
BOX ELDER COUNTY PLANNING COMMISSION AGENDA

April 21, 2016

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 C. Munns, D. Larsen, K. McGaha, M. Udy, L. Munns, and B. Robinson.)

2. **APPROVAL** of the March 17, 2016 Planning Commission Minutes.

3. **PUBLIC HEARINGS**
 - a. **NORTHSHORE RAIL SERVICES, LLC; SP16-002, construct, own and operate a Class 1 private heavy rail facility with connection to Union Pacific for inbound and outbound service, located on South Promontory. (Parcels 01-011-0044, 0047, 0048, and 0093) (ACTION)**
 - b. **SILVERIO & TERESA CHAIREZ, SS16-006, amend the Robinson Subdivision by subdividing Lot 1 into Lot 6 (.50 acre) and Lot 7 (1.260 acre), located at approximately 13265 North 5400 West in the Garland area of Box Elder County. (ACTION)**
 - c. **VALLEY VIEW ESTATES, PHASE 3; SS16-007, addition of 8 new building lots in the Valley View Estates Subdivision, located at approximately 7220 South 5500 West in the South Willard area of Box Elder County. (ACTION)**

4. **NEW BUSINESS**
 - a. **LISA LESSER, Agricultural Subdivision (Bluehaven Estates), request to subdivide 13.68 acres for agricultural purposes. Located at 5200 West 7200 North just South of Elwood in Box Elder County. (ACTION)**
 - b. **VANCE SMITH, Agricultural Subdivision (Brookside Estates), request to subdivide for agricultural purposes. Located at 15930 North 4000 West just South of Fielding in Box Elder County. (ACTION)**

5. **UNFINISHED BUSINESS**

6. **WORKING REPORTS**
 - a. **PLANNED UNIT DEVELOPMENT (PUD) follow-up and discussion**
 - b. County Commissioners reappointed 2 Planning Commissioners - Chad Munns & Laurie Munns.

7. **PUBLIC COMMENTS**

8. **ADJOURN** _____

BOX ELDER COUNTY PLANNING COMMISSION MINUTES March 17, 2016

The Board of Planning Commissioners of Box Elder County, Utah met in the Box Elder County Commission Chambers at 7:00 p.m. The following members were present by a roll call, constituting a quorum:

Chad Munns	Chairman	<i>the following Staff was present:</i>	
Desiray Larsen	Vice-Chair	Scott Lyons	Planner
Kevin McGaha	Member	Marcus Wager	Planner
Michael Udy	Member/Excused		
Bonnie Robinson	Member	Elizabeth Ryan	Exec. Secretary
Jay Christensen	Member	Jeff Scott	Co. Commission
Laurie Munns	Member	Steve Hadfield	Co. Attorney

The following citizens were present:

Griffin Holmgren/Bear River City	Rowdy Bailey/Bear River City
Jake Holmgren/Bear River City	Jared Holmgren/Bear River City
Tim Munns/Hansel Valley	Thayne Hupp/Tremonton
J. Golden Ward/Tremonton	Scott & Veronica Holland/Brigham
Matt Hansen/Perry	Jim Flint/Brigham City
Josh Skidmore/Brigham City	

The Minutes of the January 21, 2016 were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jay Christensen** to accept the Minutes as written; seconded by **Commissioner Kevin McGaha** and passed unanimously.

PUBLIC HEARINGS

Chairman Chad Munns called for the public hearings on the agenda by informing those in attendance that each item would be handled separately, and that the time for the hearings was to allow the public the opportunity to voice any concerns and that the Commissioners would listen to the comments and concerns. After the public hearing on an item the Planning Commissioners would then discuss and take action on the item.

SCOTT & VERONICA HOLLAND, CUP15-006, ACCESSORY DWELLING LOCATED AT 4345 NORTH HIGHWAY 38 IN THE HARPER WARD AREA OF BOX ELDER COUNTY.

Staff explained that this petitioner was requesting a conditional use permit in order to use the existing (smaller) home located on the property as an accessory dwelling. The BECLUM&DC, Section 3-2-070-7.5 allows for accessory dwelling units as a conditional use when a new home is

built having at least 2850 square feet in size; the existing home would then meet the requirement of 40% size for the accessory dwelling. No comments were given and the public hearing was closed with a Motion by **Commissioner Desiray Larsen**, seconded by **Commissioner Kevin McGaha** and was unanimous.

ACTION:

Commissioner Desiray Larsen asked if the required 2850 square feet had to be living space or could it also include an unfinished basement? Staff said that the Code does not specify whether it has to be finished living space or not. It would not include a garage nor does it address the number of stories that may be in the homes design. Staff also said that the applicant was aware of the requirement for this conditional use in the RR-5 zone and they were provided with a letter outlining the requirements. If the applicant can meet the requirements then the size of the home would be reviewed by the building department when the building application was submitted. **Mr. Scott Holland** told the commissioner that the requirements were quite clear and that the size of the proposed home would exceed the necessary 2850 square feet. Staff also added that when a building permit is submitted the county planner also reviews the application to make sure that it meets the setback requirements and the percentage of coverage.

MOTION: A Motion was made by **Commissioner Kevin McGaha** to approve the Conditional Use Permit application of Scott & Veronica Holland, CUP15-006; seconded by **Commissioner Jay Christensen** and passed unanimously. (The BECLUM&DC, Section 5-6-060 outlining the development standards for Accessory Dwelling Units)ⁱ

SKIDMORE TRANSPORTATION SERVICES, INC. CUP16-001, A CONDITIONAL USE PERMIT FOR AN IMPOUND YARD LOCATED ON THE SOUTHEAST CORNER OF 2260 WEST HIGHWAY 13, WEST OF BRIGHAM CITY.

Staff explained that this petitioner was requesting a conditional use permit for a hard surface parking that would be used as an impound lot located between Brigham City and Corinne on Highway 13.

Mr. Jim Flint, from Hansen Engineering, presented the commissioners with a site plan stating that there would be no buildings and that the area would be use solely for the purpose of containing impounded vehicles. The site is approximately one-third of an acre and is already base rocked. The area is very flat and if necessary a berm could be constructed around the containment area. The area will be well-lit and in order to apply for the permit from the state it is necessary to first have the approval from the county. He also noted that Josh Skidmore (the landowner) and Matt Hansen (Hansen Motors) were in attendance and would be happy to address any concerns or questions that the planning commissioners might have.

No other comments were given and the public hearing was closed with a Motion by **Commissioner Laurie Munns**; seconded by **Commissioner Desiray Larsen** and was unanimous.

ACTION:

Chairman Chad Munns asked the petitioner(s) if they had been able to review the staff report that included the rules and regulations associated with this request. Staff said that there were a couple of additional concerns which included possibly having a berm around the area as Mr. Flint had mentioned and also that the details regarding the size and type of the sign to be placed on Highway 13 would need to be submitted in order to make sure that it met the regulations of the Code. The light that is currently in the area is adequate and there were additional conditions that staff had outlined in the staff report which had been given to the petitioner. As this is a request for a hard surface parking area, staff said that the planning commissioners could discuss the type of road base or surface material that they would like to see used. The county engineer had indicated that a type of asphalt or road base would be desirable and also showing a plan for any fluid containment if any of the vehicles should be leaking any fluids.

Commissioner Laurie Munns asked if it would need to have asphalt or could another type of hard surfacing be sufficient. Currently there is no definition in the Code that addresses “hard surface” according to staff.

Mr. Josh Skidmore said that the area is currently a compacted road base with gravel on top, as is the case with other impound yards, i.e. S&M Diesel in Corinne or Brett’s Towing on Forest Street they are graveled. He was basically asking to put up a chain-link fence to be able to secure vehicles in an impound yard. In regards to the signage, it would basically be a 3 foot by 5 foot piece of wood noting that it was an impound lot with the license number on it with a phone number to contact and would be attached to the chain-link fence.

Mr. Matt Hansen said that there is already a fence at the site and an additional fence would be placed inside of it as there are very specific requirements from the state in order to have an impound lot designated as a state impound lot. The standard six or eight foot chain-link fence also has to have three rows of barbed wire running along the top. This is going to be a holding yard for vehicles that may have been involved in an accident; a place where they can be stored while the owner may be waiting for information or a decision from an insurance company.

Staff’s concern was that with a conditional use permit, it runs with (or stays with the property/land) and if this petitioner moves on and sells the property the new owner might not follow the suggestions that are being made at this time. It is the responsibility of the planning commission to look at the items that can be mitigated and place any necessary conditions on the CUP that would remain with it regardless of who the landowner might be. Impound yards can sometimes be looked at as blight in the community and this planning commission has the ability to take care of any issues that they deem necessary in granting the CUP.

The petitioner(s) and the planning commissioner continued to discuss this project and items of concern after which the following motion was made.

MOTION: A Motion was made by **Commissioner Laurie Munns** to approve the CUP for a Hard Surface Parking Impound Lot with the conditions and findings as outlined by Staff. **Commissioner Kevin McGaha** then asked to amend the Motion with additional conditions that had been discussed with the petitioner, as did **Commissioner Bonnie Robinson**. **Commissioner Jay Christensen** then seconded the Amended Motion and the Motion passed unanimously.

Conditions of Approval (from Staff) (* indicates conditions from Staff and Planning Commissioners):

- a. Screened fencing on all four sides where the vehicles will be parked.*
- b. Lighting to adequately provide lighting for the property.*
- c. Signage near HWY 13 for the general public.

- d. Regarding the property west of this site where the access road will be, an easement will need to be recorded granting access (even though the property is currently owned by Mr. Skidmore that could change in the future).*
- e. Compliance with Article 5 of the BECLUM&DC.
- f. Compliance with Section 2-2-100, Conditional Use Permit, of the BECLUM&DC.
- g. Compliance with all applicable county, state, and federal laws regulating the proposed use, including all licenses, permits, etc.

Additional conditions as outlined by Planning Commission:

- 1. Screened fencing on all 4 sides where the vehicles will be parked.*
- 2. Lighting to adequately provide lighting for the property.*
- 3. Signage as required by the State of Utah, and meeting the requirements of Box Elder County.
- 4. Conditions and findings on staff report along with all comments from staff are taken care of on the site plan.
 - a. All comments already received by Hansen and Associates. (a construction of a berm will not be required)
 - b. A grading and drainage plan as approved by the County Engineer.
- 5. Fluid receptacles on site to catch any leaking fluid from vehicles.
- 6. No dismantling or salvaging of vehicles within the impound yard.
- 7. An all-weather hard surface road base maintained at the site.
- 8. No building will be constructed as part of this Conditional Use Permit, nor utilities.
- 9. Access road easement to be recorded in the County Recorder's office.*
- 10. Designated parking spaces provided outside of impound yard with signage.
- 11. A copy of the state license will be given to the Planning & Zoning office (may be done after Conditional Use Permit is obtained).
- 12. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
- 13. Compliance with Article 2-2-100, Conditional Use Permit, of the Box Elder County Land Use Management & Development Code.
- 14. Compliance with all applicable county, state, and federal laws regulating the proposed use, including all licenses, permits, etc.

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

Staff explained that this request was generated by the County in order to bring this parcel into compliance with the current BECLUM&DC language that was recently changed. When the Land Use Code was changed this parcel was not included in the zone change and is still listed as Municipal Solid Waste Zone and needs to change to Solid Waste Zone. The correction is for one word, "municipal". *Mr. Tim Munns* said that he was in favor of this change as it is just a technicality and supports the planning commission and the county commission in granting the CUP for this Solid Waste Zone once it is submitted to the county. No other comments were received and the public hearing was closed with a Motion by **Commissioner Desiray Larsen**, seconded by **Commissioner Kevin McGaha** and was unanimous.

ACTION:

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for the proposed re-zone

of parcel 01-012-0160 on Promontory Point; motion seconded by **Commissioner Kevin McGaha** and passed unanimously.

It was noted by **Chairman Chad Munns** that the **PROMONTORY POINT RESOURCES, CUP16-002**, conditional use permit for the construction of a non-hazardous landfill of approximately 2000 acres located on parcel 01-012-0160 had been removed from the agenda at the request of the petitioner. (This item had been noticed for a public hearing).

NEW BUSINESS

JAY CHRISTENSEN, AGRICULTURAL SUBDIVISION, REQUEST TO SUBDIVIDE 5.686 ACRES FOR AGRICULTURAL PURPOSES. LOCATED AT 11820 NORTH 10000 WEST IN THE BOTHWELL AREA.

Commissioner Jay Christensen asked to be excused from the discussion and action regarding this item. Staff then explained that this request is to subdivide this property by an agricultural subdivision. This type of subdivision is different than a subdivision where a home is being built in that the petitioner is able (as per the State Legislature regarding agricultural subdivision) to present the request without having to have a plat created and then approved by the planning commission. (*Exempt From Plat Requirements*) The land use authority, i.e. the Planning Commission reviews the request and then [may] grant approval. Once approval is granted, the petitioner would then take the new deeds to the recorder's office for recording. Staff also told the commissioners that this split will not result in a lot where a home is being built, but an agricultural building could be built and therefore does not have to show proof of utilities or approval from the Health Department.

MOTION: A Motion was made by **Commissioner Desiray Larsen** to grant approval for the Jay Christensen, Agricultural Subdivision. Motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously; with **Commissioner Jay Christensen** excusing himself.

UNFINISHED BUSINESS--NONE

NEBONET/J. C. MICKELSON, CUP15-011, CONDITIONAL USE PERMIT FOR LOCATION OF WIRELESS INTERNET ANTENNA STRUCTURE AT APPROXIMATELY 12596 WEST FAUST VALLEY ROAD IN BOTHWELL AREA OF BOX ELDER COUNTY.

This petitioner had come before the planning commission in January proposing this wireless antenna be located in the Marble Hills Subdivision. This subdivision has covenants that do not allow for any antennas other than those that are on the roof of a home. One of the residents was opposed to the location and wanted the covenants enforced. (The county does not enforce covenants, but the residents can.) Therefore, Nebonet has found another location located on the west side of Faust Valley Road. This location will still be able to service the clients of the area; however this antenna will need to be a sixty foot tall structure. **Chairman Chad Munns** asked if all of the conditions were being met with application, and staff said there are no specific conditions/regulations regarding the setbacks, as it does not fall under the guidelines of a telecommunications ordinance. However, as this is a conditional use permit the planning

commission could require specific setbacks under the essential services portion of the Code. There would need to be specific reasons for requiring the 110% setback.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to grant approval for the Nebonet Conditional Use Permit (wireless internet antenna structure) as presented. Motion was seconded by **Commissioner Desiray Larsen** and passed unanimously.

WORKING REPORTS

PLANNED UNIT DEVELOPMENT (PUD) FOLLOW-UP AND DISCUSSION

Staff reviewed the changes that had been made and additions that had been made by the county attorney, Steve Hadfield. Those changes were in the definitions and general requirements. As not all of the planning commissioners had been able to review the new changes, it was decided that this item would be placed on the agenda for the April 21, 2016 meeting. **Chairman Chad Munns** still had some [real] concerns where this type of development would be allowed. The main concern was that it [a PUD] would be allowed in any of the zones throughout the county and that should probably be addressed, possibly during a public hearing.

CHANGE DATE OF THE MAY PLANNING COMMISSION MEETING

The date for the May planning commission meeting was changed from the third Thursday to the second Thursday as the staff would be attending a conference conflicting with the regularly scheduled meeting.

REAPPOINTMENT OF PLANNING COMMISSIONERS (CHAD MUNNS, LAURIE MUNNS & JAY CHRISTENSEN), OR NEW APPOINTEES.

Commissioner Chad Munns and **Commissioner Laurie Munns** both said that they would agree to be reappointed for another term of three years of serving on the planning commission. **Commissioner Jay Christensen** said that he would not be able to be reappointed and he was given thanks for the years that he has served on the commission. Staff said that they will have some potential names to submit to the County Commissioners for their selection of his replacement, hopefully in time for the April 21, 2016 meeting.

PUBLIC COMMENTS

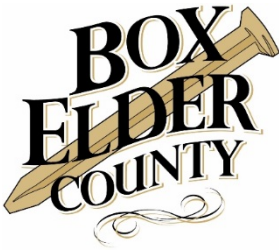
Mr. Tim Munns stated again that he was in favor of the proposed landfill at Promontory and asked what the status was of the permit that was applied for regarding the landfill in Hansel Valley. Also was there any time constraint on how long that permit could stay at its current state, noting that it has been well over a year since it was originally applied for. *County Attorney, Steve Hadfield* said that he didn't think there was anything in the Code that addressed how long a permit/petition request could be tabled. **Mr. Munns** also said that he and several of the other residents of the Hansel Valley area were interested in looking into having that area zoned to help protect the water shed and residents of that area. He was then directed to get in contact with the staff of the Planning and Zoning Department to proceed.

A **Motion** was made to adjourn at 8:38 p.m., unanimous.

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

Chad Munns, Chairman
Box Elder County
Planning Commission

- i
- A. The property owner, which shall include titleholders and contract purchasers, must occupy either the principal unit or the ADU, as their permanent residence. Application for an ADU shall include evidence of owner occupancy as defined in section 5-6-040 of this chapter.
 - B. ADUs shall not be sold separately from the main unit.
 - C. ADUs shall not be rented on a transient basis (periods less than 30 days).
 - D. Only one (1) ADU may be created per lot or property in zones that allow single-family dwellings.
 - E. The design and size of the ADU shall conform to all applicable standards in the building, plumbing, electrical, mechanical, fire, health, and any other applicable codes.
 - F. Installing separate utility meters and separate addresses for the ADU is prohibited.
 - G. The total area of the ADU shall be less than forty percent (40%) of the square footage of the primary residence.
 - H. ADUs shall be occupied by no more than two (2) related or unrelated adults and their children.
 - I. The minimum lot size required for construction of an ADU in all zones that allow single-family dwellings shall be twenty thousand (20,000) square feet.
 - J. ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
 - K. ADUs and the main dwelling must be on the same parcel and may not be subdivided.
 - L. ADUs shall be compatible with the exterior color and materials of the principal dwelling.
 - M. The maximum height for ADUs is limited to one story and to twenty (20) feet or the height of the principal structure, whichever is less.
 - N. A minimum of one (1) off street parking space must be provided for the ADU.
 - O. Where an existing subdivision has CC&Rs in place that govern ADUs the more restrictive regulation shall govern the use and development of that subdivision.
 - P. The planning commission may place other appropriate or more stringent conditions deemed necessary in approving ADUs to protect the public safety welfare and single-family character of the neighborhood.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 21, 2016

Agenda Item #: 3a

Application Type:

Site Plan review for Northshore Rail Services

APPLICANT(S):

Northshore Rail Services LLC.

PROJECT #:

SP16-002

ZONE:

Un-Zoned

PARCEL #:

01-011-0044, 0047, 0048, 0093

TYPE OF ACTION:

Administrative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

The applicant is requesting Site Plan approval for rail services located at the South end of Promontory Point on East Promontory Road on Parcels: 01-011-0044, 0047, 0048, 0093.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture	Un-zoned
South	Great Salt Lake	Un-zoned
East	Agriculture	Un-zoned
West	Proposed Landfill	Municipal Solid Waste

ANALYSIS

County Code:

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code section 2-2-120.D.2.c, allows the construction and use of rail services for 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.

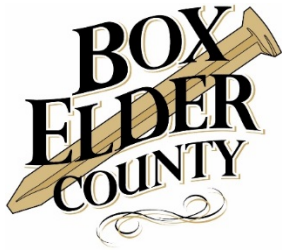
A. The proposed use shall be allowed as a permitted use in the applicable zone. Yes

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:

Box Elder Land Use Management & Development Code requires no specific setbacks for this use in the un-zoned district. However, Section 1-1-100 of the Code does maintain that where any more restrictive provisions of covenants, agreements, and other ordinances or laws exist that more restrictive provision shall apply.

Access:

Access to the property is obtained on East Promontory Road. As a side note, the applicant is requesting to relocate the current position of this County road.

County Department Review:

All applicable County departments are currently reviewing the application materials, comments can be provided at the meeting if desired.

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 is still in the review process by County Departments.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the following 3 options to the Planning Commission:**

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SP16-002, a Site Plan for Northshore Rail Services LLC, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

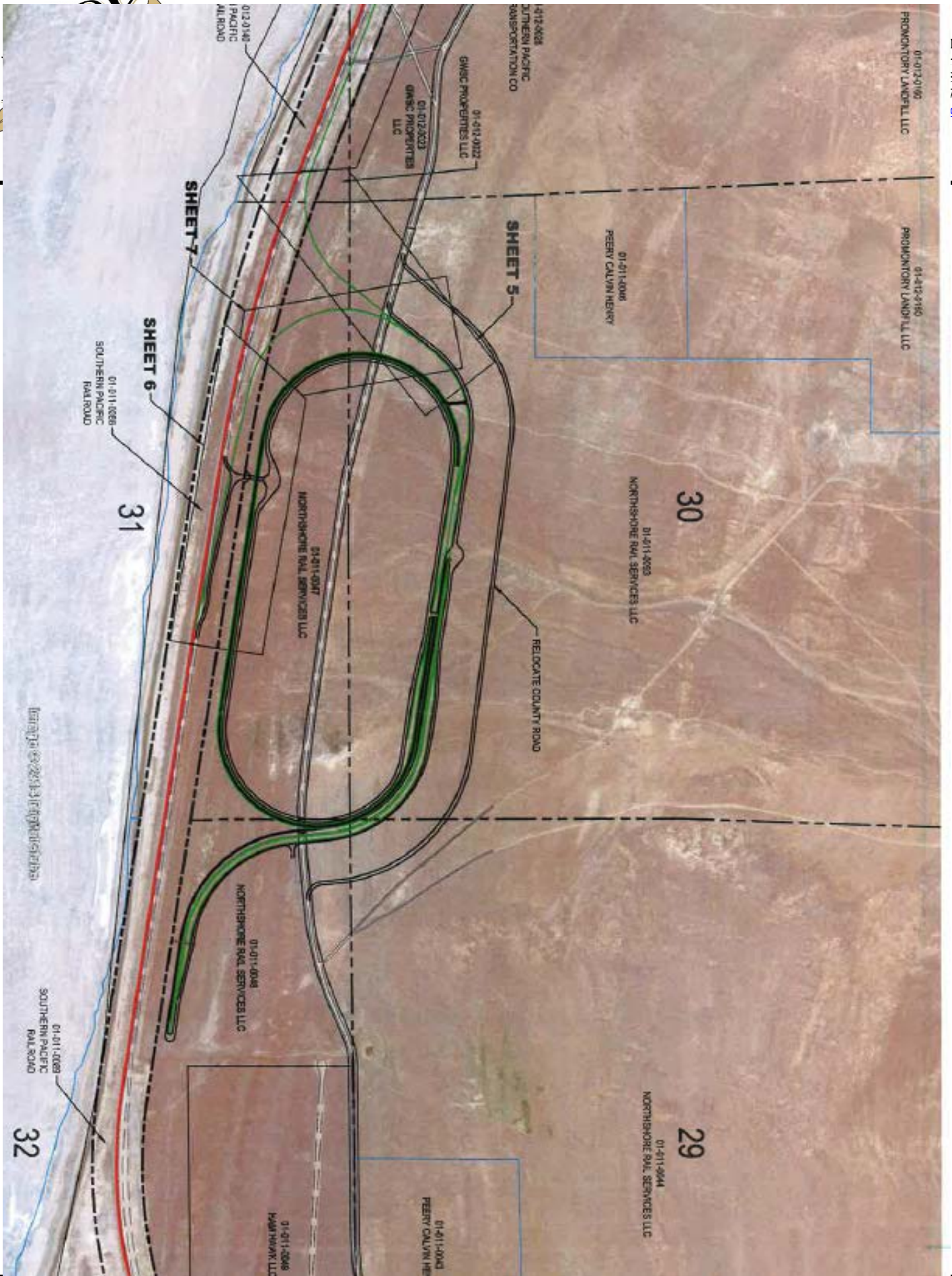
Table – “I move the Planning Commission table the review of application number SP16-002, a Site Plan for Northshore Rail Services LLC, to (give date), based on the following findings:”

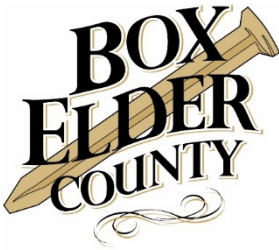
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Denial – “I move the Planning Commission deny application number SP16-002, a Site Plan for Northshore Rail Services LLC, 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: April 21, 2016

Agenda Item #: 3b

Application Type:

Subdivision Amend and Extend

APPLICANT(S):

Silverio & Teresa Chairez

PROJECT #:

SS16-006

ADDRESS:

13265 North 5400 West in the Garland area

ZONE:

Un-zoned

PARCEL #:

06-054-0074

TYPE OF ACTION:

Administrative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

The applicant is requesting an amendment to the Robinson Subdivision plat in order to create a new 1/2 acre building lot within this subdivision. (see attached plat)

ANALYSIS

County Code:

Land Use Management & Development Code 6-1-190 requires the subdivision of property to be approved by the Box Elder County Commission with recommendation from the Planning Commission.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agricultural	Un-zoned
South	Residential	Un-zoned
East	Agricultural	Un-zoned
West	Residential	Un-zoned

Access:

Access to all lots currently exist and will remain as approved on the original subdivision plat.

Utilities:

All necessary letters have been submitted and are satisfactory for all utilities.

Setbacks:

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

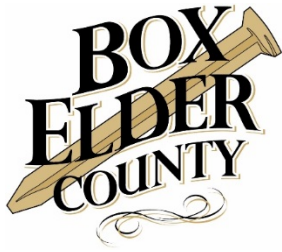
Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Article 6 outlines the requirements for subdivision review. Per State Code 17-27a-608 the applicant and all owners in the subdivision have not signed the plat thereby the Planning Commission will consider at a public hearing the applicant's petition to amend the subdivision plat.

County Department Reviews:

The County Surveyor Building Department, and GIS Department have reviewed the plat and recommended approval.

The Fire Marshal and Roads Department have reviewed the plat and have no issues with this amendment and recommend approval.



Findings:

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

1. With conditions outlined in the recommendation section of the staff report, the final amended subdivision plat complies 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. 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.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SS16-006, an amended plat for the Robinson Subdivision, located at approximately 13265 North 5400 West in the Garland area of 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 the review of application number SS16-006, an amended plat for the Robinson Subdivision, located at approximately 13265 North 5400 West in the Garland 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 SS16-006, an amended plat for the Robinson Subdivision, located at approximately 13265 North 5400 West in the Garland area of unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

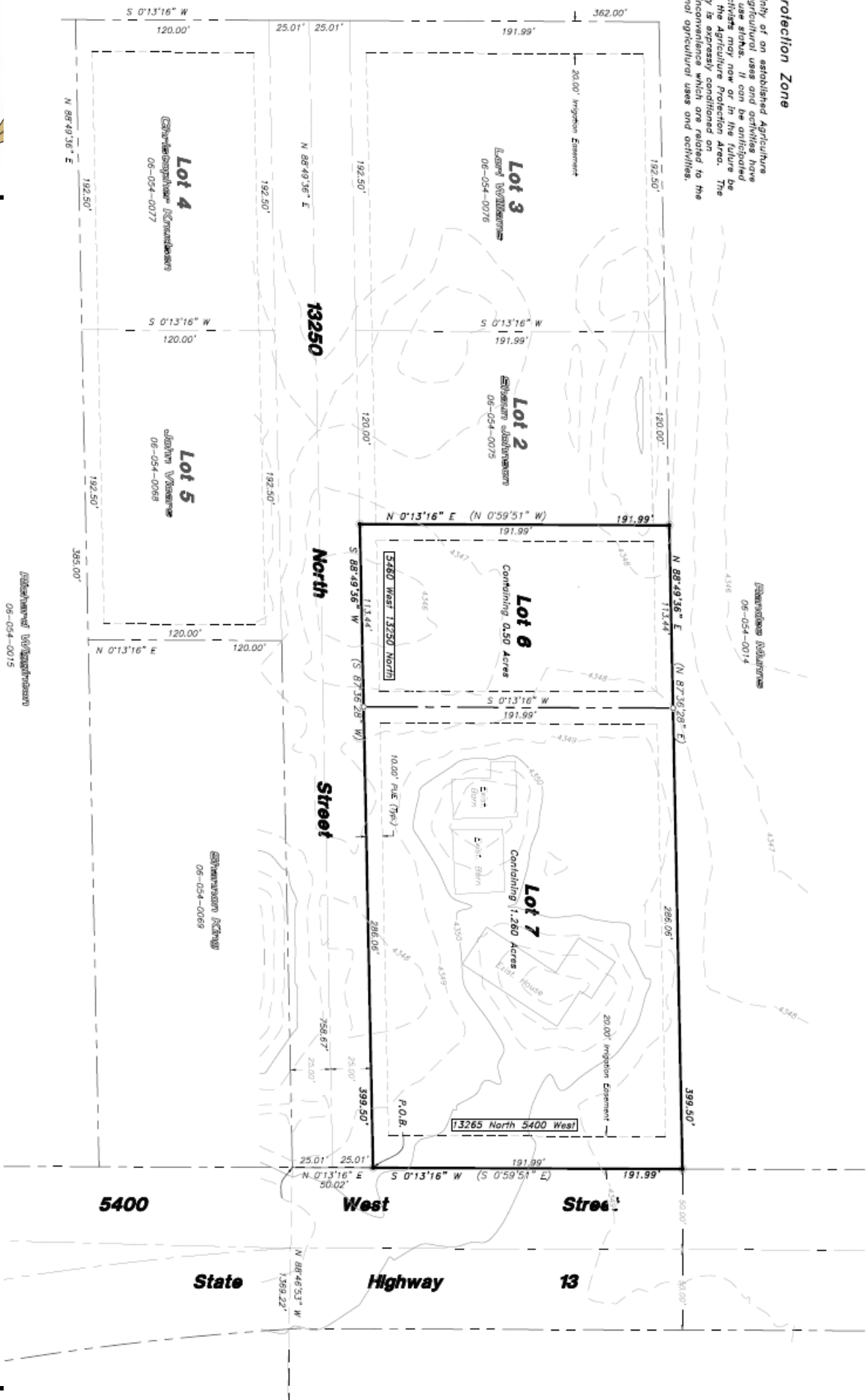
Please feel free to contact Marcus Wager at 435-734-3308 with any questions.

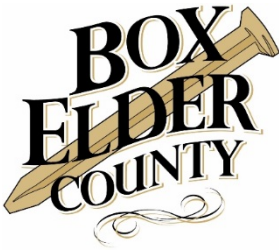
Robinson Subdivision First Amendment to Lot 1

Box Elder County, Utah
A Part of the Northeast Quarter of Section 26,
Township 12 North, Range 3 West, Salt Lake Base & Meridian

Northwest Corner of Sec
T. 12 N., R. 3 W., S. 26 N.
Found B.L. Co. Monument

Fire Protection Zone
The vicinity of an established Agriculture
normal agricultural uses and activities have
priority use status. It can be anticipated that
the agricultural uses and activities will be
continued in the Agriculture Protection Area. The
property is appraised and conditioned on
the basis of normal agricultural uses and activities.





PLANNING COMMISSION

STAFF REPORT

Meeting Date: April 21, 2016

Agenda Item #: 3c

Application Type:

Subdivision

APPLICANT(S):

Brian & Nathan Rose

PROJECT #:

SS16-007

ADDRESS:

7220 South 550 West
(South Willard Area)

ZONE:

R-1-20

PARCEL #:

02-055-0094, 01-040-0037

REPORT BY:

Scott Lyons,
Planning Manager

BACKGROUND

The applicant is requesting final approval of the Valley View Estates Phase 3 subdivision plat. Phase 1 was approved in 2006. Phase 2 was approved in 2010.

ANALYSIS

County Code:

Land Use Management & Development Code 6-1-190 requires the subdivision of property to be approved by the Box Elder County Commission with recommendation from 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	Hillside	R-1-20
West	Residential	R-1-20

Access:

Access to all lots via county road 7150 South (constructed and dedicated as part of Phases 1 and 2). Additional roadway is proposed to create access and frontage for new lots. The proposed roadway has portions that exceed the maximum grade allowed by county code. Proposed is 12% and county code allows a maximum of 10% for a 500-foot span.

Utilities:

Proof of utilities for all lots have been submitted.

Setbacks:

All setbacks for the R-1-20 zone can be met. Setbacks will be reviewed and enforced during the building permit process.

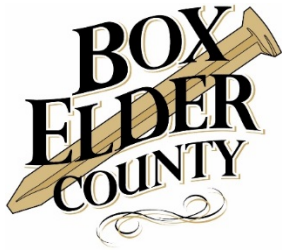
Land Use Ordinance Standards Review:

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

County Department Reviews:

The County Surveyor/Engineer is in the process of reviewing the plat. He has met with the developer on-site and discussed his main concerns.

The Fire Marshal has reviewed the plat and has no concerns.



The Roads Department has reviewed the plat and has the following concerns:

1. The steep grades (12%), needs to see them reduced to 10%.
2. The plat needs to show a temporary turnaround at the end of 7250 South.
3. He would also like to see a retaining wall to stabilize the hillside along 550 West once they excavate for the roadway.
4. All new pavement will need a chip seal and fog seal before the County will accept the roads.

Findings:

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

1. The currently proposed plat does not comply with the subdivision regulations of Box Elder County.
2. The applicant must redesign the roadways to meet the county road standards of 10% maximum slope or apply to the Hearing Officer for a variance of 2% to move forward with a 12% slope. (the applicant has been made aware of this)

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff recommends the Planning Commission TABLE SS16-007** giving the applicant additional time to resolve issues with the proposed plat.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SS16-007, a final plat for the Valley View Phase 3 Subdivision, located at approximately 7220 South 550 West in the South Willard area of 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 the review of application number SS16-007, a final plat for the Valley View Phase 3 Subdivision, located at approximately 7220 South 550 West 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 SS16-007, a final plat for the Valley View Phase 3 Subdivision, located at approximately 7220 South 550 West 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.

