

# BOX ELDER COUNTY PLANNING COMMISSION AGENDA

January 18, 2024

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, 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 21, 2023 Planning Commission Minutes.**
5. **UNFINISHED BUSINESS**
  - a. None
6. **PUBLIC HEARINGS**
  - a. **ZONING MAP AMENDMENT, Z23-017, Request for a zone change of 8 acres from A-20 (Agriculture 20 acres) to C-G (General Commercial) and 12.925 acres from A-20 (Agriculture 20 acres) to RR-10 (Rural Residential 10 acres) located at approximately 8205 S 1500 W in the South Willard area of Unincorporated Box Elder County.**
7. **NEW BUSINESS**
  - a. **SILVER EAGLE SUBDIVISION, SS23-025, Request for preliminary approval of a 4-Lot subdivision located at approximately 1700 S Willard Peak Road in the Mantua area of Unincorporated Box Elder County. ACTION**
  - b. **SUMMER LAND RANCHES PH. 2, SS23-023, Request for preliminary approval of a 12-Lot subdivision located at approximately 10300 West 13600 N in the Tremonton area of Unincorporated Box Elder County. ACTION**
8. **WORKING REPORTS**
  - a. None
9. **PUBLIC COMMENT**
10. **ADJOURN**

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES DECEMBER 21, 2023

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

*Roll Call*

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

*the following Staff was present:*

Scott Lyons	Comm Dev Director
Marcus Wager	County Planner
Destin Christiansen	Excused
Stephen Hadfield	County Attorney
Boyd Bingham	Excused
Diane Fuhriman	Executive Secretary

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

The Invocation was offered by **Commissioner Jared Holmgren**.  
Pledge was led by **Commissioner Jennifer Jacobsen**.

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

See Attachment No. 1 – Attendance Sheet.

The Minutes of the November 16, 2023 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 Jed Pugsley** and passed unanimously.

**UNFINISHED BUSINESS**

**ZONING MAP AMENDMENT, Z23-016, Request for a zone change of 11.905 acres from MU-160 (Multiple Use – 160 acres) to MG-EX (Mining, Quarry, Sand & Gravel Excavation) and 158.945 acres from MU-160 (Multiple Use – 160 acres) to MU-80 (Multiple Use – 80 acres) located in Willard Canyon at approximately 370 North 700 East currently parcel 02-006-0020 in Willard area of Unincorporated Box Elder County ACTION**

This item was cancelled.

**WILLARD CANYON SUBDIVISION, SS23-021 Request for approval for 1 new non-residential lot located on the north side of Willard Canyon in Unincorporated Box Elder County. ACTION**

This item was cancelled.

**PUBLIC HEARINGS**

Chairman Mellonee Wilding 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.

**ORDINANCE TEXT AMENDMENT, Z23-018, Request for a text amendment to Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code. ACTION**

Staff said the proposed text amendment will update most of the sections in Chapter 6-1, and align the county land use code with state code. The amendment would apply to all areas of unincorporated Box Elder County.

Staff read the standards for reviewing text amendments as they apply to this request.

- A. **Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;** The General Plan does not specifically give guidance on subdivisions. It can be interpreted that 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;** 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.

Staff explained one of the major changes is in Section 6-1-240 Subsection G-2 which states "Packed Bed Media System type septic system can only be used for a one (1) lot subdivisions or for up to three (3) lots or less subdivisions". The Planning Commission will need to discuss and choose which option is preferred. Another change is in Section 6-1-240 Subsection I-3," Private well(s) for personal use will only be allowed for a one (1) lot subdivision or for three (3) lots or less subdivisions". These recommendations are based on feedback staff has received from the Planning Commission, the General Plan, and water providers throughout the county.

Staff said the following changes are required by state code. Since state code prohibits final plats going to the County Commission for approval, a Development Review Committee will approve subdivisions and small subdivisions. In Section 6-1-030 - Definitions, a Development Review Committee is described as “A committee comprised of the Zoning Administrator, the County Engineer, the County Surveyor, the County GIS department, the County Fire Marshal, the County Building Official, and the County Roads Supervisor.”

Staff reviewed the major changes being required by state code in the following sections with the commissioners.

Section 6-1-080 Subsection C. Concept Plan Review

Section 6-1-110 Staff Authority

Section 6-1-120 Administrative Review of Small Subdivisions

Section 6-1-130 Subsection A. Large Subdivisions Preliminary Plat – Purpose

Section 6-1-130 Subsection B. Large Subdivisions Preliminary Plat - Application and Fees

Section 6-1-140 Subsection A. Large Subdivisions Final Plat - Purpose

Section 6-1-140 Subsection B. Large Subdivisions Final Plat – Application and Fees

Section 6-1-160 Development Review Committee - Small Subdivisions

Section 6-1-170 Review by the Planning Commission – Preliminary Subdivisions

Section 6-1-190 Development Review Committee - Final Subdivisions

Section 6-1-240 Subsection Q. Review Cycle Process for Small Subdivision, Large Preliminary Subdivision, and Large Final Subdivision Applications

Section 6-1-240 Subsection R. Appeals After Final Review Cycle

Section 6-1-240 Subsection S. Approval of the Final Subdivision Application

*(See Attachment No. 2 – Chapter 6-1 – Subdivisions.)*

The public hearing was then opened for comments.

Marc Allred, Builder/Developer, is concerned with wells with this proposed text amendment. He developed a subdivision on 8400 West that had 9 water taps from West Corinne Water. He was able to develop the smaller lots and then applied for 16 well permits for the 44-acre parcel. He asked if the changes proposed by the county would have prevented him from developing Beckam’s Edge Phase 2 completely, without doing lots 9 through 22 in 3 lot increments. Mr. Allred said he has 2 well permits left, so he can develop 2 lots on the 44-acres. His concern is trying to get more well permits. Up to this point, the Division of Water Rights has been the only option to develop this property, although West Corinne Water has bought water, and has started releasing water shares. He is on the list for 40+ out of the 500 water shares to be released. He has also put down payments on more taps. Mr. Allred has another 30 acres next to this property to be used for future development. This proposal states development cannot happen without supplying secondary water or shallow wells. He wants to know what will be required with the secondary water requirement.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on Ordinance Text Amendment Z23-018. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

## **ACTION**

**Commissioner Mellonee Wilding** said part of the Planning Commission's job is to follow the County's General Plan, and water is a huge issue. Wells are unregulated so there is no water conservation. She feels like developers are not required to add any infrastructure when on a well system. Most water companies have a secondary water requirement. She would like to make sure developers provide secondary water.

Staff said in *Section 6-1-240 Subsection I, Water in Sufficient Quantity to be the Obligation of the Developer*, under #3 staff will clarify the private well is for culinary water. Staff explained the wording in *Section 6-1-240 Subsection K, Irrigation Systems*, was obtained from one of the county water companies.

A discussion ensued among the commissioners regarding secondary water, noting they like that the secondary water remains with the land. The commissioners discussed the health of the water, limiting the number of private wells, water being a limited resource, small subdivisions requiring secondary water before development, how to calculate a measurable quantity of required irrigation water, and requirements for land historically having water vs. land that has not had water.

Jeff Hales, Plain City, President of Mountain View Irrigation Co., and Vice-President of the Warren Irrigation Co., said the requirement to have secondary water before development is just around the corner. It is going to start to be required because the culinary systems are not going to allow the use of lawn and garden water except just for culinary purposes. There are two pressurized systems allowed in Northern Weber County. How they control the growth is if there is no water on the property, no development is allowed. If there is water on the property, the property owner surrenders the water to the secondary water system, who pressurizes it and puts it in the system for the development. Proof must be shown with a will-serve letter. The will-serve letter goes to the culinary system, the culinary system sees there is pressurized secondary water, and allows hooking up to the culinary system, which then goes to the planning commission or building inspectors who allow the building permit to be issued. Mr. Hales said this is being put on your agenda timely because this is happening right now. Another thing happening is meters. Meters are required on all secondary hookups to meter what is happening. All the questions the commission has about how much water for how much land is all calculated through the Division of Water Rights. He said as a commission it is your responsibility to govern the water in efforts to conserve the water.

**MOTION:** A Motion was made by **Commissioner Jed Pugsley** for Subsections I and K of Section 6-1-240, be stricken from Application Z23-018 and tabled for up to 6 months for further discussion and clarification based on today's discussion. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

**MOTION:** A Motion was made by **Commissioner Jed Pugsley** to recommend approval to the County Commission on Application Z23-018 with the following changes: Section 6-1-240, Subsection G-2 be amended to one-lot subdivisions based on recommendations from the Bear River Health Department, and any grammatical errors be corrected by staff prior to final approval and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Jared Holmgren** 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.

**NEW BUSINESS**

**CZ RANCH SUBDIVISION FIRST AMENDMENT, SS23-022, Request for approval for an amended subdivision at approximately 5715 West 16800 North in the Riverside area of Unincorporated Box Elder County. ACTION**

Staff said the applicant is requesting an amendment to the final plat of the CZ Ranch Subdivision. The proposed amendment adjusts Lot 1 from .50 acres and the remainder from 2.99 acres to Lot 2 with 2.00 acres and the remainder with 1.49 acres. The surrounding land uses are Rural Residential and Agriculture and all surrounding zones are Unzoned. This request is basically a lot line adjustment. All applicable county departments have reviewed and approved the subdivision amendment. Staff recommends approval.

**MOTION:** A Motion was made by **Commissioner Steven Zollinger** to approve Application SS23-022, amending the CZ Ranch Subdivision First Amendment located in unincorporated Box Elder County and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Jared Holmgren** 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 Jared Holmgren** and meeting adjourned at 8:28 p.m.

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Mellonee Wilding, Chairman  
Box Elder County Planning Commission



**PLANNING COMMISSION**  
**STAFF REPORT**

**Meeting Date: Jan. 18, 2024**  
**Agenda Item #: 6a**

**Application Type:**

Zoning Map Amendment

**APPLICANT(S):**

Zachary Ainsworth

**PROJECT #:**

Z23-017

**ADDRESS:**

Appx.: 8205 S 1500 W

**PARCEL #:**

01-045-0134

**CURRENT ZONE:**

A-20

**TYPE OF ACTION:**

Legislative

**REPORT BY:**

Destin Christiansen,  
County Planner

**BACKGROUND**

The applicant is requesting that parcel 01-045-0134 (20.925 total acres) be rezoned from A-20 (Agricultural - 20 acres) to two separate zones. The western 8 acres are requested to be rezoned to the C-G (General Commercial District) zone and the remaining eastern 12.925 acres to the RR-10 (Rural Residential - 10 acres) zone. The parcel is in the South Willard area of unincorporated Box Elder County and the applicant has been through the annexation petition process with Willard City.

**ANALYSIS**

**County Code:**

Land Use Management & Development Code 2-2-080.C allows a property owner to apply for and request a re-zone subject to zoning map amendment approval by the County Commission with a recommendation from the Planning Commission.

**Surrounding Land Use and Zoning:**

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agricultural	A-20
South	Agricultural	A-20
East	I-15/Residential	R-1-20
West	Agricultural	A-20

**Land Use Ordinance Standards Review:**

Box Elder County Land Use Management & Development Code section 2-2-060-A states that zoning map amendments are a legislative proceeding. Per said section:

Decisions regarding a legislative application shall be based on the “reasonably debatable” standard, as follows:

- The decision-making authority shall determine what action, in its judgment, will reasonably promote the public interest, conserve the values of other properties, avoid incompatible development, encourage appropriate use and development, and promote the general welfare.



- In making such determination, the decision-making authority may consider the following: (1) Testimony presented at a public hearing or meeting; and (2) personal knowledge of various conditions and activities bearing on the issue at hand, including, but not limited to, the location of businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of utilities; the zoning of surrounding property; and the effect that a particular proposal may have on such conditions and activities, the values of other properties, and upon the general orderly development of the County.
- The decision-making body should state on the record the basis for its decision.

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 County's General Plan for the South Willard area states "existing commercial uses along US 89 should be retained, but new commercial growth should mostly occur near the interchange, where mixed uses could be introduced. Since orchards are not found west of I-15, 20-acre agricultural zoning should be retained to provide for crops and grazing." The County can adopt policies to encourage that to happen but must continue to recognize private property rights and coordinate with the incorporated communities.*

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

*The area consists mainly of agricultural uses with some residential homes to the north to include a couple of home businesses (heavy transportation operation and a vehicle conversion business) as well as a livestock auction facility. The Planning Commission needs to decide if a C-G and RR-10 zone could be considered harmonious.*

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

*This is unknown. The public hearing process may bring forth additional information.*

**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.**

*Access to the proposed property is via 1500 West (a gravel road). It is unknown what the adequacy of the road and facilities would be in this area for the proposed zone changes and any future use(s).*

**FINDINGS:**

Based on the analysis of the zoning map amendment application request for the re-zone of the subject parcel from A-20 (Agricultural - 20 acres) to the C-G (General Commercial District) zone and the RR-10



(Rural Residential - 10 acres) zone, a survey of the surrounding area, staff concludes the following:

1. The Box Elder Land Use Management and Development Code allows for the re-zone of properties subject to zoning map amendment review procedures and approval.
2. The Planning Commission will need to determine if 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 rezone from A-20 (Agricultural - 20 acres) to the C-G (General Commercial District) zone and the RR-10 (Rural Residential - 10 acres) zone.

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission has three options to forward as 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 legislative body staff recommends it be subject to the following conditions:

1. Compliance with Section 2-2-080, Zoning Map and Text Amendments, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 5 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 Z23-017, a zoning map amendment from A-20 (Agricultural - 20 acres) to the C-G (General Commercial District) zone and the RR-10 (Rural Residential - 10 acres) zone and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

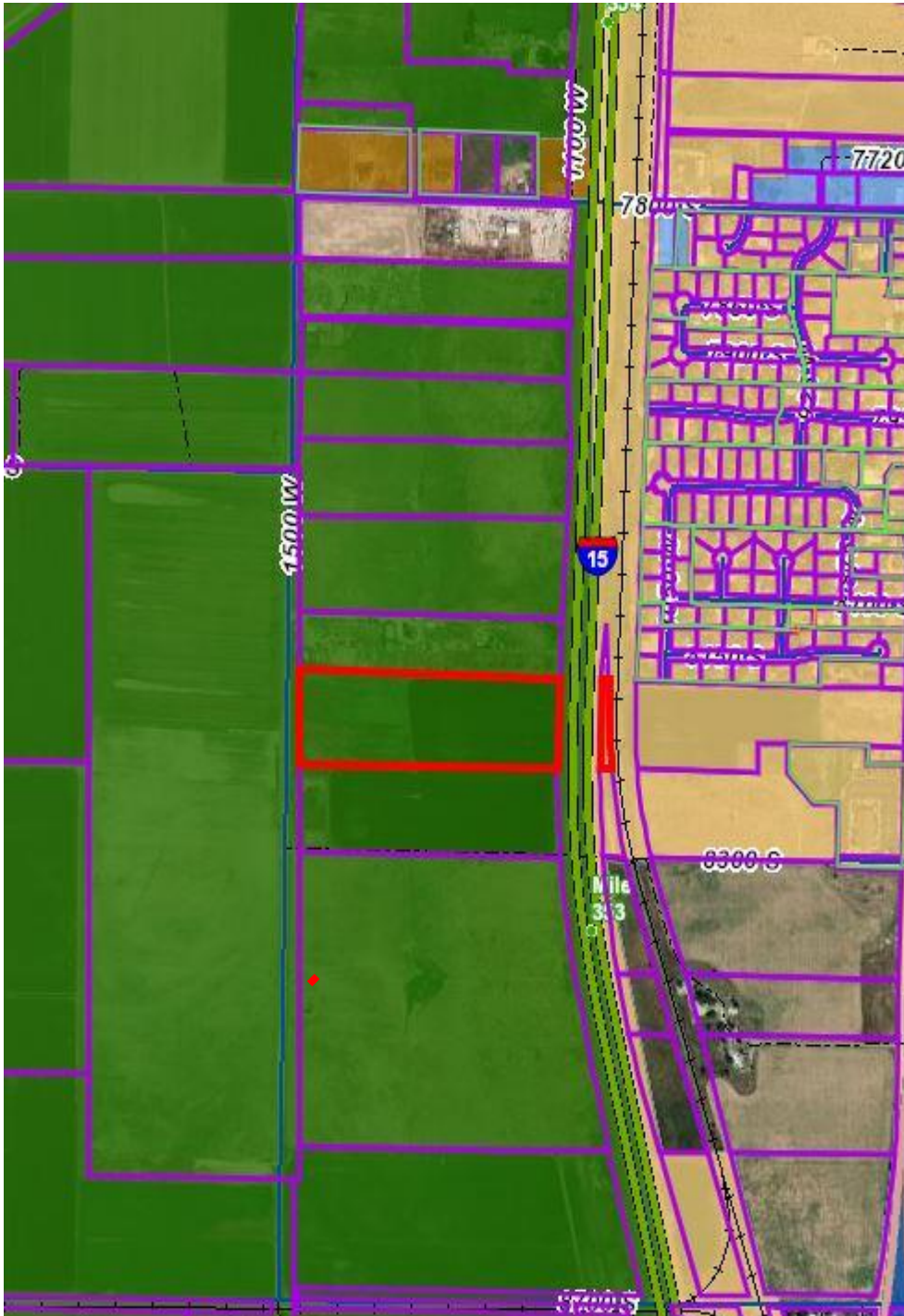
**Table** – “I move the Planning Commission table the review of application number Z23-017, a zoning map amendment from A-20 (Agricultural - 20 acres) to the C-G (General Commercial District) zone and the RR-10 (Rural Residential - 10 acres) zone to (give date), based on the following findings:”

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 Z23-017, a zoning map amendment from A-20 (Agricultural - 20 acres) to the C-G (General Commercial District) zone and the RR-10 (Rural Residential - 10 acres) zone based on the following findings:”

- 1. List findings for denial...

Please feel free to contact Destin Christiansen at 435-695-2547 if you have any questions.





**PLANNING COMMISSION  
 STAFF REPORT**

**Meeting Date: January 18, 2024  
 Agenda Item #: 7a**

**Application Type:**  
 Preliminary Subdivision

**APPLICANT(S):**  
 Kurt Spiers

**PROJECT #:**  
 SS23-025

**ADDRESS:**  
 1700 S Willard Peak Rd  
 Mantua area

**ZONE:**  
 RR-5

**PARCEL #:**  
 03-064-0033

**REPORT BY:**  
 Scott Lyons,  
 Community Development  
 Director

**BACKGROUND**

The applicant is requesting preliminary approval of the Silver Eagle Mine Subdivision plat. The proposed subdivision is four new lots approximately 8-9 acres in size. The existing parcel is approximately 35 acres in size.

**ANALYSIS**

**Land Use Ordinance Standards Review:**

Land Use Management & Development Code 6-1-130 requires the subdivision of property receive preliminary approval from the Box Elder County Planning Commission.

**Surrounding Land Use and Zoning:**

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

**Access:**

Access would be via Willard Peak Road and existing county road.

**Utilities:**

The County has received utility will-serve letters from Mantua for water and Rocky Mountain Power. We do not have anything for natural gas or propane. We have also received a feasibility letter from the Bear River Health Department. This feasibility letter is for a single conventional wastewater system to be installed to service a single family dwelling on each proposed lot.

**Setbacks:**

All setbacks for the RR-5 zone can be met. Setbacks will be reviewed and enforced during the building permit process.

**County Department Reviews:**

County Surveyor/GIS

- Have requested some changes to lot addressing as well as land ownership noted on the plat.
- Has requested other minor changes to the plat such as dates, notes, contact info.
- The Owner’s Dedication needs to dedicate the appropriate portion of Willard Peak Road.
- Additional questions regarding private road standards and access on/off Willard Peak Road.



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#### Planning Staff

- The preliminary plat should include a contour map at intervals of at least two feet.
- The preliminary plat application should include a comprehensive geotechnical and soils report prepared by a qualified engineer.
- Will natural gas or propane be supplied to the property?
- Will future access to the land southeast of this property be preserved for future development?
- Do these sections of code apply?
  - Where local, county and regional master plans indicate that construction or extension of sanitary sewers may serve the development area within a reasonable time, the Planning Commission may require the installation and capping of sanitary sewer mains and house connections by the developer.
  - Where a current public sewer system exists, a connection is required for the development if it falls within 300' distance of said sewer system.

#### County Engineer

- Has not submitted a review yet.

#### Roads Superintendent

- Has not submitted a review yet.

#### Fire Marshal

- Has not submitted a review yet.

An update will be provided at the Planning Commission meeting.

#### **Findings:**

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

1. The preliminary plat as currently proposed may comply with County development standards, but cannot confirm without additional information from the applicant and other county department reviews.
2. At the time of writing this report the county reviews that have been completed are being sent to the applicant and his engineer for revisions and additional info.

#### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission may TABLE the proposed preliminary plat based on the findings above and any others the Planning Commission finds. They may also APPROVE the preliminary plat application with the following conditions of approval as well as any others the Planning Commission finds:**

1. Submission of a comprehensive geotechnical and soils report prepared by a qualified engineer.
2. Submission of a natural gas or propane will-serve letter.
3. Submission of a contour map at intervals of at least two feet.
4. Compliance with review and approval by Planning Staff, the County Surveyor, Engineer, Roads Department, Fire Marshal, and Building Official.
5. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
6. Compliance with Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code.
7. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

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## **MODEL MOTIONS**

**Approval** – “I move the Planning Commission approve application number SS23-025, a preliminary plat for the Silver Eagle Mine Subdivision, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

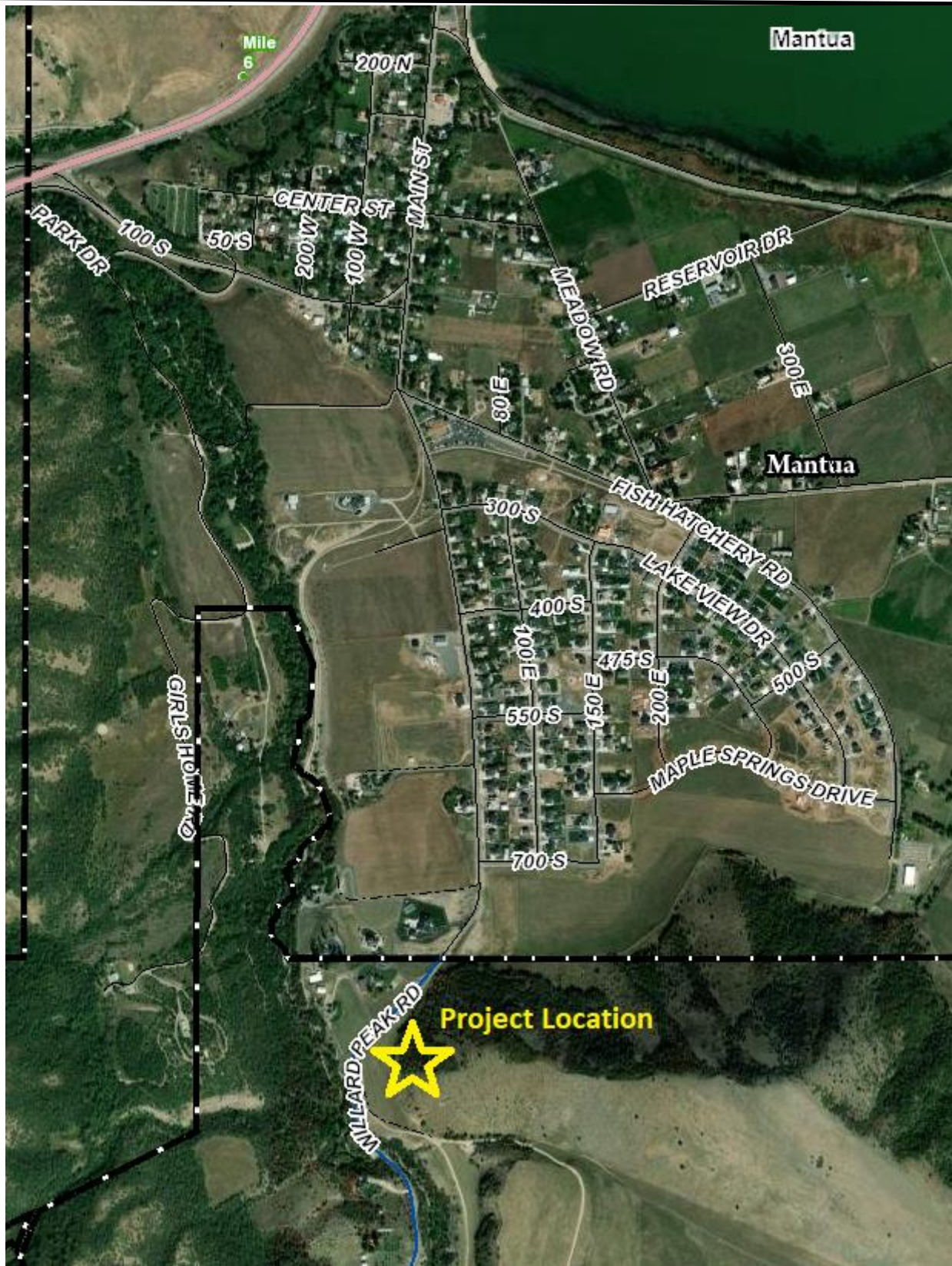
**Table** – “I move the Planning Commission table application number SS23-025, a preliminary plat for the Silver Eagle Mine Subdivision, located in unincorporated Box Elder County, to (give date), based on the following findings:”

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

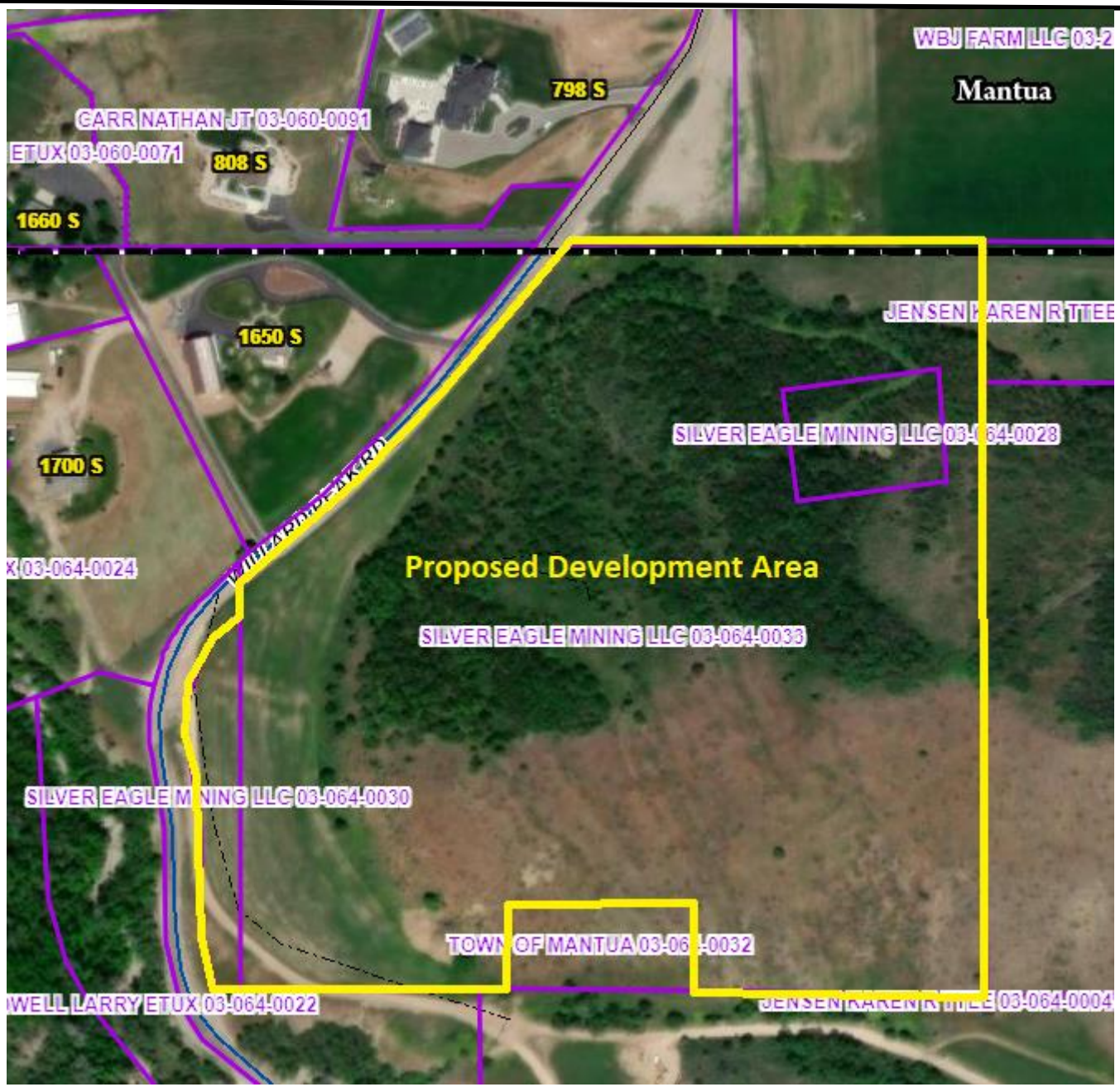
**Denial** – “I move the Planning Commission deny application number SS23-025, a preliminary plat for the Silver Eagle Mine Subdivision, located in unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

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

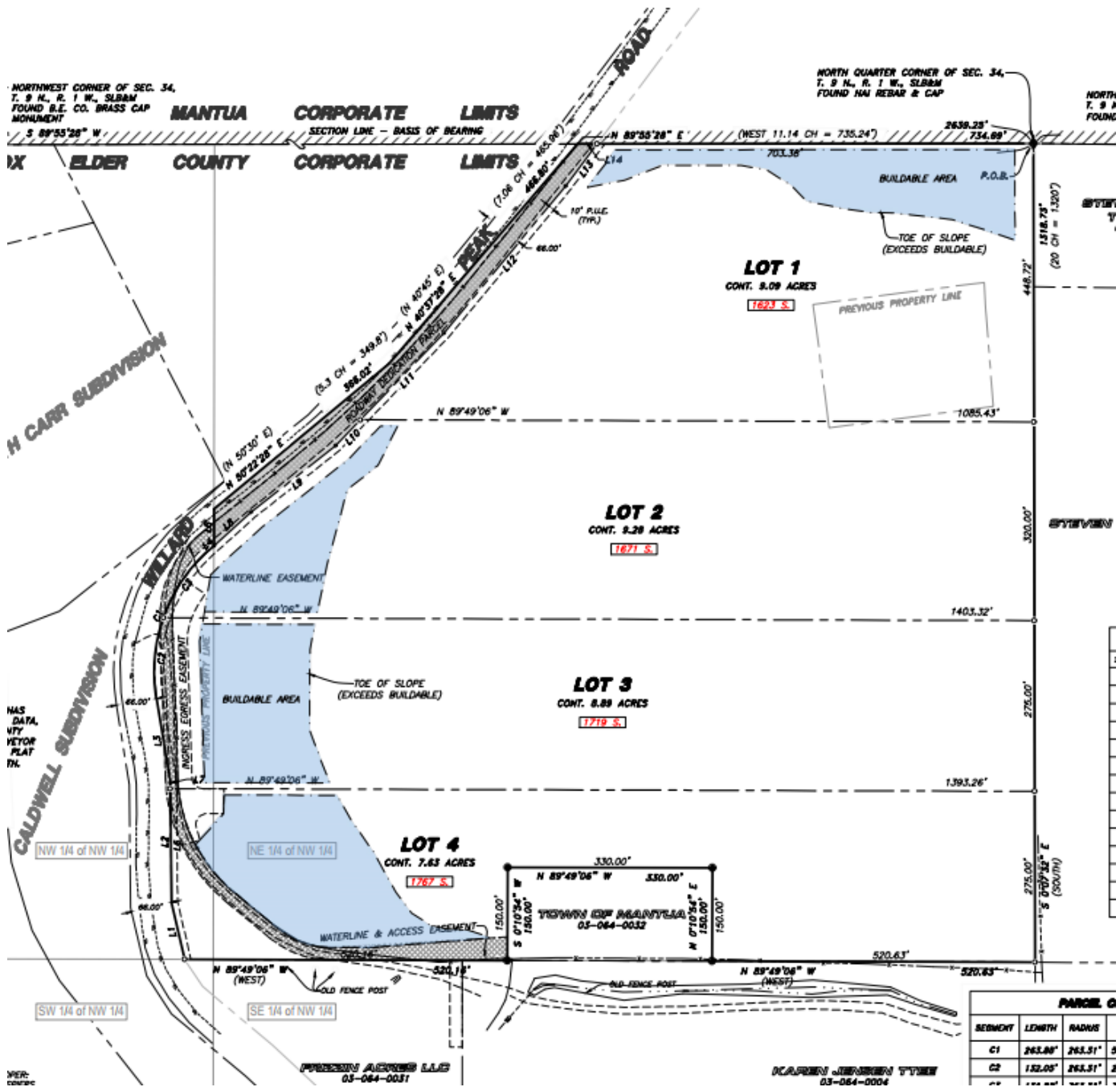






## SILVER EAGLE MINING SUBDIVISION

BOX ELDER COUNTY, UTAH  
 A PART OF THE NORTHWEST QUARTER OF SECTION 34,  
 TOWNSHIP 9 NORTH, RANGE 1 WEST, SALT LAKE BASE & MERIDIAN



**PLANNING COMMISSION**  
**STAFF REPORT**

**Meeting Date: January 18, 2024**  
**Agenda Item #: 7b**

**Application Type:**  
 Preliminary Subdivision

**APPLICANT(S):**  
 Ryan Stokes, Shane Barthlome, Michael Colling

**PROJECT #:**  
 SS23-023

**ADDRESS:**  
 Appx.: 10300 West and 13600 North

**ZONE:**  
 RR-5 (Rural Residential-5 acres)

**PARCEL #:**  
 06-118-0040, 0042

**REPORT BY:**  
 Destin Christiansen, County Planner

**BACKGROUND**

The applicants are requesting preliminary approval of the Summer Land Ranches Subdivision Phase 2 plat. The proposed subdivision is for 12 new lots, averaging 5.95 acres in size. The existing parcels combined are 77.68 acres in size.

**ANALYSIS**

**Land Use Ordinance Standards Review:**

Land Use Management & Development Code 6-1-130 requires the subdivision of property receive preliminary approval from the Box Elder County Planning Commission.

**Surrounding Land Use and Zoning:**

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

**Access:**

Access will come off of 13600 North for the whole subdivision as well as a new, additional road, 10200 West.

**Utilities:**

The County has received all utility will-serve letters from the power, gas, and water companies and they are satisfactory for this subdivision. We have also received a feasibility letter from the Bear River Health Department. A geotechnical report has also been submitted.

**Setbacks:**

All setbacks for the RR-5 zone can be met. Setbacks will be reviewed and enforced during the building permit process.

**County Department Reviews:**

This application is a preliminary subdivision plat application. All applicable County departments are currently reviewing this subdivision – Comments can be provided at the Planning Commission meeting.

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### **Findings:**

Based on the analysis of the proposed 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 preliminary subdivision plat will comply with the preliminary subdivision regulations of Box Elder County, after all of the comments are satisfied.

### **RECOMMENDATION**

Based on the information presented in this report, application materials submitted and the site review, **if the Planning Commission APPROVES the preliminary plat**, staff recommends the following conditions:

1. Compliance with all County Staff reviews and comments.
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 SS23-023, a preliminary plat for the Summer Land Ranches Subdivision, Phase 2, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

**Table** – “I move the Planning Commission table application number SS23-023, a preliminary plat for the Summer Land Ranches Subdivision, Phase 2, located in unincorporated Box Elder County, to (give date), based on the following findings:”

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

**Denial** – “I move the Planning Commission deny application number SS23-023, a preliminary plat for the Summer Land Ranches Subdivision, Phase 2, located in unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

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



