

# BOX ELDER COUNTY PLANNING COMMISSION AGENDA

June 20, 2019

## 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 L. Munns, D. Larsen, K. McGaha, M. Udy, B. Robinson, M. Wilding and J. Holmgren)
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL of the May 16, 2019 Planning Commission Minutes.**
- 5. UNFINISHED BUSINESS**
  - a. NONE
- 6. PUBLIC HEARINGS**
  - a. **LAND USE TEXT AMENDMENT, Z19-004.** Request to amend text of the Box Elder Land Use Management & Development Code Chapter 1-3, Definitions, to reduce the number of employees allowed as part of a Home Business. **ACTION**
- 7. NEW BUSINESS**
  - a. **NELSON 5 AGRICULTURAL SUBDIVISION, AS19-003,** at approximately 4856 North 3200 West in the Corinne area of Unincorporated Box Elder County. **ACTION**
  - b. **RODGER TOWING SITE PLAN, SP19-002,** Request for an impound lot located at approximately 12425 Canal Bank Road in the Tremonton area of Unincorporated Box Elder County. **ACTION**
  - c. **SURPLUS PROPERTY DISPOSAL FOR COUNTY PROPERTY IN MANTUA.** **ACTION**
- 8. WORKING REPORTS**
  - a. **Commercial Code**
  - b. **Home Business and Home Occupation – Possible Moratorium**
- 9. PUBLIC COMMENT**
- 10. ADJOURN**

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES MAY 16, 2019

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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:

<i>Roll Call</i>		<i>the following Staff was present:</i>	
Laurie Munns	Chairman		
Mellonee Wilding	Vice-Chair	Scott Lyons	Excused
Kevin McGaha	Member	Marcus Wager	County Planner
Michael Udy	Excused	Steve Hadfield	Excused
Desiray Larsen	Excused	Jeff Scott	Commissioner
Bonnie Robinson	Member	Diane Fuhriman	Executive Secretary
Jared Holmgren	Member		

**Chairman Laurie Munns** called the meeting to order at 7:00 p.m.

The Invocation was offered by **Commissioner Mellonee Wilding**.  
Pledge was led by **Commissioner Kevin McGaha**.

### **The following citizens were present & signed the attendance sheet**

See Attachment No. 1 – Attendance Sheet.

**MOTION:** A Motion was made by **Commissioner Kevin McGaha** to approve the May 16, 2019 agenda. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

### **SELECT A CHAIR AND VICE-CHAIR TO SERVE A TERM OF ONE (1) YEAR.**

**MOTION:** A Motion was made by **Commissioner Jared Holmgren** to nominate Laurie Munns as chair of the planning commission for a term of one (1) year. The motion was seconded by **Commissioner Kevin McGaha** and passed unanimously.

**MOTION:** A Motion was made by **Commissioner Kevin McGaha** to nominate Mellonee Wilding as the vice-chair of the planning commission for a term of one (1) year. The motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

The Minutes of the April 18, 2019 meeting were made available to the planning commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Mellonee Wilding** to approve the minutes as written. The motion was seconded by **Commissioner Kevin McGaha** and passed unanimously.

## **UNFINISHED BUSINESS - NONE**

## **PUBLIC HEARINGS**

Chairman Laurie Munns explained public hearings provide an opportunity for the public to voice their concerns or approval on an item. In the meeting there is also unfinished business, public hearings, and new business. The unfinished business and new business provides opportunity for the commissioners to take action on an item. It is not a time for public comment or input. Although the commissioners may ask questions of the applicant during these times.

## **MARRIOTT CONDITIONAL USE PERMIT, CUP19-001, request for a conditional use permit for professional office use in the South Willard – Neighborhood Commercial zone. ACTION**

Staff stated the applicant is requesting a conditional use permit for a professional office located in an existing building at 8195 S. Highway 89 in South Willard. The applicant owns the property and would like to lease it to a local trucking company for office/bookkeeping use. This use should generate very little traffic with only 2-3 employees and occasional clients. The company has a separate location for the parking and storage of its truck fleet. The surrounding zoning is R-1-20 with the land use for the north, south, and west being rural residential and to the east is agriculture.

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

Hearing no comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Marriott Conditional Use Permit, CUP 19-001. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

## **ACTION**

Staff explained the Box Elder County Land Use Code Section 3-5-070-4.13, which was approved last month, allows this as a conditional use and also defines the definition of professional office. Section 2-2-100, which is the conditional use permit section of the code outlines the review standards, one of which relates to health and safety as follows: 1. This location is for office use only. Trucks, trailers, and any other business related equipment/materials must be stored at a separate location. 2. The business should not generate any truck traffic at this location. Staff recommends approval subject to certain conditions.

**Commissioner Laurie Munns** stated her concern with truck and trailer traffic has been addressed where it will only be used as an office.

**MOTION:** A Motion was made by **Commissioner Bonnie Robinson** to approve the Marriott Conditional Use Permit 19-001 with conditions listed by staff. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

**CONDITIONS:**

1. Compliance with Section 2-2-100 of the Box Elder County Land Use Management & Development Code.
2. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.
3. This location is for office use only. Trucks, trailers, and any other business related equipment/materials must be stored at a separate location.
4. The business should not generate any truck traffic at this location.

**MACKLEY REZONE, Z19-003, request for a rezone from A-20 to C-E at approximately 7875 S 1500 W in the South Willard area of unincorporated Box Elder County. ACTION**

Staff explained the applicant is requesting a rezone from A-20 to C-E. The parcel is 12.95 acres in size. The parcel was created in 1907 at 15.24 acres. In 1973 when the freeway came through it was changed to 12.95 acres. It is a legal non-conforming parcel, often referred to as “grandfathered in”. The surrounding land uses are mostly A-20. To the east is I-15 and zoned residential R-1-20.

The public hearing was then opened for comments.

Trisha and Dan Coleman, stated they are partners with Paul Mackley on this parcel and have been building the structure on the front part of the property. Trisha Coleman gave a background of where they come from and how they enjoy the rural lifestyle. It is not their goal to take away from the agricultural lifestyle. She described their business as taking military vehicles and outfitting and customizing them for disaster response. Most of their clients are preparedness minded people and farmers use these vehicles for water and grain. They have many clients that use them as camping vehicles, but are ready to answer the call whenever there is an emergency or disaster in the area. The business is mostly done on-line so it does not bring any traffic in and out of the area. Ms. Coleman said ultimately she would like the zone to stay agricultural but the commercial enterprise zone seems to allow their type of business.

Dan Coleman said when it comes to the business side of it all, we looked at all the different zones and they all have different limitations. Because of the theft they have had where they are currently, they want to be able to be close and keep an eye on things. The commercial enterprise zone is the only one that regulates for on-site security. Mr. Coleman said he does not know how long the business will last but anticipates a 5-6 year run. They are building the structure as a barn and the ultimate goal when this business is over for it to become their ranchette.

David Howells, neighbor to the south, asked for what they want to do, do they have to change zoning? He said what they are doing does not concern him but 5-10 years from now they might be doing something different. He is also concerned because the fire marshal said there would need to be an 8-inch water line under the railroad. Who pays for that and how far does it go under the railroad? He also asked who makes sure the compliances happen.

Jerry Anderson, Anderson Livestock Auction, said he does not have a problem with them living there but is also concerned with rezoning. The reason he moved to the area is because it is zoned agriculture and the livestock auction fits in with the zone. He agrees with Mr. Howell as far as what might be coming down the road with a different zone.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Mackley Rezone Request, Z19-003. The motion was seconded by **Commissioner Kevin McGaha** and passed unanimously.

## **ACTION**

Staff reviewed the review standards from Section 2-2-080.E of the BEC LUM&DC for zoning map amendments with the commissioners as follows:

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

The South Willard Community Plan addresses this area as A-20 and does not recommend anything other than this zoning designation for the future. However, the County's General Plan does state that future land use decisions will consider the following: promoting development patterns consistent with ,and sensitive to, resident preferences; and balancing private property rights with public interests.

### **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 with some commercial and residential homes. Whether the proposed amendment is harmonious with the overall character of existing development is quite subjective.

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

This is subjective. The public hearing process may shine additional light on this.

### **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.**

Roadways and fire protection may be of concern, staff is waiting to hear back from Box Elder County Roads Supervisor. The Fire Marshall had this to say: **"I do have a concern with the ability to provide needed fire flow, this will require fire hydrants and a 8-inch line will need to be brought under the tracks to provide this"**. Staff stated the developer would pay for this. If they put in the improvements before the business is operational, then they would do that under the guidance of the county. If they do it after, then they would enter into a development agreement. All other facilities and services should be adequate.

Staff said the original building permit for the home was issued in late 2017. The original permit did not conform to what was being built on the ground. The county building official put a stop to the building. At this point, the Colemans will need to get a new building permit to keep building the home. If this rezone is to take place before they get a building permit, the commercial enterprise

zone does not allow for a single family dwelling. The zone does allow for storage units to have on-site managers.

Staff reviewed their findings with the commissioners as follows:

1. The Box Elder Land Use Management and Development Code allows for a rezone 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 zoning designation from A-20 to C-E.

Staff said when they originally received this application, they were under the impression it was for storage units. This should not matter because when we look at rezones we have to look at all of the uses, not just what is intended now. Staff reviewed some of the uses allowed in the zone and categorized it as a heavy commercial/light industrial type of zone.

**Commissioner Kevin McGaha** said recently the commission looked at a CUP for something similar up north. It would not require a zone change to allow what they are describing under a conditional use permit.

**Commissioner Mellonee Wilding** agreed and questioned if this is not more like a home-based business.

Staff reiterated they did not know about this business until this meeting. Staff was under the impression it was for storage units.

**Commissioner Laurie Munns** stated a concern with changing the zone is water. Where would that fire suppression come from and what the cost would be? **Commissioner Mellonee Wilding** said she spoke with one of the board members of the South Willard Water Company and was told they do not provide any service west of I-15. She said she is leaning more towards this being a home business, which is actually better for the homeowners because they would not have to pay for a water line.

Staff said the applicant would need to come back before the commission next month with a conditional use for a home business.

**Commissioner Bonnie Robinson** has concerns that a house was being built that did not match the permit, and that there is a business staff was not aware of until tonight . She thinks the commission needs to be cautious because there seems to be a path of not being open.

**MOTION:** A Motion was made by **Commissioner Mellonee Wilding** to forward a recommendation of denial to the county commission on application Z19-003 for a zoning map amendment from A-20 to C-E zone because we do not feel it is necessary, it does not fit the character of the community, the citizens are not for the change, and there is not adequate water for fire suppression. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

## **NEW BUSINESS - NONE**

**WORKING REPORTS - NONE**

**PUBLIC COMMENTS - NONE**

Commissioner Bonnie Robinson stated she is concerned about 10 employees in a home-based business and would like to direct staff to look into it further.

**ADJOURN**

**MOTION:** A Motion was made by Commissioner Bonnie Robinson to adjourn commission meeting. The motion was seconded by Commissioner Mellonee Wilding and meeting adjourned at 7:50 p.m.

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Laurie Munns, Chairman  
Box Elder County Planning Commission



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## PLANNING COMMISSION STAFF REPORT

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Meeting Date: June 20, 2018

Agenda Item #: 6a

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**Application Type:**

Ordinance Text Amendment

**APPLICANT(S):**

Box Elder County

**PROJECT #:**

Z19-004

**ORDINANCE:**

Section 1-3-040

**TYPE OF APPLICATION:**

Legislative

**REPORT BY:**

Marcus Wager,  
County Planner

**BACKGROUND**

The Planning Commission requested a text amendment to Section 1-3-040, Definitions – for Home Business. The current code has a regulation that allows for up to 9 employees for any approved Home Business. The Planning Commission asked that staff reduce that number through an Ordinance Text Amendment. (See attached for proposed verbiage).

**ANALYSIS**

**County Code:**

Land Use Management & Development Code 2-2-080.C allows authorized County Staff to initiate amendments to 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 affects all areas of unincorporated Box Elder County where home businesses are allowed (MU-160, MU-80, MU-40, A-20, A-1/2, RR-10, RR-5, RR-2, and RR-1 Zones).*
- C. The extent to which the proposed amendment may adversely affect adjacent property; and**  
*The proposed amendment should not adversely affect adjacent property.*
- 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 amendment should not put a strain on any of these facilities.*





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## **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. It is staff's opinion that the proposed text amendment meets all of the Approval Standards found in Section 2-2-080(E) of the Box Elder County Land Use Management and Development Code.

## **RECOMMENDATION**

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

## **MODEL MOTIONS**

**Approval** – "I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z19-004, a text amendment to Section 1-3-040, Definitions, of the Box Elder County Land Use Management & Development Code, 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 Z19-004, a text amendment to Section 1-3-040, Definitions, of the Box Elder County Land Use Management & Development Code, 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 Z19-004, a text amendment to Section 1-3-040, Definitions, of the Box Elder County Land Use Management & Development Code, 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.

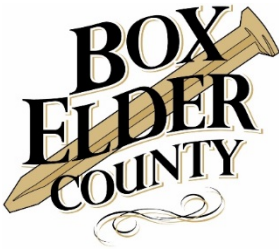


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**PROPOSED VERBIAGE FOR TEXT AMENDMENT**

**1-3-040. Definitions.**

**Home Business:** A business that manufactures or provides a service for agricultural and residential uses with **up to two (2)** ~~fewer than 10~~ employees and that is incidental and secondary to the use of the structure or dwelling for residential purposes ~~and does not change the current character of the dwelling or neighborhood.~~



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## PLANNING COMMISSION STAFF REPORT

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Meeting Date: June 20, 2019

Agenda Item #: 7a

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**Application Type:**

Agricultural Subdivision

**APPLICANT(S):**

Lurae Stanger for Dennis &  
Judy Nelson

**PROJECT #:**

AS19-003

**ORDINANCE:**

State Code 12-27a-605

**TYPE OF APPLICATION:**

Administrative

**REPORT BY:**

Scott Lyons,  
Comm. Dev. Director

**BACKGROUND**

The applicant is requesting an agricultural subdivision to separate 5.086 acres off of a larger parcel located in the RR-20 zone in the Corinne area of Unincorporated Box Elder County. This process would create a legal agricultural parcel.

**ANALYSIS**

**State Code:**

Utah State Code Section 12-27a-605 allows subdivisions to be exempt from plat requirements as long as they include agricultural land and Planning Commission approval.

**Land Use Ordinance Standards Review:**

Utah State Code 17-27a-605(1)(b) and (2)(a)(ii) outlines the following standards for review for agricultural subdivisions.

**17-27a-605(1)(b) the proposed subdivision:**

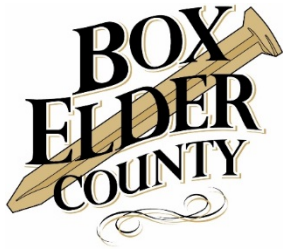
- A. Is not traversed by the mapped lines of a proposed street as shown in the general plan and does not require the dedication of any land for street or other public purposes;**  
Yes.
- B. Has been approved by the culinary water authority and the sanitary sewer authority;**  
Yes.
- C. Is located in a zoned area; and**  
Yes.
- D. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.**  
Yes.

**(2)(a)(ii) the new owner of record completes, signs, and records with the county recorder a notice:**

- A. describing the parcel by legal description; and**
- B. stating that the lot or parcel is created for agricultural purposes as defined in Section 59-2-502 and will remain so until a future zoning change permits other uses.**

*This document has been prepared and will be recorded following approval of this application.*

**FINDINGS:**



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Based on the analysis of the agricultural subdivision application, staff concludes the following:

1. The Utah State Code allows for agricultural subdivisions subject to review procedures and approval from the Planning Commission.
2. It is staff's opinion that the proposed agricultural subdivision meets all of the Approval Standards found in Section 17-27a-605(1)(b) and (2)(a)(ii) of the Utah State Code.

### **RECOMMENDATION**

Based on the information presented in this report and application materials submitted, **staff recommends the Planning Commission APPROVE application AS19-002 the Nelson 5 Agricultural Subdivision.**

### **MODEL MOTIONS**

**Approval** – "I move the Planning Commission approve application number AS19-003, an agricultural subdivision, and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

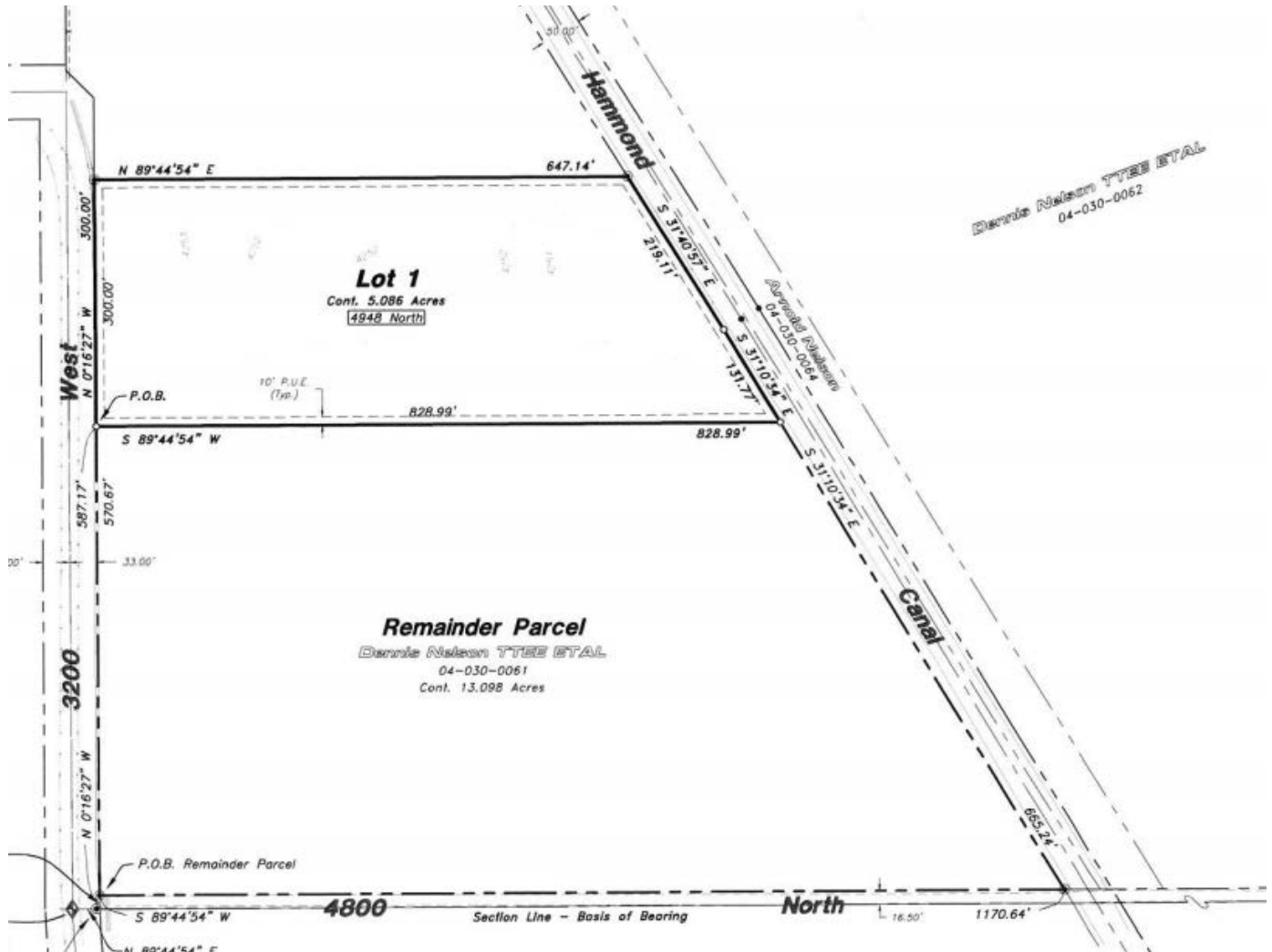
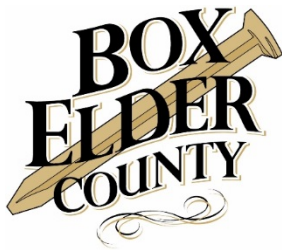
**Table** – "I move the Planning Commission table application number AS19-003, an agricultural subdivision, to (give date), based on the following findings:"

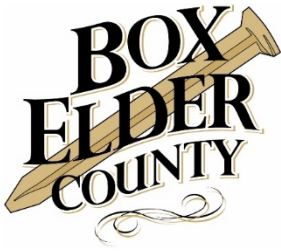
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

**Denial** – "I move the Planning Commission deny application number AS19-003, an agricultural subdivision, based on the following findings:"

1. List findings for denial...

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







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# PLANNING COMMISSION

## STAFF REPORT

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**Meeting Date: June 20, 2019**  
**Agenda Item #: 7b**

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**Application Type:**

Site Plan review for  
Rodger Towing

**APPLICANT(S):**

Thomas Baur for Rod &  
Rozanne Ashby

**PROJECT #:**

SP19-002

**ZONE:**

Unzoned

**PARCEL #:**

06-060-0118

**TYPE OF ACTION:**

Administrative

**REPORT BY:**

Scott Lyons,  
Comm. Dev. Director

**BACKGROUND**

The applicant is requesting Site Plan approval for a towing impound lot located at approximately 12425 Canal Bank Rd in the Tremonton/Garland area of unincorporated Box Elder County.

*Surrounding Land Use and Zoning:*

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Rural Residential	Unzoned
South	Rural Residential	Unzoned
East	Rural Residential	Unzoned
West	Interstate	Unzoned

**ANALYSIS**

**County Code:**

**Land Use Ordinance Standards Review:**

Box Elder County Land Use Management & Development Code allows impound yards as a permitted use in Unzoned areas. Section 2-2-120.D.2.c, allows for commercial uses subject to Site Plan approval. Section 2-2-090 outlines the following standards for approval for permitted uses.

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

**B. The proposed use shall conform to development standards of the applicable zone. *Yes***

**C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set forth in this Code. *Yes***

**D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances. *Yes***

**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***

**Setbacks:**

*No new buildings are proposed as part of the site plan. Only security fencing is proposed.*

**Access:**

*Access to the property is obtained on Canal Bank Road which is an existing county road.*



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### County Department Review:

*All applicable County departments have reviewed the application materials. The Fire Marshal has no concerns. The Roads Dept seconds the concerns brought forth by the County Engineer. The County Engineer's comments have been sent to the applicant and their engineer for updates to the site plan. Once we have those back the County Engineer will do another review based on the updated site plan. The County Engineer's review is attached below.*

### **FINDINGS:**

Based on the analysis of the Site Plan application, staff concludes the following:

1. The Box Elder Land Use Management and Development Code does allow for impound lots in unzoned areas which are approved by the Planning Commission through a Site Plan review.
2. The Site Plan will conform to all requirements within the Box Elder Land Use Management and Development Code if updates are made according to County Engineer's review.

### **RECOMMENDATION**

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

1. Compliance with Section 2-2-090 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
3. Compliance with the County Engineer's review and requirements.
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 SP19-002, a Site Plan for a towing impound facility, 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 SP19-002, a Site Plan for a towing impound facility, to (give date), based on the following findings:"

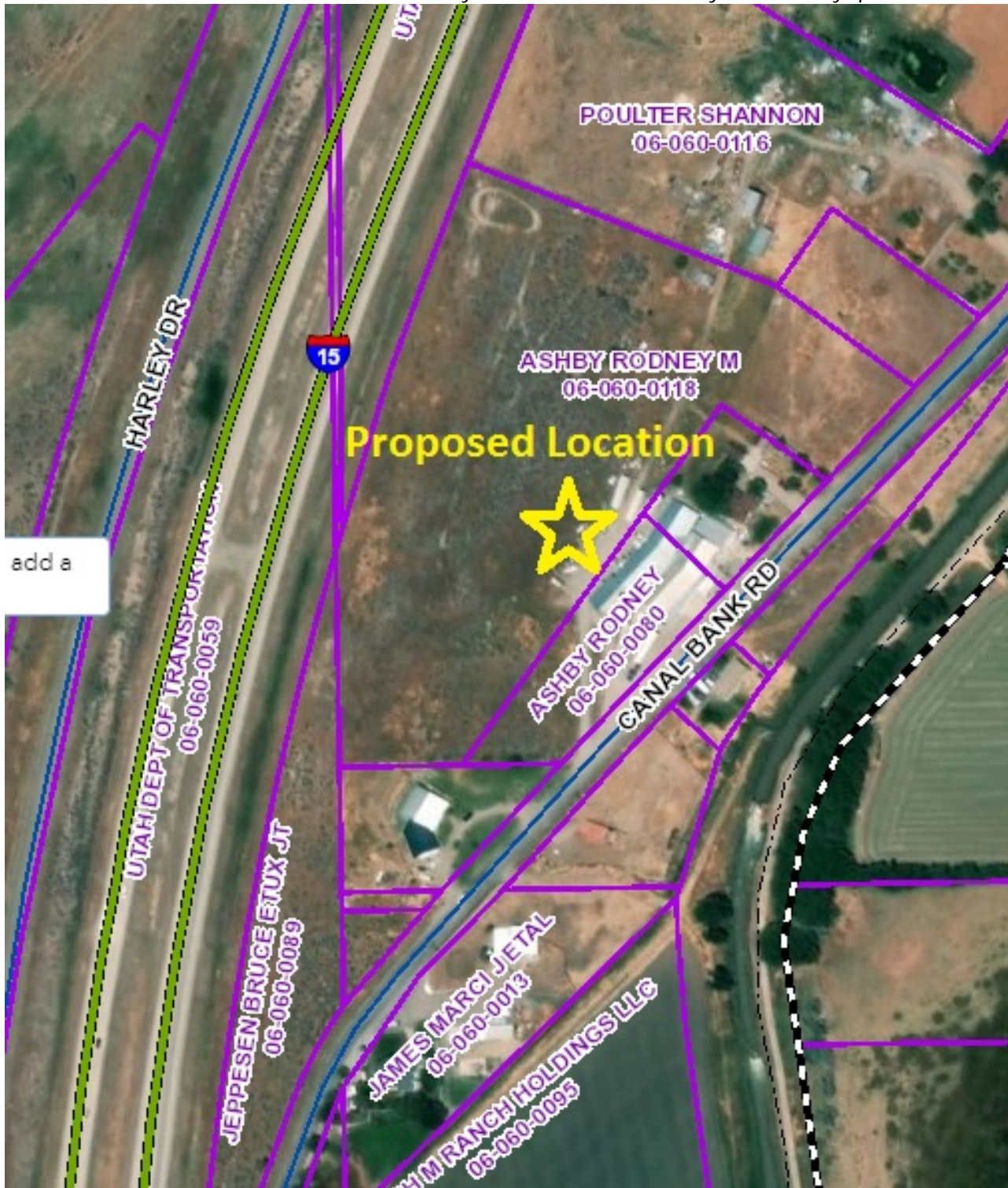
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

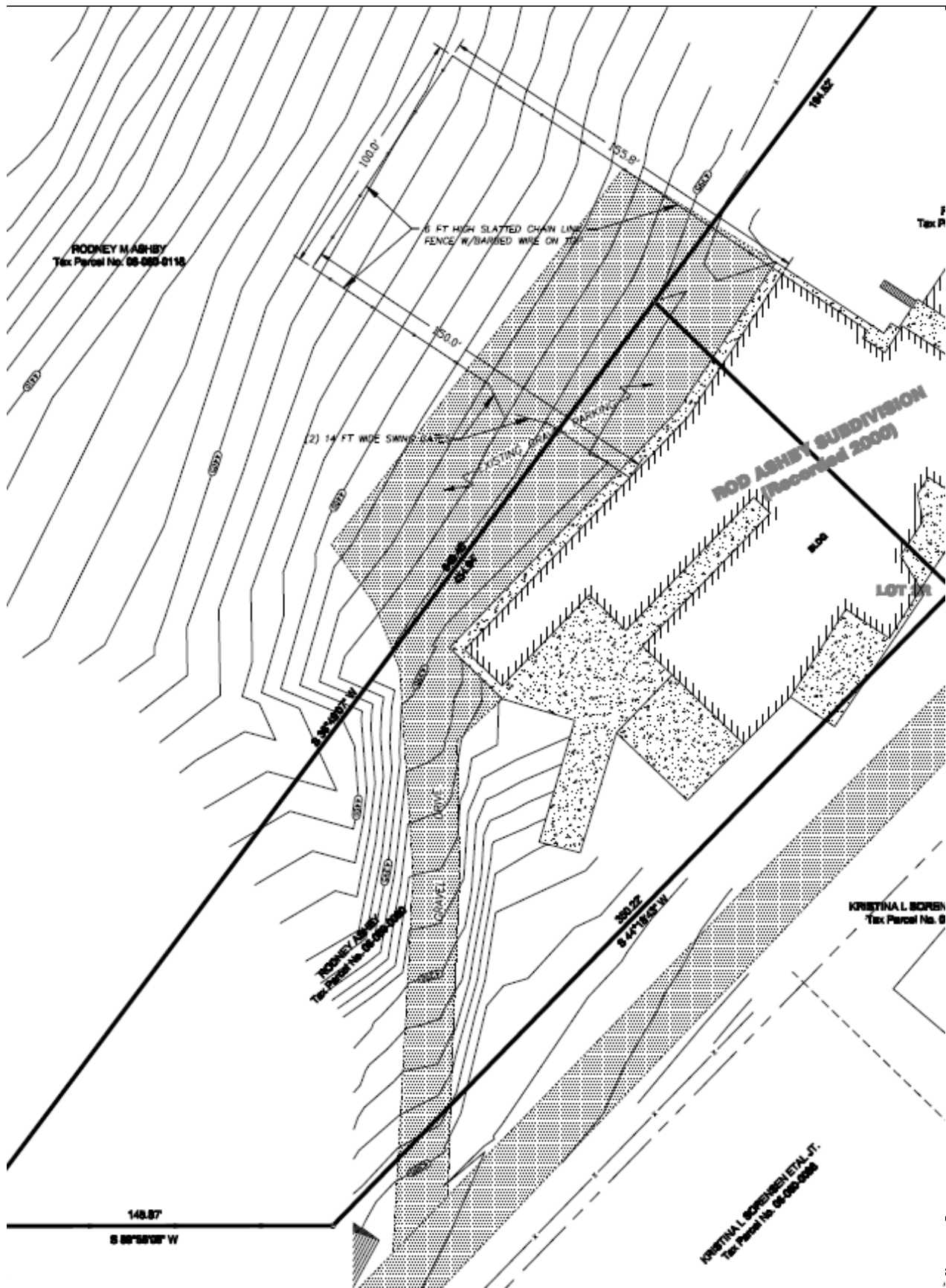
**Denial** – "I move the Planning Commission deny application number SP19-002, a Site Plan for a towing impound facility, based on the following findings:"

1. List findings for denial...



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







## MEMORANDUM

CONSULTING ENGINEERS

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TO: Scott Lyons, Box Elder County Planning Supervisor

FROM: Brent W. Slater, PLS  
Jones & Associates Consulting Engineers  
Box Elder County Engineers & Surveyor

RE: **RODGER TOWING – Site Plan Review**

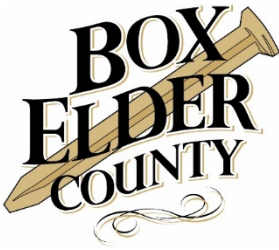
Date: May 29, 2019

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From our site visit yesterday, I have the following comments:

1. The existing ground for the parking lot behind the main building seems to have a fairly solid, granular base that should allow water to percolate through. We were there on a rainy day and there wasn't any water standing. The parking lot itself had what looked like a fine, non-crushed natural road base that probably works for a parking lot that doesn't have heavy vehicles on it. If emergency vehicles need to drive in the existing parking area (or heavy laden tow trucks), this area may need another 6" to 8" of roadbase added to the top. The ground to the west of this existing parking lot is just the native soil. This makes the west half of the proposed fenced in area, approximately 80' x 100', without any road base gravel on it. The fenced in area isn't our concern, however, our concern would only be in the area where an emergency vehicle will be traveling.
2. The driveway that accesses the rear of the main building has a slope of approximately 6% which meets the requirement of not being over a 10% grade. This driveway is only about 16' or 17' wide and is covered with the same natural road base that the parking lot has. The County code calls for private driveways that are longer than 150 feet to have a 20' wide drivable surface with a minimum 10" thick roadbase. The International Fire Code requires that the road be capable of "supporting the imposed load of fire apparatus weighing at least 75,000 pounds". This code also requires a 96' diameter circular turnaround or hammerhead type turnaround at the end of the driveway. The distance to the southwest corner of the existing building from the street is approximately 220'. The driveway also needs to have a 5' wide swale, with 4:1 slope on the banks, to be along the westerly side to drain any storm water away from the driveway and to keep storm water from crossing the driveway.

This takes care of our engineering concerns. The location of a fire hydrant will probably be addressed by the Fire Marshall. Should you have any questions, please give me a call.



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## PLANNING COMMISSION STAFF REPORT

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Meeting Date: June 20, 2019

Agenda Item #: 7c

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**Application Type:**

Surplus Property Disposal

**APPLICANT(S):**

Mantua City

**PROJECT #:**

SPD19-02

**ORDINANCE:**

County Policy #2000-01

**TYPE OF APPLICATION:**

Legislative

**REPORT BY:**

Scott Lyons,  
Comm. Dev. Director

**BACKGROUND**

It has been requested by Mantua City that the Box Elder County Commission deed 0.28 acres of land to Mantua City. The land is adjacent to their town hall and park. The city would use it for additional park space. The County Commission has directed staff to begin the surplus property disposal process.

**ANALYSIS**

**County Policy:**

Box Elder County Policy #2000-01 requires all surplus property disposal of real estate to be reviewed by the Planning Commission to ensure they comply with the General Plan, Land Use Management and Development Code and any other applicable ordinances. The Planning Commission shall submit their recommendation within 15 days of the date of decision.

**FINDINGS:**

Based on the analysis and review of the proposed conveyance of County water shares staff concludes the following:

1. The County General Plan does not address county owned land within other jurisdictions.
2. The Land Use Code does not address county owned land within other jurisdictions.
3. Staff can submit a recommendation to the County Commission on behalf of the Planning Commission within 15 days of the Planning Commission's action.

**RECOMMENDATION**

Based on the information presented in this report and application materials submitted, **staff recommends the Planning Commission discuss the topic and forward a recommendation to the County Commission.**

**MODEL MOTIONS**

**Approval** – "I move the Planning Commission forward a recommendation of approval regarding application number SPD19-02, surplus property disposal of 0.28 acres in Mantua, 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 application number SPD19-02, surplus property disposal of 0.28 acres in Mantua, 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 regarding application number SPD19-02, surplus property disposal of 0.28 acres in Mantua, based on the following findings:”

1. List findings for denial...

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

