning Commission desires to bring up during their meeting.

b. Whether or not the land is zoned for agricultural use;

All parcels are zoned RR-5. This zone allows for agriculture as a land use.

c. Whether or not the land is viable for agricultural production;

According to BEC Ordinance 556, Section 2, any area in an agriculture protected area must have 5.5 continuous acres. The full area proposed exceeds 5.5 continuous acres. Staff believes the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

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 with which Planning Commissioners familiar with agricultural production may be more familiar.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed agriculture protection area.

D. Analyzes and evaluates any objections to the proposal; and

No objections have been received by staff.

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

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-02 on multiple parcels in the Harper Ward area in unincorporated Box Elder County.

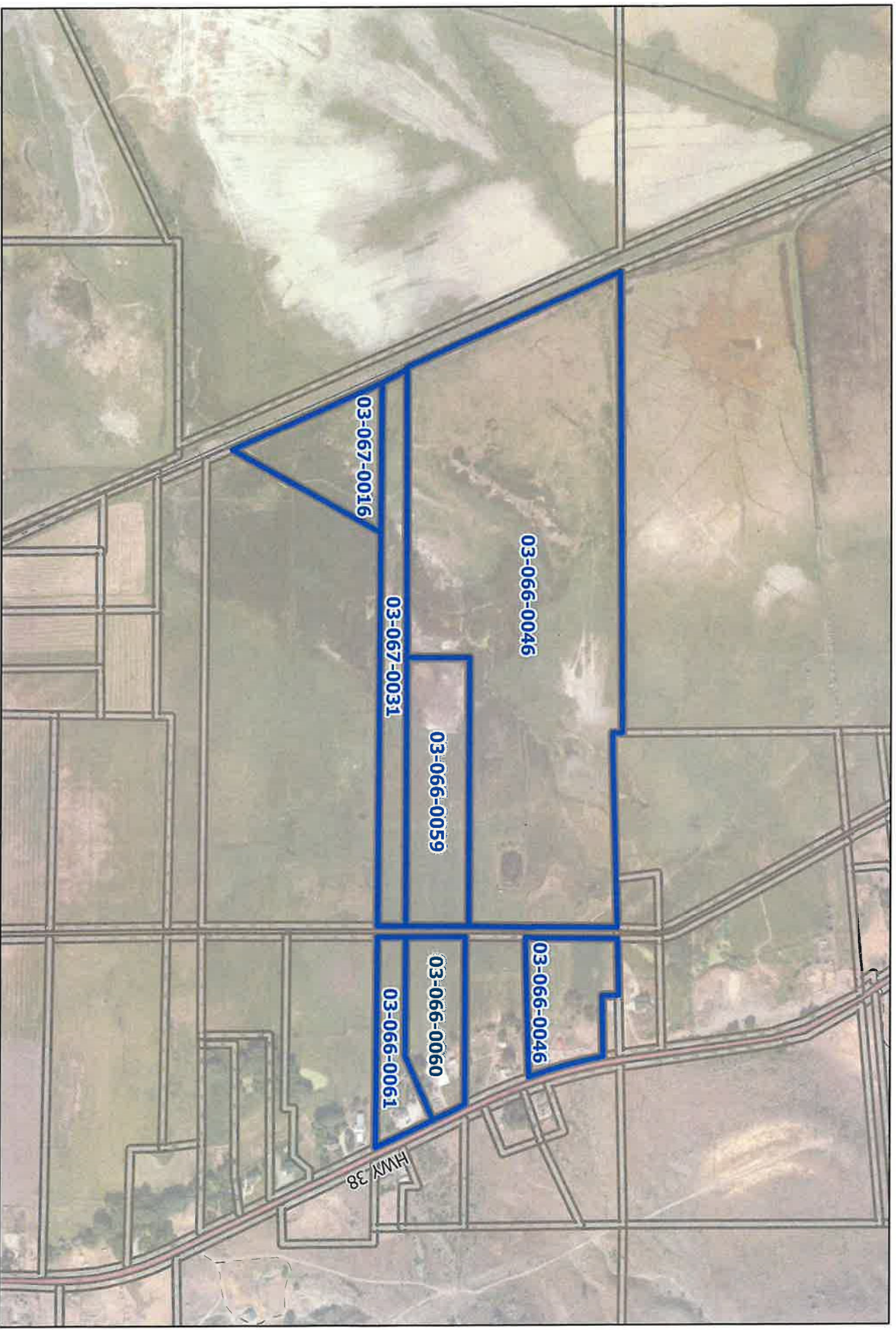
Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-02 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, with the following modifications...

Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-02 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, based on the following findings:”

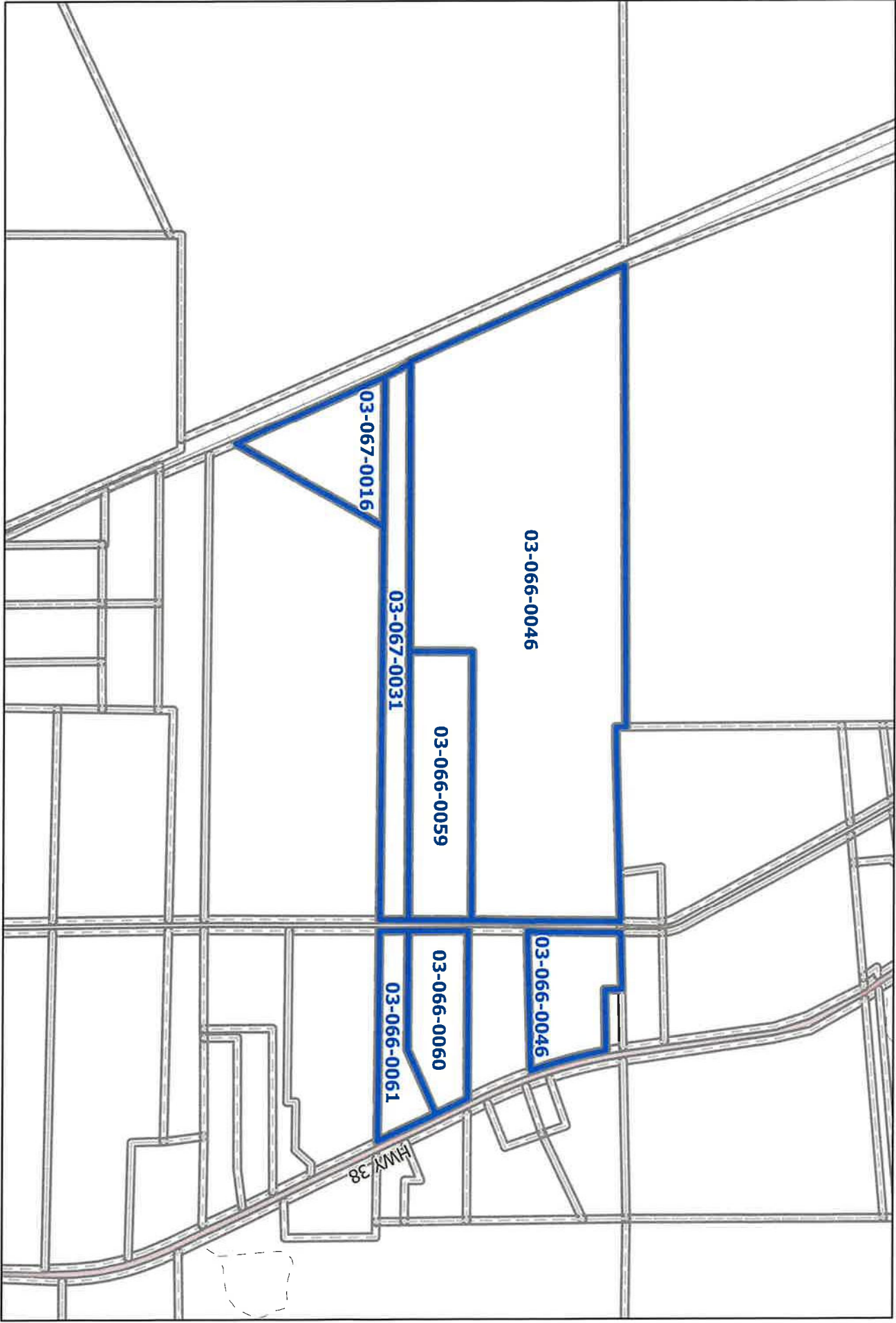
1. List findings for rejection...

Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

Munns Ag Protection Zone - Harper Ward



Munns Ag Protection Zone - Harper Ward



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 17, 2025

Agenda Item #: 8c

APPLICATION TYPE:

Agricultural Protection Area

APPLICANT(S):

Adams and Friends

PROJECT #:

AP25-03

ADDRESS:

Multiple parcels in the
Harper Ward area

PARCEL #:

Multiple Parcels listed in the
Background Section

CURRENT ZONE:

RR-5 (Rural Residential 5
acre)

TYPE OF ACTION:

Legislative

REPORT BY:

Scott Lyons,
Comm. Dev. Director

BACKGROUND

The applicants are requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcel	Acres	Use
1	4	Pasture land for livestock
2	4	Pasture land for livestock
3	1.5	Vegetables, chickens, fruit trees
4	80	Horses, cattle, grazing
5	23	Crop production, grazing
6	7	Agriculture
7	22.31	Agriculture
8	24.5	Agriculture
9	32.2	Agriculture
10	13.08	Agriculture
11	3.62	Agriculture
12	8.83	Agriculture
13	7	Grazing, residence
14	96.34	Grazing
15	35.79	Grazing
16	14.17	Grazing
17	6.84	Grazing

18	15	Cattle, corrals, range storage of hay
19	5	Hay and grazing
20	8.53	Livestock, poultry, grazing
21	1.66	Livestock, poultry, grazing
22	80	Grazing
23	7.74	Grazing and hay
24	4.27	Agriculture - grazing
25	61.02	Agriculture - grazing
26	15.84	Agriculture - grazing
27	5.89	Cut flowers farm, grazing, wholesale flower production
28		(this was a repeat)
29	7.26	Grazing
30	80	Grazing
31	9.23	Grazing
32	9.94	Cattle, horses, goats, pigs, chickens, hay
33	5.002	Animal feed (grass bales), goats, cattle, horses
34	5.863	Goats
35	16	Pigs and goats
36	2.06	Grazing horses
37	5	Grazing

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture/Rural Residential	RR-5/MU-160
South	Agriculture/Rural Residential	RR-5/MU-160
East	Hillside	MU-160
West	Agriculture/Rural Residential	A-20

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture Protection Areas.

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;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

Staff can't say whether more than 50% of the production from the proposed parcels is for commercial purposes. This may be something the Planning Commission desires to bring up during their meeting.

b. Whether or not the land is zoned for agricultural use;

All parcels are zoned RR-5. This zone allows for agriculture as a land use.

c. Whether or not the land is viable for agricultural production;

According to BEC Ordinance 556, Section 2, any area in an agriculture protected area must have 5.5 continuous acres. The full area proposed exceeds 5.5 continuous acres. Staff believes the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

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 with which Planning Commissioners familiar with agricultural production may be more familiar.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed agriculture protection area.

D. Analyzes and evaluates any objections to the proposal; and

No objections have been received by staff.

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

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**



MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-03 on multiple parcels in the Harper Ward area in unincorporated Box Elder County.

Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-03 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, with the following modifications...

Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-03 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, based on the following findings:”

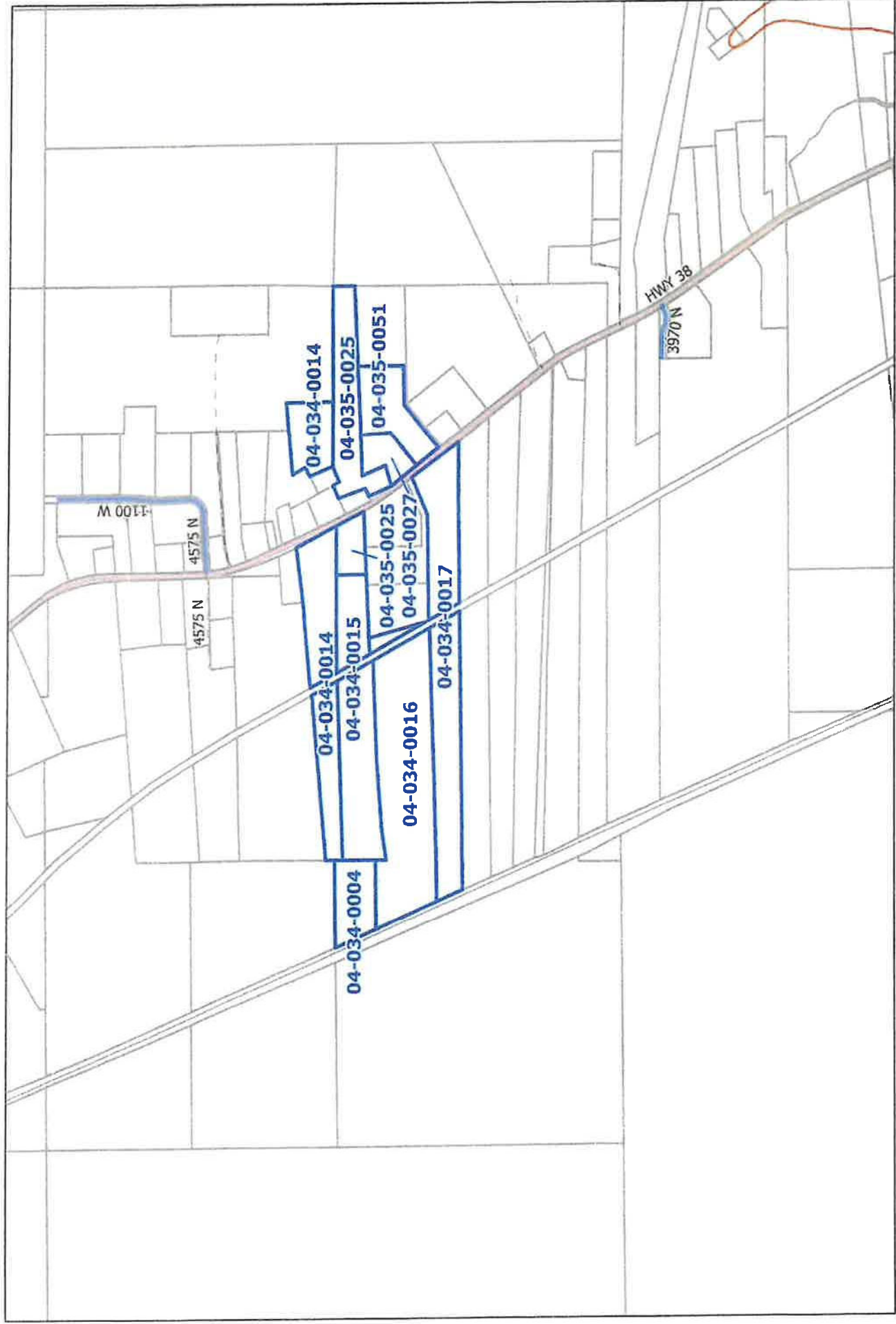
1. List findings for rejection...

Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

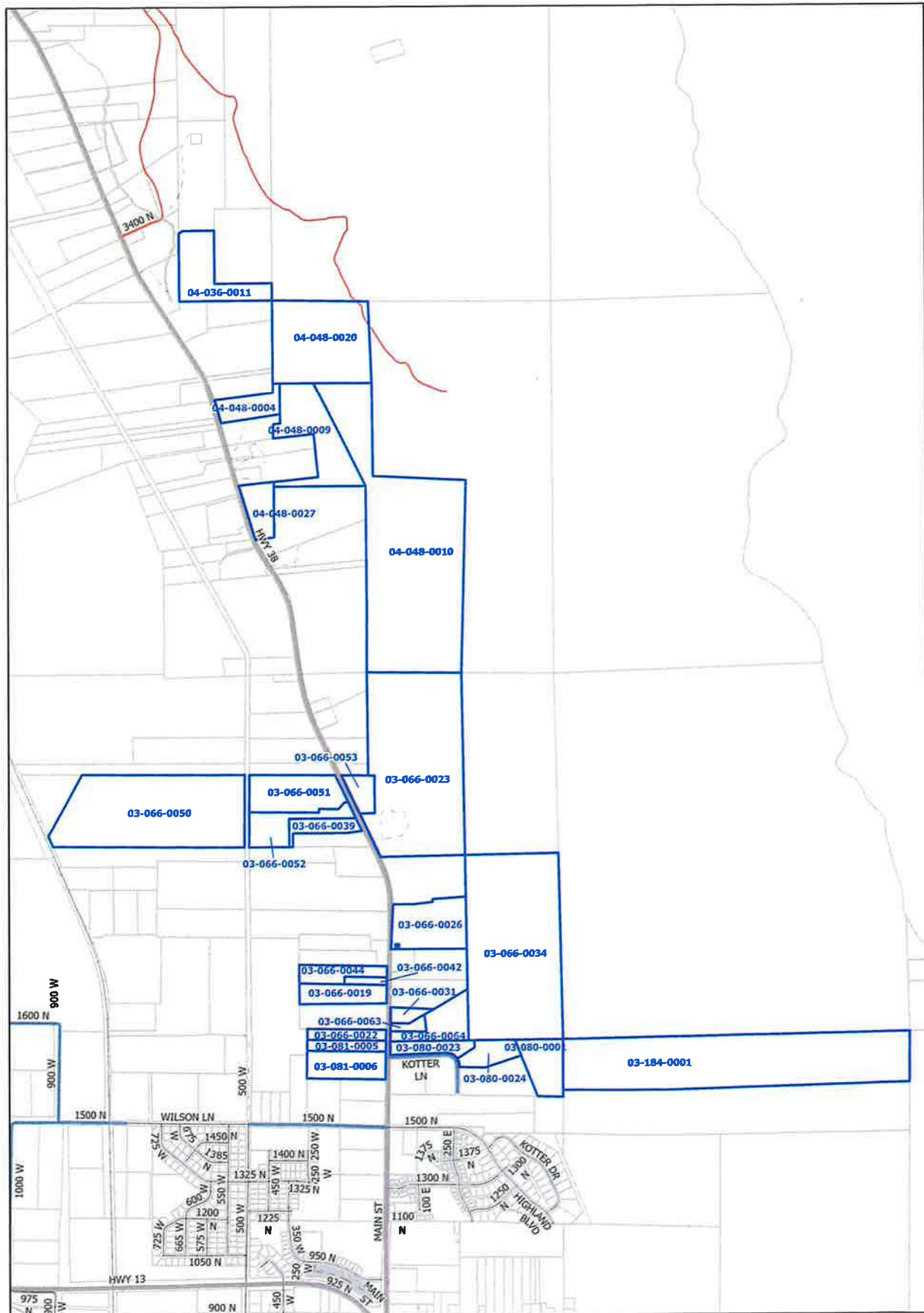
Adams & Friends Ag Protection- Harper Ward



Adams & Friends Ag Protection- Harper Ward



Adams & Friends Ag Protection- Harper Ward



0 0.25 0.5 Miles

Ag Protection Parcels
Railroads

Roads
Highway
County B

County D
City
Private



This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated herein with reference to chaotic and other land. No liability is assumed for material of any nature herein.



PLANNING COMMISSION STAFF REPORT

Meeting Date: April 17, 2025

Agenda Item #: 8c

Application Type:

Subdivision - Amendment

APPLICANT(S):

Jeffrey John

PROJECT #:

SS25-004

ADDRESS:

6581 N 6800 W, Tremonton,
UT 84337

ZONE:

Unzoned

PARCEL #:

04-052-0073

REPORT BY:

Destin Christiansen,
County Planner

BACKGROUND

The applicant is requesting an amendment to the final plat of the Little Mountain Lookout Subdivision in the Bear River area of unincorporated Box Elder County. The proposed amendment adjusts existing Lot 1 from 6 acres to 2 acres, and creates two additional 2-acre lots (Lot 2 and Lot 4). Further, the amendment adjusts the lot property lines, and renames Lot 1 of the original subdivision to Lot 3.

ANALYSIS**State Code:**

State Code sections 17-27a-608 and 609 allow a subdivision to be amended by recording an amended plat following approval by the Land Use Authority.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture	Unzoned
South	Ag/Rural Residential	Unzoned
East	6800 W/Rural Residential	Unzoned
West	Agriculture	Unzoned

Access:

Access to the lot exists via 6800 West, a county road.

Utilities:

All utilities are existing for Lot 1 (will be Lot 3). They were secured as part of the original subdivision development. Will-serve letters have also been submitted for the different utilities (power, water, gas) that would service proposed Lots 2 and 4.

Setbacks:

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

Land Use Ordinance Standards Review:

Per State Code sections 17-27a-608 and 609, a subdivision can be amended by the Land Use Authority via approval and recording of an amended plat. The Planning Commission's role is to ensure that a proposed, amended subdivision is consistent with established ordinances, policies and planning practices of the County. Following the Planning Commission's review and approval of a subdivision amendment application, it will be recorded in the office of the Box Elder County Recorder.

County Department Reviews:

- All departments have reviewed and approved the amended plat.
- The County Attorneys Office has reviewed and approved the amended plat and title report.

Findings:

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

1. The proposed subdivision amendment complies with the subdivision regulations of Box Elder County and the State of Utah.
2. The subdivision amendment should be approved.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission may APPROVE the subdivision amendment subject to the following conditions:**

1. Compliance with Sections 17-27a-608 and 609 of the Utah State Code.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SS25-004, amending the Little Mountain Lookout Subdivision 1st Amendment, 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....

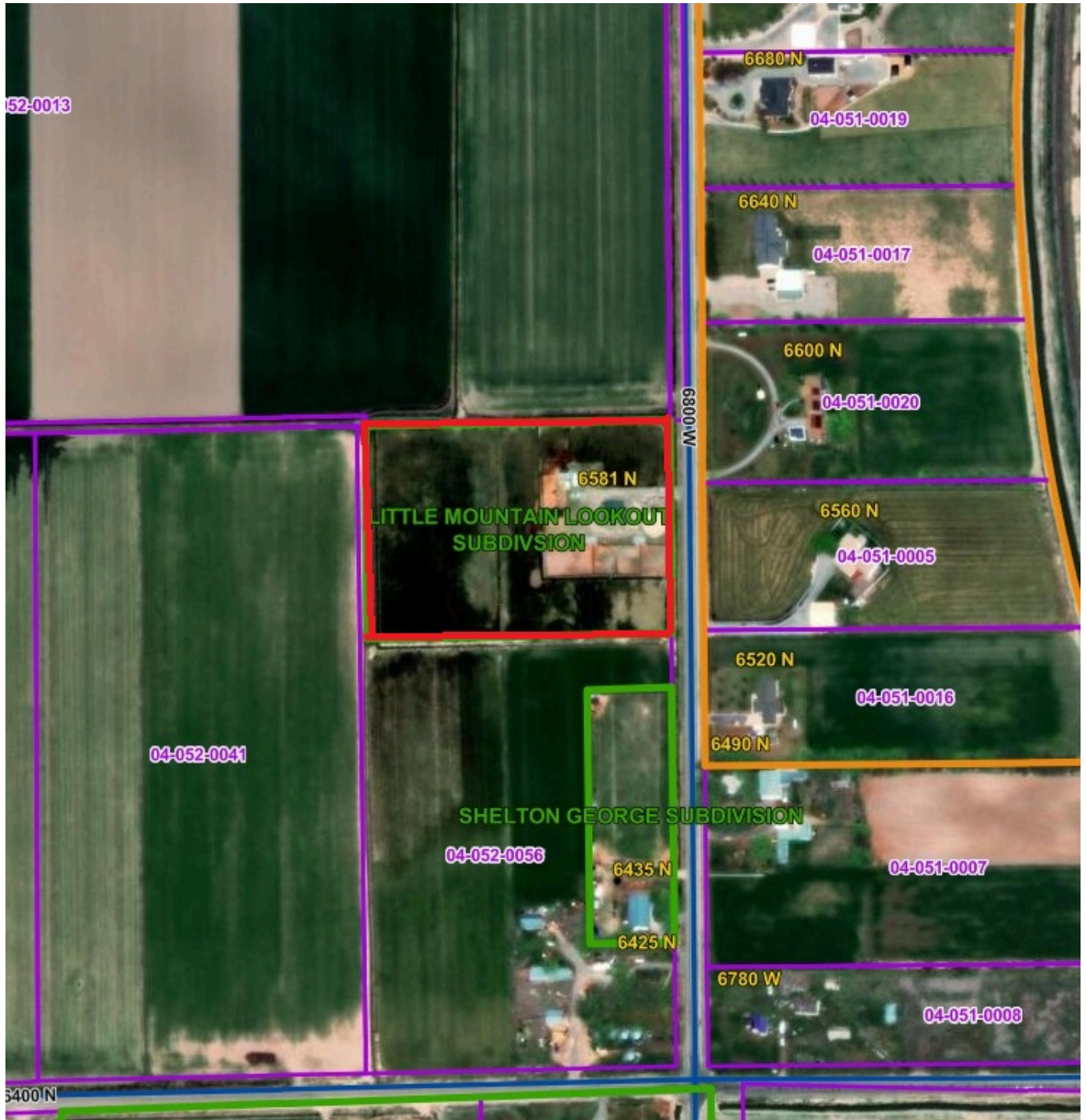
Table – “I move the Planning Commission table application number SS25-004, amending the Little Mountain Lookout Subdivision 1st Amendment, located in unincorporated Box Elder County, to (give date), based on the following findings:”

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 SS25-004, amending the Little Mountain Lookout Subdivision 1st Amendment, located in unincorporated Box Elder County based on the following findings:”

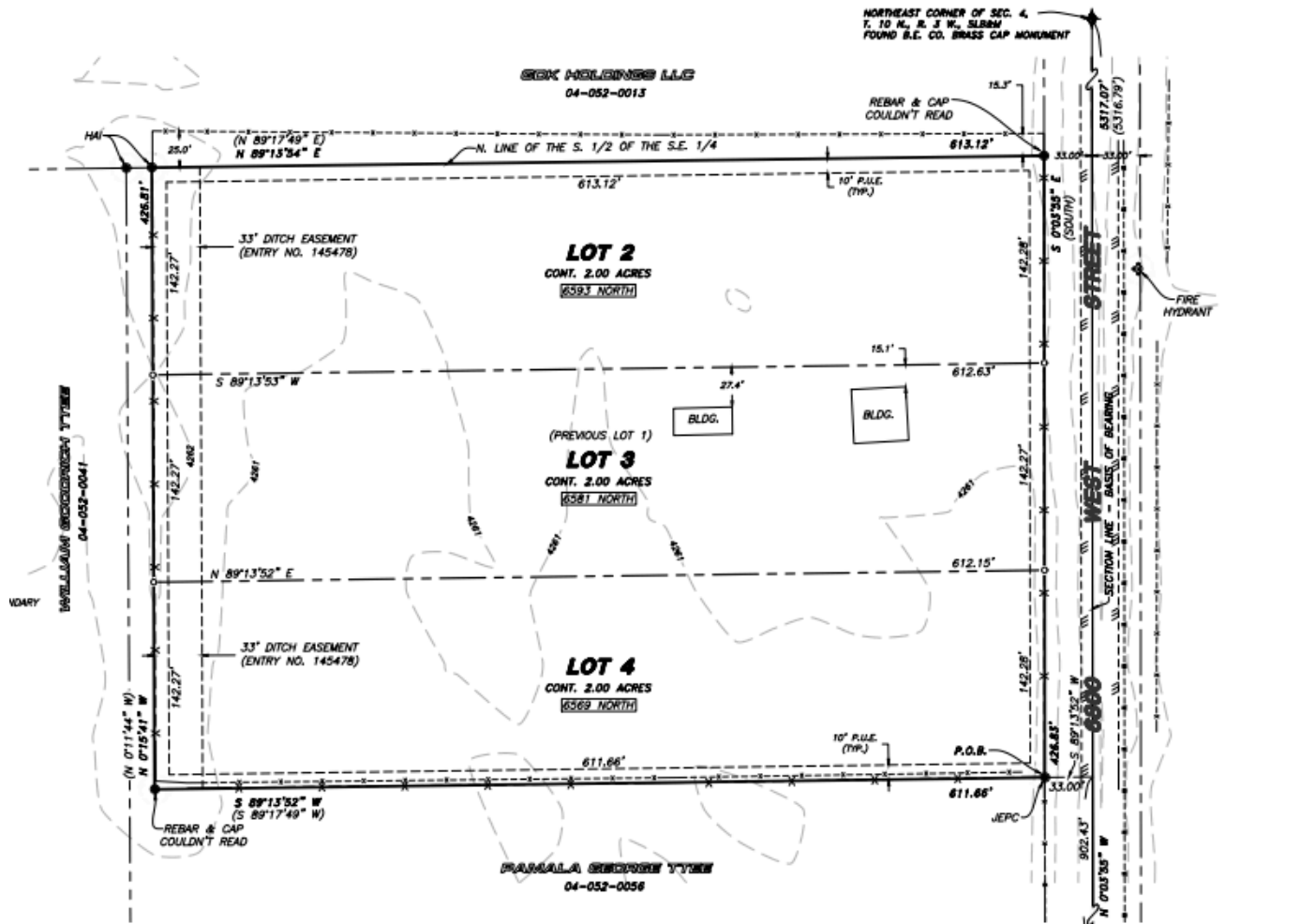
1. List findings for denial...

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



LITTLE MOUNTAIN LOOKOUT SUBDIVISION FIRST AMENDMENT AMENDING LOT 1, LITTLE MOUNTAIN LOOKOUT SUBDIVISION

BOX ELDER COUNTY, UTAH
A PART OF THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 10 NORTH, RANGE 3 WEST, SALT LAKE BASE & MERIDIAN



COUNTY SURVEYOR'S CERTIFICATE
I, COUNTY SURVEYOR, CERTIFY THAT THE BOX ELDER COUNTY SURVEYOR'S PLAT HAS BEEN REVIEWED FOR MATHEMATICAL ACCURACY, SECTION CORNER DATA, AND FOR HARMONY WITH THE RECORDS ON RECORD IN COUNTY OFFICES. MY REVIEW OF THIS PLAT BY THE BOX ELDER COUNTY SURVEYOR DOES NOT RELIEVE THE LICENSED LAND SURVEYOR FROM THE RESPONSIBILITIES AND/OR LIABILITIES ASSOCIATED THEREWITH.

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH AND SET THE PROPERTY CORNERS OF THE THREE LOT AMENDED SUBDIVISION AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY JEFF JOHN. THE CONTROL USED TO ESTABLISH THE PROPERTY CORNERS WAS ENTRY NO. 395069 AND ROS# 2000-1164 ALONG WITH THE EXISTING BOX ELDER COUNTY SURVEY MONUMENTATION SURROUNDING SECTION 4, T10N, R3W, SLB&M.

THE BASIS OF BEARING IS THE EAST LINE OF SAID SECTION WHICH BEARS NORTH 0°03'55" WEST, UTAH NORTH, STATE PLANE, CALCULATED N.A.D.83 BEARING.

SOUTHEAST CORNER OF SEC. 4,
T. 10 N., R. 3 W., SLB&M
FOUND S.E. CO. RW SPIKE MONU