

BOX ELDER COUNTY PLANNING COMMISSION AGENDA

January 19, 2023

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

1. **CALL TO ORDER 7:00 p.m.** (County Commission Chamber Room, Main Floor)
 - a. Roll Call (Commissioners S. Zollinger, K. McGaha, B. Robinson, M. Wilding, J. Holmgren, J. Pugsley, V. Smith, J. Jacobsen, and L. Jensen)
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL of the December 15, 2022 Planning Commission Minutes.**
5. **UNFINISHED BUSINESS - NONE**
6. **PUBLIC HEARINGS**
 - a. **ORDINANCE TEXT AMENDMENT, Z22-015, Request for a text amendment adding Section 5-1-360, Annexation Policy. ACTION**
7. **NEW BUSINESS**
 - a. **SOLIVIA OFFICE PARK, SP22-003, Request for Site Plan approval of a recycling and manufacturing facility located at approximately 12425 N Canal Bank Road in the Garland area of Unincorporated Box Elder County. ACTION**
 - b. **MACEDO IMPOUND YARD, SP22-004, Request for Site Plan approval of an automotive impound yard located at approximately 10315 N 8400 W in Unincorporated Box Elder County. ACTION**
8. **WORKING REPORTS**
 - a. Water Presentation – BRWCD/BRCC
 - b. Kennels
9. **PUBLIC COMMENT**
10. **ADJOURN**

BOX ELDER COUNTY PLANNING COMMISSION MINUTES December 15, 2022

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

Roll Call

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

the following Staff was present:

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

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

The Invocation was offered by **Commissioner Bonnie Robinson**.
Pledge was led by **Commissioner Jed Pugsley**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the November 17, 2022 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jed Pugsley** to approve the minutes as written. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

UNFINISHED BUSINESS

ALPINE SPRING ESTATE SUBDIVISION, SS22-020, Request for preliminary approval for a 19-lot subdivision located at approximately 300 West 100 South in the Fielding area of Unincorporated Box Elder County. ACTION

Staff explained the preliminary plat was first presented to the Planning Commission in July of this year. Upon review the item was tabled for up to six months due to issues with several lots not meeting county development requirements, primarily FEMA floodplain issues. The applicant is still working on the issues and is waiting to hear back from FEMA. He would like the item tabled again.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to table application S22-020 a preliminary plat for the Alpine Springs Estates Subdivision for up to six months while the applicant is still working with FEMA. The motion was seconded by **Commissioner Jed Pugsley** and unanimously carried.

ORDINANCE TEXT AMENDMENT, Z22-014, Request for a text amendment to Section 1-3-040, Definitions, as well as the use tables in Chapter 3-2, Chapter 3-3, and Chapter 3-7 of the Box Elder County Land Use Management Development Code. ACTION

Staff explained a public hearing for this text amendment was held in October with further refinement being made in the November meeting. The County Attorney has completed his review and has recommended two minor modifications. In Section 1-3-040, Animals and Fowl for Recreation and Family Food Production the language is vague. The language is now clarified to show which zones apply to large animal regulations and which zones apply to small animal regulations. The definition regarding apiaries is also vague in regards to the number of hives. There is no clear definition of aviary so aviary has been replaced by the word beehive. Staff recommends forwarding a recommendation of approval.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z22-014, an ordinance text amendment, adopting the conditions and findings of staff and adopting the two changes suggested by the County Attorney clarifying the small animal portion, switching out the word apiary for the word beehive, and removing the sentence ‘All animals shall have a minimum of two of the same type of animal for wellbeing’. The motion was seconded by **Commissioner Steven Zollinger** and passed unanimously.

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.

VALLEY VIEW ESTATES SUBDIVISION PH 3, SS22-024, Request for preliminary approval for a subdivision located at approximately 550 West 7150 South in the Willard area of Unincorporated Box Elder County. ACTION

Staff said this application was tabled by the Planning Commission on September 15th, 2022 for three (3) months to have the applicant bring their project into compliance with the following conditions:

1. Compliance with all comments from County staff.
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.
5. Drainage easements need to be dedicated to the South Willard Flood Control District and the frontage on Lot 1 addressed.

Staff sent reminder emails to the applicant on November 22, 2022 and December 7, 2022 but has not received any response nor any updated plats addressing the necessary revisions. Staff has spoken with Josh Braegger, President of the South Willard Flood Control District. Mr. Braegger is unsure if an easement needs to be dedicated for the drainage area. He is going to put the item on the district's agenda in January for discussion and get an answer regarding the easement.

MOTION: A Motion was made by **Commissioner Jed Pugsley** to table the application SS22-024, a preliminary plat for Valley View Estates Phase 3 Subdivision for up to 90 days based on the conditions & findings of the staff report. The motion was seconded by **Commissioner Kevin McGaha** and unanimously carried.

PUBLIC HEARINGS - NONE

NEW BUSINESS

CONDITIONAL USE PERMIT, CUP22-007, Request for a Conditional Use Permit for an Accessory Dwelling Unit, located at approximately 11660 North Rocky Point Road in the Bothwell area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting a Conditional Use Permit for an Accessory Dwelling Unit. They want to convert an existing 1375 sq. foot home into an external accessory dwelling unit to allow for the construction of a new 4054 sq. ft. main home. The surrounding land uses are Agriculture and Rural Residential. The surrounding zones are Unzoned with part of the north and east being bordered by Tremonton. Following are the standards for review for conditional uses:

1. Decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards.
2. Negative impacts on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems.
3. Negative impacts on connectivity and safety for pedestrians and bicyclists.
4. Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable within the district including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, electromagnetic disturbances, glare, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.

5. Environmental impacts that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people such as waste disposal, fire safety, geologic hazards such as fault lines, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.
6. Modifications to signs and exterior lighting to assure proper integration of the use.
7. Incompatible designs in terms of use, scale, intensity, height, mass, setbacks, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.
8. Reduction in the tax base and property values.
9. Reduction in the current level of economy in governmental expenditures.
10. Insufficient emergency fire service and emergency vehicle access as determined by the County Fire Marshall.
11. Reduction in usable open space.
12. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.

All applicable county departments have reviewed the application and staff recommends approval.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to approve application CUP22-007, a Conditional Use Permit for an Accessory Dwelling Unit and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Kevin McGaha** and unanimously carried.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
2. Compliance with Article 2-2-100, Conditional Use Permit, 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 licenses, permits, etc.

BECKAM'S EDGE SUBDIVISION PH 3, SS22-034, Request for final approval for a subdivision located at approximately 11050 North 8285 West in the Tremonton area of Unincorporated Box Elder County. ACTION

Staff explained when the application was submitted for preliminary approval, the applicant did not own all the land. Since that time the applicant has acquired the land to the south. The developer has worked with the fire marshal and there will be a 30 ft. access for emergency purposes which will eventually be a full road. The proposed subdivision phase is six lots, five of those will be 1.75 acres which is the minimum required to have a septic system and a well on the same lot. There is water infrastructure from West Corinne that comes in and runs to the north end and will be installed to the south end as well with hydrants installed for fire suppression. The developer has secured water rights and well permits for each of the lots from the Division of Water Rights.

Staff said when the plat was submitted there were errors in the legal description. The revisions have been made but the County Engineer and County Surveyor have not reviewed the updated plat. The County Road Supervisor is aware of the extended infrastructure and the County Fire Marshal has approved the design.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to approve the SS22-034, a final plat for the Beckam's Edge Phase 3 Subdivision and adopting the conditions findings of staff. The motion was seconded by **Commissioner Jed Pugsley** and unanimously carried.

CONDITIONS:

1. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code.
3. Subject to review and approval by the County Engineer, Surveyor, Roads, Planning, and Building departments, and County Attorney.
4. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

WORKING REPORTS

Kennels

Staff has created an outline regarding kennels. Staff will email the outline to the Planning Commission to receive feedback to see if county code regarding kennels needs to be modified.

PUBLIC COMMENTS

Clyde Westley, Willard, said he is concerned that Willard City is getting into the gravel pit business. Mr. Westley gave the commissioners a statement of his concerns for review.

(See Attachment No. 2 – Statement.)

ADJOURN

MOTION: A Motion was made by **Commissioner Steven Zollinger** to adjourn commission meeting. The motion was seconded by **Commissioner Kevin McGaha** and meeting adjourned at 8:42 p.m.

Mellonee Wilding, Chairman
Box Elder County Planning Commission



**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: January 19, 2023

Agenda Item #:

Application Type:

Ordinance Text Amendment

APPLICANT(S):

Box Elder County

PROJECT #:

Z22-015

ORDINANCE:

Section 5-1-360 (new)

TYPE OF APPLICATION:

Legislative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

The county is proposing a text amendment to amend Section 5-1-360, Annexation Policy. Specifically this text amendment would be adding in this section of code to apply to all areas of unincorporated Box Elder County. See proposed verbiage below.

ANALYSIS

County Code:

The Box Elder 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;

Multiple chapters of the General Plan highlight that development should happen within City’s/Towns. The proposed amendment is consistent with the County’s General Plan.

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

This text amendment would apply to all areas of unincorporated Box Elder County. The proposed amendment should be harmonious with the overall character of existing development.

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

The goal of the proposed amendment is to have better development near City’s/Towns (development that will fit in with the City/Town as it will be annexed in the future). The public hearing process may shed additional light on this subject.

D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

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

FINDINGS:

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

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

RECOMMENDATION

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

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

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

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z22-015, an ordinance text amendment adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

Table – “I move the Planning Commission table the review of application number Z22-015, an ordinance text amendment to (give date), based on the following findings:”

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

Denial – “I move the Planning Commission forward a recommendation of denial to the County Commission, application number Z22-015, an ordinance text amendment 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.

Proposed Text Amendment:

5-1-360 Annexation Policy

The Box Elder County Commission, Planning Commission, or Community Development Office shall defer any proposed Land Use Application within unincorporated Box Elder County (except building permits that are not using municipal utilities) if the development is:

- a. Located within any municipal annexation policy plan as defined in Utah Code 10-2-401.5, or
- b. Located within ½ mile of any municipality incorporated boundary, if a municipality does not have an annexation policy plan boundary, or
- c. If a development or building lot will be using any utility provided by a municipality.

If the proposed development meets any of the above criteria, the developer shall provide the applicable municipality(s) with a Notice of Intent to File a Petition (Utah Code 10-2-403 (2) (a) (i)) and thereafter work with the County Clerk to meet all the noticing requirements contained in Utah Code. Upon the County Clerk providing the applicable municipality with the certification of complying with the Notice of Intent to File a Petition the developer shall petition the municipality for annexation. If the municipality(s) rejects the petition for annexation, the developer shall provide signed documentation from the municipality(s) showing the municipality's rejection of an annexation petition.

Any development using a municipality's utilities cannot have a higher density than that allowed by the municipality providing the utilities.



PLANNING COMMISSION

STAFF REPORT

Meeting Date: January 19, 2023
Agenda Item #: 7a

Application Type:

Site Plan
Recycling/Manufacturing

APPLICANT(S):

Troy Ferran

PROJECT #:

SP22-003

ZONE:

Unzoned

PARCEL #:

06-060-0118, -0130

TYPE OF ACTION:

Administrative

REPORT BY:

Scott Lyons,
Comm. Dev. Director

BACKGROUND

The applicant is requesting site plan approval for a recycling and manufacturing facility. The proposed use is on a 10.5 acre parcel located at 12425 North Canal Bank Road in an unzoned area of Box Elder County between Tremonton and Garland. The facility would use some existing buildings on the site, some existing buildings would be demolished, and a new 20,000 square foot building is proposed. Per the application the facility takes industrial scrap waste (P&G is a local customer) recycles it and manufactures spill absorbent products to service the oil and chemical industries. Products manufactured include spill socks, spill booms, and other absorbent products. The manufacturing operations will consist of three small manufacturing lines.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Rural Residential	Unzoned
South	Rural Residential	Unzoned
East	Agriculture	Unzoned
West	I-15	Unzoned

ANALYSIS

County Code:

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Section 2-2-120.D.2.c allows manufacturing uses as a permitted use in unzoned areas 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.
Whether the proposed use/design conforms to development standards is still being reviewed by the County Fire Marshal, County Engineer, and County Roads Supervisor.
- C. The proposed use shall conform to all applicable regulations of general applicability and regulations

for specific uses set forth in this Code.

This is still under review.

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

This is still under review.

- 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:

- There is one new 20,000 square foot building proposed as part of the site plan. It appears that this building is approximately 10-12 feet from the north property line where the required minimum setback is 15 feet. The applicant has been notified of this.
- The property is currently two parcels. The proposed new building would infringe on the existing property lines. The applicant needs to combine the two parcels into one to avoid this setback issue. The applicant has been notified of this.
- There is an existing building to be demolished.
- There is an existing building to remain that meets setback requirements.

Access:

Access to the property is via Canal Bank Road an existing county road.

Items being reviewed and questions posed to applicant:

- Are there any odors associated with the proposed use?
- Is the sound/noise associated with the proposed use?
- What traffic will the proposed use generate? Type and frequency?
- Will there be any outdoor storage associated with the proposed use? Chemicals, pre/post recycled materials or waste, anything?
- Is there any outdoor lighting proposed? All lighting must be directed downwards and hooded in order to not pollute adjacent properties.
- Is there any other signage proposed beyond what is shown in the project overview?
- Are there any hazardous chemicals stored/used onsite?
- Are there any flammable materials stored/used onsite?
- What are the proposed hours of operation?
- Parking - none shown on site plan
 - Customers?
 - Employees - minimum required is max shift

County Department Reviews:

- The County Engineer is waiting on a revision of the site plan.

-
- The County Roads Supervisor is currently reviewing the site plan.
 - The County Fire Marshal is currently reviewing the site plan.
 - The County Building Official is currently reviewing the site plan.

FINDINGS:

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

1. The Box Elder Land Use Management and Development Code does allow for manufacturing/industrial uses in the unzoned areas subject to Site Plan review and approval by the Planning Commission.
2. The proposed Site Plan is still under review by several departments.

RECOMMENDATION

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

1. Compliance with Section 2-2-090, Permitted Use Review, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Section 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
3. Compliance with reviews from the Zoning Administrator, County Engineer, Road Supervisor, Fire Marshal, and Building Official.
4. All grounds shall be maintained in accordance with Section 5-1-300, Conservation of Values, of the Box Elder County Land Use Management & Development Code.
5. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
6. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

MODEL MOTIONS

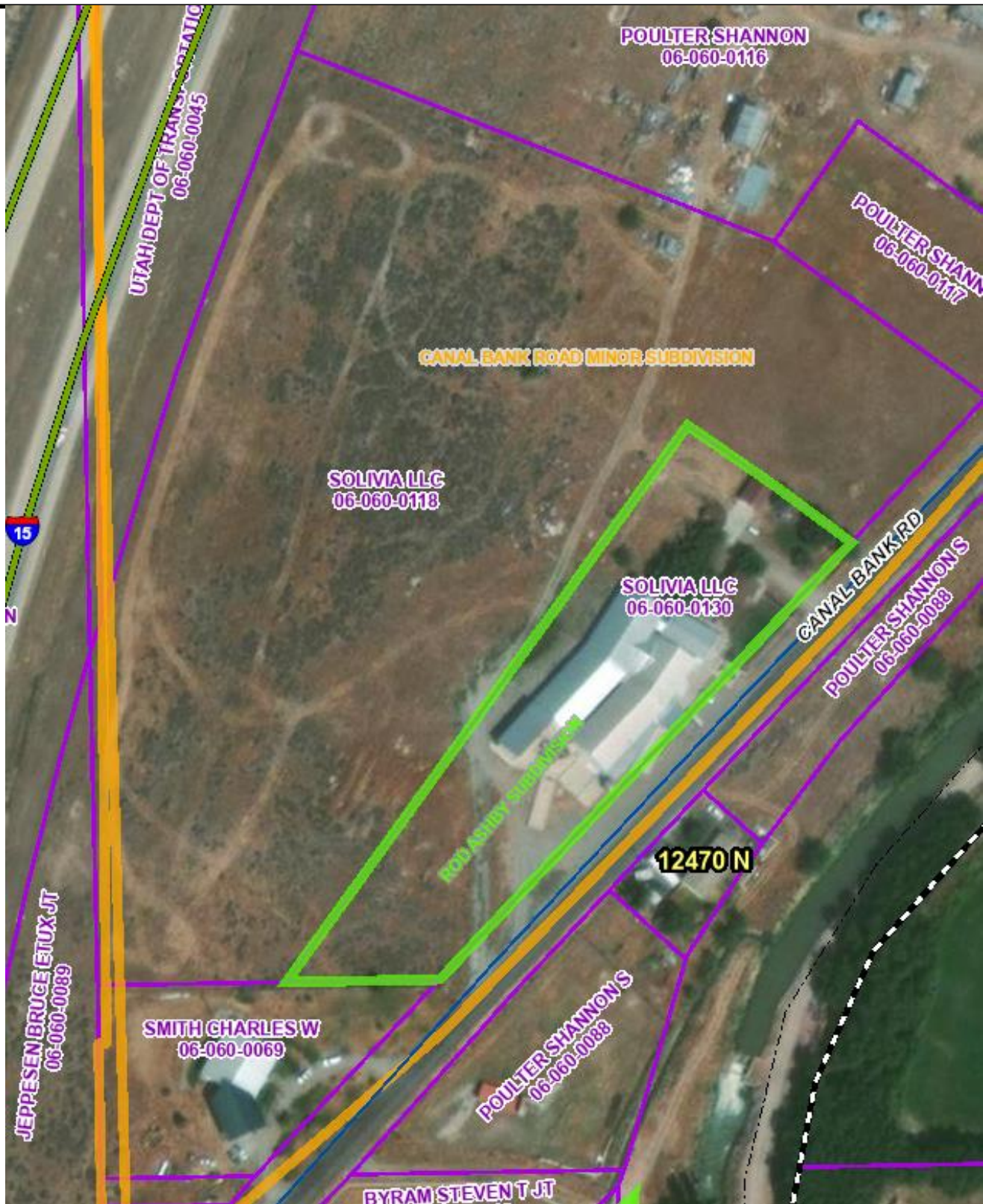
Approval – “I move the Planning Commission approve application number SP22-003, a Site Plan for a recycling/manufacturing facility, and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

Table – “I move the Planning Commission table the review of application number SP22-003, a Site Plan for a recycling/manufacturing 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...

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





PLANNING COMMISSION

STAFF REPORT

Meeting Date: January 19, 2023
Agenda Item #:

Application Type:

Site Plan
Impound Yard

APPLICANT(S):

Hernan Macedo

PROJECT #:

SP22-004

ZONE:

Unzoned

PARCEL #:

05-083-0029

TYPE OF ACTION:

Administrative

REPORT BY:

Scott Lyons,
Comm. Dev. Director

BACKGROUND

The applicant is requesting site plan approval for a fenced automotive impound yard. The proposed use is on approximately 1/2-acre of a 1-acre parcel located at 10315 North 8400 West in an unzoned area of Box Elder County 1.5 miles southwest of Tremonton.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agriculture	Unzoned
South	Agriculture	Unzoned
East	Agriculture	Unzoned
West	Agriculture	Unzoned

ANALYSIS

County Code:

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Section 2-2-120.D.2.c allows automotive impound yards as a permitted use in unzoned areas 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.
Whether the proposed use/design conforms to development standards is still being reviewed by the County Fire Marshal, County Engineer, and County Roads Supervisor.
- C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set forth in this Code.
This is still under review.
- D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances.
This is still under review.
- 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:

There are no buildings proposed as part of the proposed site plan.

Access:

Access to the property is via 8400 West an existing county road. Access within the site should be maintained and kept open and free from storage as required by the Fire Marshal to provide adequate access for fire protection.

Proposed Conditions:

The applicant is proposing the following:

- Screened fencing to be provided on all four sides where vehicles will be parked.
- Security lights to provide adequate lighting for the property. Proposed are security lights at the four corners of the fenced impound area.
- Signage as required by the state of Utah.
- Fluid receptacles on site to catch any leaking fluid from vehicles.
- No dismantling or salvaging of vehicles.
- Maintained road base surface.
- No new buildings will be constructed as part of this project.
- Customer parking spaces will be provided outside of the impound yard area with signage.
- Once a state license is obtained, a copy will be provided to the County Community Development office.

Staff proposed conditions:

- No stacking or racking vehicles, only one vehicle height permitted in the impound area.
- Lighting must be directed downward and be hooded in order to prevent light pollution onto neighboring properties.
- All grounds shall be maintained in accordance with Section 5-1-300, Conservation of Values, of the Land Use Code. The site shall be maintained free of inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
- The remainder of the property must be brought into conformance with Section 5-1-300, Conservation of Values, of the Land Use Code.

County Department Reviews:

- The County Engineer is currently reviewing a second revision of the site plan.
- The County Roads Supervisor is currently reviewing a second revision of the site plan.
- The County Fire Marshal is currently reviewing a second revision of the site plan.
- The County Building Official is currently reviewing a second revision of the site plan.

FINDINGS:

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

1. The Box Elder Land Use Management and Development Code does allow for commercial/industrial uses in the unzoned areas subject to Site Plan review and approval by the Planning Commission.
2. The proposed Site Plan is still under review by several departments.

RECOMMENDATION

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

1. Compliance with Section 2-2-090, Permitted Use Review, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Section 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
3. Compliance with reviews from the County Engineer, Road Supervisor, Fire Marshal, and Building Official.
4. Screened fencing to be provided on all four sides of impound area where vehicles will be parked.
5. Security lights to provide adequate lighting for the property. Lighting must be directed downward and be hooded in order to prevent light pollution onto neighboring properties.
6. Signage as required by the state of Utah.
7. Fluid receptacles on site to catch any leaking fluid from vehicles.
8. No dismantling or salvaging of vehicles.
9. All weather road base surface to be maintained.
10. No new buildings approved/constructed as part of this project.
11. Customer parking spaces will be provided outside of the impound yard area with signage.
12. Once a state license is obtained, a copy will be provided to the County Community Development office.
13. No stacking or racking vehicles, only one vehicle height permitted in the impound area.
14. Access within the site should be maintained and kept open and free from storage as required by the Fire Marshal to provide adequate access for fire protection.
15. All grounds shall be maintained in accordance with Section 5-1-300, Conservation of Values, of the Land Use Code. The site shall be maintained free of inappropriately stored flammable materials. Materials that are customary to the business shall be stored in accordance with applicable laws.
16. The remainder of the property must be brought into conformance with Section 5-1-300, Conservation of Values, of the Land Use Code.
17. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
18. 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 SP22-004, a Site Plan for an automotive impound yard, 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 SP22-004, a Site Plan for an automotive impound yard, 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...

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



