

BOX ELDER COUNTY PLANNING COMMISSION AGENDA

July 19, 2018

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 June 21, 2018 Planning Commission Minutes.
5. **UNFINISHED BUSINESS**
 - a. **OPEN COUNTRY STORAGE SITE PLAN, SP18-002, at approximately 10620 North 10800 West in the Thatcher Area of unincorporated Box Elder County.**
6. **PUBLIC HEARINGS**
 - a. **HANCOCK ZONING MAP AMENDMENT, Z18-007, Request to re-zone a 2.79 acre property from RR-5 (Rural Residential 5 acres) to RR-2 (Rural Residential 2 acres) at approximately 10090 West 12000 North in the Bothwell area of Unincorporated Box Elder County.**
7. **NEW BUSINESS**
 - a. **BAYVIEW ESTATES SUBDIVISION AMENDMENT, SS18-014, at approximately 7550 South 582 West in the South Willard area of unincorporated Box Elder County.**
8. **WORKING REPORTS**
 - a. NONE
9. **PUBLIC COMMENT**
10. **ADJOURN**

BOX ELDER COUNTY PLANNING COMMISSION MINUTES JUNE 21, 2018

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	Scott Lyons	Com Dev Dir.
Mellonee Wilding	Vice-Chair	Marcus Wager	County Planner
Kevin McGaha	Excused	Steve Hadfield	County Attorney
Michael Udy	Member	Jeff Scott	Excused
Desiray Larsen	Excused	Diane Fuhriman	Executive Secretary
Bonnie Robinson	Member		
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 Michael Udy**.

The following citizens were present & signed the attendance sheet

David Fidler, Garland	
Roy Andreasen, Corinne	Lindsay Henderson, Thatcher
Lorraine Andreasen, Corinne	Kay Henderson, Thatcher

The Minutes of the May 17, 2018 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Bonnie Robinson** to approve the minutes as written. The motion was seconded by **Commissioner Mellonee Wilding** and passed unanimously.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to amend the agenda and move Item #5, Unfinished Business to after Item #6, Public Hearings,. The Motion was seconded by **Commissioner Mellonee Wilding** and passed unanimously.

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.

ANDREASEN ZONING MAP AMENDMENT, Z18-006, Request to re-zone property from A-20 (agricultural 20 acres) to RR-1 (rural residential 1 acre) at approximately 3300 North 4425 West in the Corinne area of unincorporated Box Elder County.

Staff said at the May 2018 Planning Commission Meeting a similar item was brought before the commission requesting a re-zone from A-20 to RR-20. Following the public hearing in the May meeting, it was requested that the RR-1 zone be brought before the commission as well. The RR-1 zone is being offered as an alternative option to RR-20 because the West Corinne Community Plan shows this area as potential RR-1 in the future. The original proposal last month was based on the fact there is a lot of RR-20 half-acre zoning already in the area.

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

Hearing no comments a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Andreasen Zoning Map Amendment Z18-006, the motion was seconded by **Commissioner Mellonee Wilding** and passed unanimously.

ACTION

Chairman Laurie Munns invited applicants, Roy and Lorraine Andreasen, to the podium to discuss the proposed zoning change.

Commissioner Mellonee Wilding stated the commission understands the intent was to build one house on the property but the RR-20 zone opens up the opportunity for more homes to be built. So for density reasons the commission questions if the RR-1 zone would meet the needs for your plans.

Roy Andreasen said the plan is to build one home and have enough acreage left to keep our horses and cattle. We are currently renting the farm to Boyd Bingham; he plans to build some feed lots and have one of his sons move into the house where we currently live.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the county commission for the Andreasen Zoning Map Amendment, Z18-006 from A-20 to RR-1 along with any findings and conditions in the staff report. The motion was seconded by **Commissioner Michael Udy** and passed unanimously.

BLOCK UNITED TEMPORARY USE PERMIT, TUP18-001, Request for a two year Temporary Use Permit to locate a data center consisting of eleven temporary conex type containers, transformers, and associated power equipment at 7950 W. 24000 N. in the Plymouth area of Unincorporated Box Elder County.

Staff said the applicant has requested a temporary use permit for two years to locate and operate a data processing center on the property. The property is south of Portage and northwest of Plymouth. Most people are familiar with it as Washakie Renewable Energy. Locating here for the applicant is due to the presence of a sub-station. The data center would require proximity to a sub-

station due to the power consumption. The data center will be an unmanned facility consisting of 11 conex containers that process data. There will be a security fence surrounding the data center.

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

Hearing no public comments a motion was made by **Commissioner Mellonee Wilding** to close the public hearing, the motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

ACTION

Robert Nash, ICPE, representing Block United said Box Elder County was chosen as a facility site because of the sub-station. The sub-station has a 40 megawatt capability but right now has about a ½ megawatt usage on it. It has become a stranded investment for the owners. It is a remote and safe area. The contract with the owners is a one-year contract.

Commissioner Bonnie Robinson stated she sees no benefit to the county. She confirmed that if the contract is not renewed for a second year by the owners they will have to pull out and remove the containers.

MOTION: A Motion was made by **Commissioner Mellonee Wilding** to approve Application TUP18-001 for a temporary data processing center including the adoption of all conditions and findings by staff as listed in the staff report. The motion was seconded by **Commissioner Jared Holmgren** and unanimously carried.

UNFINISHED BUSINESS

ANDREASEN ZONING MAP AMENDMENT, Z18-005, Request to re-zone property from A-20 (agricultural 20 acres) to RR-20 (rural residential 20,000 sq. ft.) at approximately 3300 North 4425 West in the Corinne area of unincorporated Box Elder County.

MOTION: A motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of denial to the county commission on the Andreasen Zoning Map Amendment Z-18-005 from A-20 to RR-20. The motion was seconded by **Commissioner Mellonee Wilding** and unanimously carried.

NEW BUSINESS

BROOKSIDE ESTATES SUBDIVISION PHASE 2 1ST AMENDMENT, SS18-013, at approximately 15890 North 4400 West in the Fielding Area of unincorporated Box Elder County.

Staff said this item is an amendment to Brookside Estates Subdivision Phase 2. The applicant is looking to modify lots 6 and 7. Lot 6 would be reduced from 6.23 acres to 4 acres. Lot 7 would increase from 1 to 1 ½ acres. The remainder parcel would increase also. Access to these lots exists on private easements. However there would be a new road dedicated to the county which is 15800

North and there is a private lane leading to Lot 6. The utilities were all approved at the time the original subdivision was approved. All departments have reviewed the amendment which has met all the requirements. The only requirement remaining is the improvement drawing for the dedicated road along with the bond or escrow agreement for the new road. Staff feels comfortable recommending approval of the amended subdivision.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to approve the Brookside Estates Subdivision Amendment SS18-013 and adopting the recommended conditions and findings listed in the staff report. The motion was seconded by **Commissioner Mellonee Wilding** and unanimously carried.

OPEN COUNTRY STORAGE SITE PLAN, SP18-002, at approximately 10620 North 10800 West in the Thatcher Area of unincorporated Box Elder County.

Staff said this is a site plan for storage units. The area is un-zoned. To the north of this area is a mix of residential and agricultural zones and also to the south and west. To the east is agriculture. Staff stated Box Elder County Land Use Management & Development Code Section 2-2-120.D.2.c allows storage units as a commercial use in un-zoned areas. Staff reviewed Section 2-2-090 the standards for approval for permitted uses as follow:

- 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. *The applicant is working to submit this information.***
- D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances. *The applicant is working to submit this information.***
- 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 said access to the property would be obtained off Hwy 102. The applicant will need a letter from UDOT approving the access to the storage units. Staff has received the engineer's comments and they conform to what the road supervisor also sent. The road section needs to be shown on the site plan and the road would need to be built to carry loads for firefighting equipment. There also needs to be a turnaround at the end of the private drive on the east. Staff will also need a drainage plan. Fire protection also needs to be addressed and needs the input of the county fire marshal which staff is waiting to hear from him.

Commissioner Laurie Munns asked applicants Lindsay and Kay Anderson to join the discussion.

Lindsay Anderson said some changes have been made to the site plan. The buildings were proposed to be on the north side of the property instead of the south side where they are drawn now. The access was going to come in from the south and turn.

Commissioner Bonnie Robinson asked how many feet is between the road and the house. Staff said it looks to be around 15 ft. Mr. Anderson agreed it may be 15 ft. but it is enough to drive his vehicle through.

Commissioner Mellonee Wilding feels it is premature to approve the site plan with the long list of things still needing to be done including a fire report, a letter from UDOT for access, the drainage report, and the site plan is also inaccurate.

Commissioner Laurie Munns asked staff if these things could be done within a month. Staff said it is possible and would send it back out for review.

MOTION: A Motion was made by **Commissioner Mellonee Wilding** to table the Open Country Storage Site Plan SP18-002 in the West Thatcher area until more information is completed and re-visit the item in the July planning commission meeting. The motion was seconded by **Commissioner Bonnie Robinson** and unanimously carried.

WORKING REPORTS - NONE

PUBLIC COMMENTS - NONE

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 7:45 p.m.

Laurie Munns, Vice Chairman
Box Elder County Planning Commission



PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 19, 2018

Agenda Item #: 5a

Application Type:

Site Plan review for
Open Country Storage

APPLICANT(S):

Lindsay Henderson

PROJECT #:

SP18-004

ZONE:

Un-Zoned

PARCEL #:

05-102-0038

TYPE OF ACTION:

Administrative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

The applicant is requesting Site Plan approval for a storage unit facility located at approximately 10620 North 10800 West in the Thatcher Area on Parcel: 05-102-0038. The Planning Commission tabled this item at the June 21, 2018 meeting because so much still needed to be done.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential/Agriculture	Un-Zoned
South	Residential/Agriculture	Un-Zoned
East	Agriculture	Un-Zoned
West	Residential/Agriculture	Un-Zoned

ANALYSIS

County Code:

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Section 2-2-120.D.2.c allows storage units as a commercial use in un-zoned areas as a permitted use 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. *The applicant is working to submit this information.*

D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances. *The applicant is working to submit this information.*

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:

The proposed building meets setbacks in for Un-Zoned areas.

Access:

Access to the property is obtained on HWY 102 or 10800 West on the South side of the property.



County Department Review:

All applicable County departments are currently in the review process for this application. Comments can be provided at the meeting. We are still waiting for the updated site plan at this time.

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 commercial uses in the un-zoned 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 after all comments from staff have been satisfied.

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 all staff comments.
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.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SP18-002, a Site Plan for a storage unit facility, and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

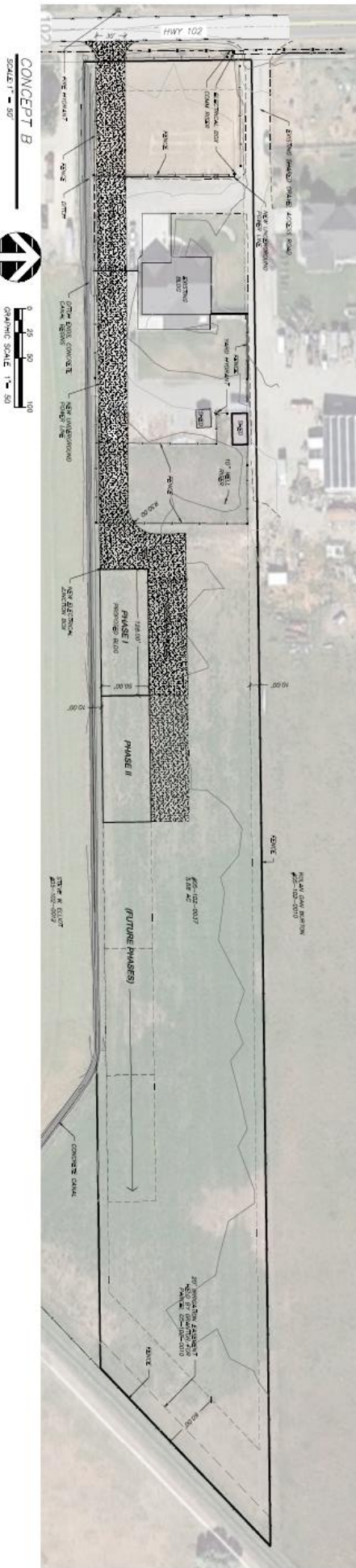
Table – “I move the Planning Commission table the review of application number SP18-002, a Site Plan for a storage unit facility, to (give date), based on the following findings:”

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 SP18-002, a Site Plan for a storage unit facility, 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.



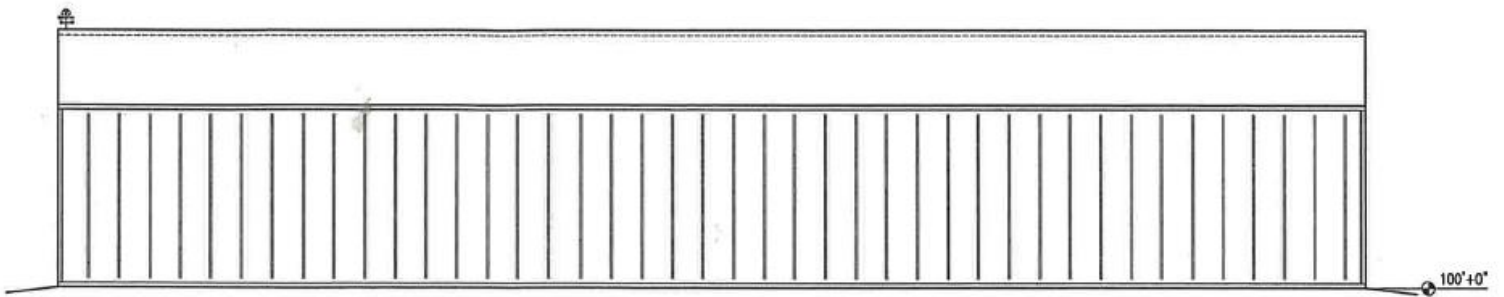
CONCEPT B

SCALE 1" = 50'

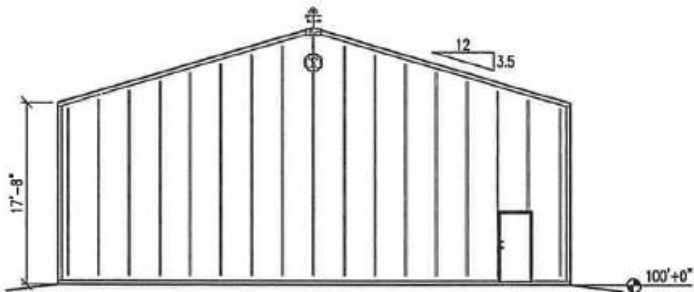


LINE LEGEND

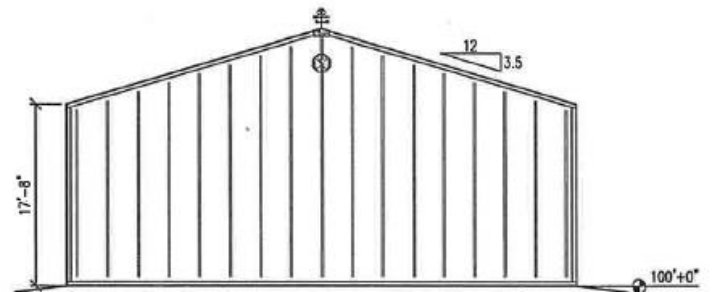
- PRIORITY LINE
- SETBACK
- OVERHEAD POWER
- MAIL BOX LINE
- EDGE OF ASPHALT
- FENCE



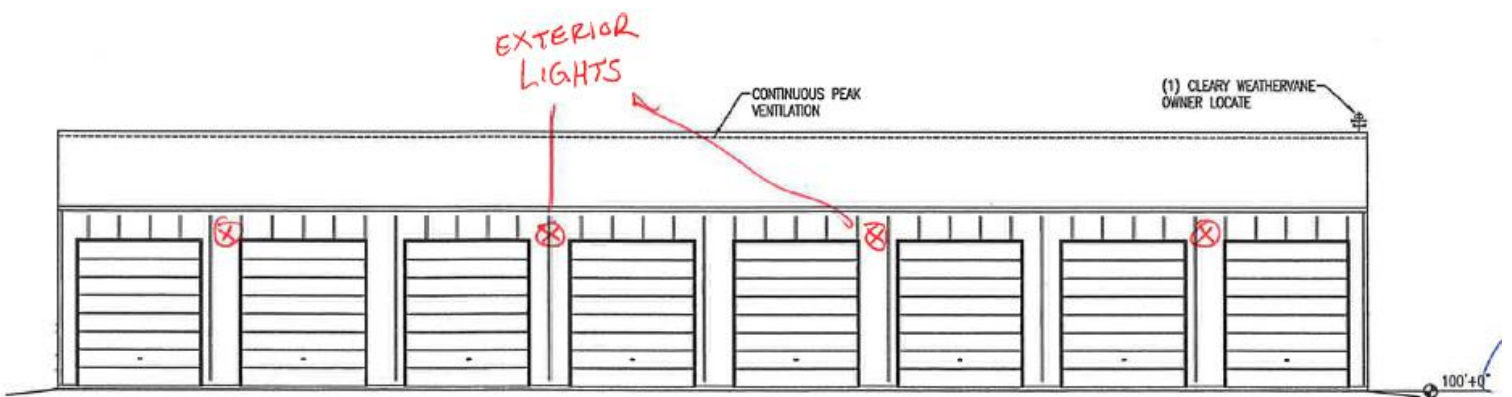
NORTH ELEVATION



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 19, 2018

Agenda Item #: 6a

Application Type:

Zoning Map Amendment

APPLICANT(S):

Kyle & Emily Hancock

PROJECT #:

Z18-007

ADDRESS:

10090 West 12000 North

PARCEL #:

06-071-0016

CURRENT ZONE:

RR-5

TYPE OF ACTION:

Legislative

REPORT BY:

Marcus Wager
County Planner

BACKGROUND

The applicant is requesting that the listed parcel be rezoned from RR-5 (Rural Residential 5 Acres) to RR-2 (Rural Residential 2 Acres). The Parcel is 2.79 acres in size and was subdivided on August 17, 1983 as per Entry #: 99836H Book: 375 Page: 177. The Zoning was put into place in the Bothwell area on September 14, 1978. The subdividing below 5 acres made this parcel illegal. The applicant wants to clean up this parcel, tear down the existing home, and build a new one.

ANALYSIS

County Code:

Land Use Management & Development Code 2-2-080.C. allows a property owner to initiate a zoning map amendment as set forth in said section.

Surrounding Land Use and Zoning:

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

Land Use Ordinance Standards Review:

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

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

The Bothwell Community Plan states that current zoning in Bothwell is RR-5 and that the citizens who have submitted a rezoning petition to the Planning Commission which resulted in this community planning process also are asking that the rest of Bothwell be zoned to RR-5. The plan does not give clear direction for future zoning decisions. The County's General Plan makes no reference as to how specific areas should be zoned. It 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 residential and agricultural uses. Whether the proposed amendment is harmonious with the overall character of existing development is quite subjective. This point could be argued saying yes, it is harmonious due to there being existing residential uses and that this parcel has been 2.79 acres since 1983.

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

This is subjective. Residential uses do tend to bring additional traffic. They also tend to bring higher property values. The public hearing process may shine additional light on this. In this case, there is already a home on the property and the applicant would not be able to subdivide it further without getting another re-zone.

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 facilities and services intended to serve the subject property currently exist.

FINDINGS:

Based on the analysis of the proposed zoning map amendment to the RR-5 zone and a survey of the surrounding area, staff concludes the following:

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 RR-5 to RR-2.
4. If a rezone were granted the parcel would not be able to be subdivided further.



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 may be taken into account such as public input, resident preferences, private property rights, economic considerations, etc.

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

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

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z18-007, a zoning map amendment from RR-5 (Rural Residential 5 Acres) to RR-2 (Rural Residential 2 Acres) zone and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

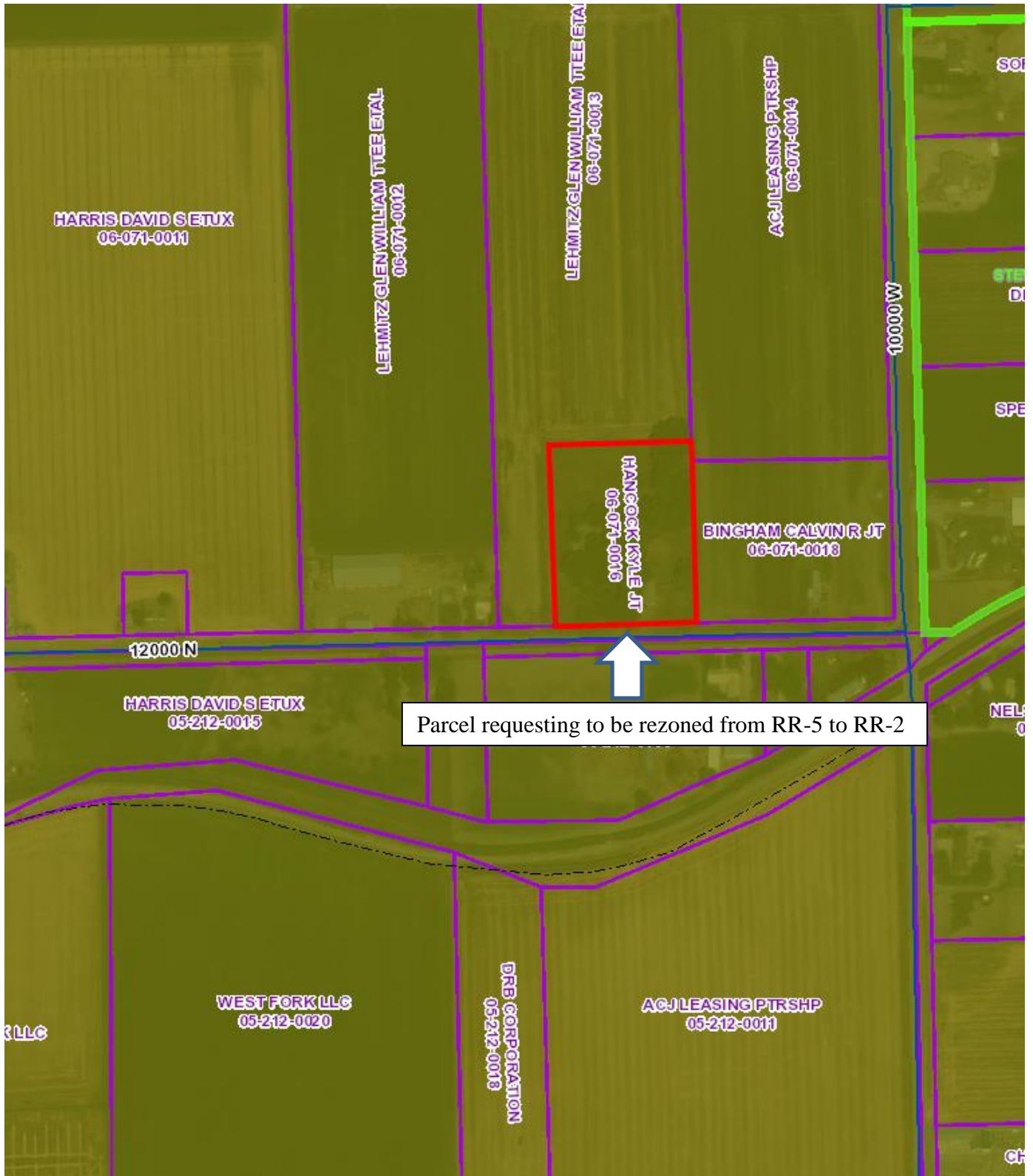
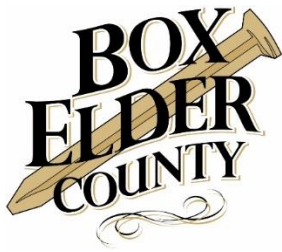
Table – “I move the Planning Commission table the review of application number Z18-007, a zoning map amendment from RR-5 (Rural Residential 5 Acres) to RR-2 (Rural Residential 2 Acres) zone to (give date), based on the following findings:”

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

Denial – “I move the Planning Commission forward a recommendation of denial to the County Commission, application number Z18-007, a zoning map amendment from RR-5 (Rural Residential 5 Acres) to RR-2 (Rural Residential 2 Acres) zone based on the following findings:”

1. List findings for denial...

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





PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 19, 2018

Agenda Item #: 7a

Application Type:

Subdivision - Amended

APPLICANT(S):

Blair Larkin / Richard Larkin

PROJECT #:

SS18-014

ADDRESS:

528 West 7550 South
South Willard

ZONE:

R-1-20

PARCEL #:

01-040-0048, 01-134-0001

REPORT BY:

Scott Lyons,
Comm. Dev. Dir.

BACKGROUND

The applicant is requesting an amendment to the Bay View Estates Subdivision plat. The applicant is looking to modify Lot 1. Lot 1 would increase from 0.46 acres to 0.722 acres.

ANALYSIS

State Code:

Utah State Code 17-27a-608 authorizes a landowner to amend a subdivision plat and exchange title to portions of parcels subject to the review and approval of the Planning Commission.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	R-1-20
South	Residential	R-1-20
East	Residential	R-1-20
West	Residential	R-1-20

Access:

Access to Lot 1 is off county road 7550 South.

Utilities:

Utilities were all approved at the time of the original Bay View Estates Subdivision.

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Article 6 outlines the requirements for subdivision review.

County Department Reviews:

All applicable County departments have had the opportunity or are in the process of reviewing the proposed first amendment to the Bay View Estates Subdivision.

Findings:

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

1. With conditions outlined in the recommendation section of the staff report, the amended subdivision plat does comply with the subdivision regulations of Box Elder County.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff**



recommends the Planning Commission APPROVE the Amended Plat subject to the following conditions:

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

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SS18-014, an amended plat for the Bay View Estates Subdivision, located at approximately 528 West 7550 South in the South Willard area of unincorporated Box Elder County, 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 SS18-014, an amended plat for the Bay View Estates Subdivision, located at approximately 528 West 7550 South in the South Willard area of 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 SS18-014, an amended plat for the Bay View Estates Subdivision, located at approximately 528 West 7550 South in the South Willard area of unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

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



Bay View Estates First Amendment Amending Lot 1

Box Elder County, Utah
 A Part of the Northeast Quarter of Section 2,
 Township 7 North, Range 2 West, Salt Lake Base & Meridian

