

# BOX ELDER COUNTY PLANNING COMMISSION MINUTES FEBRUARY 20, 2025

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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	Excused
Jed Pugsley	Vice Chair
Lonnie Jensen	Member
Bonnie Robinson	Member
Jared Holmgren	Member
Jennifer Jacobsen	Member
Brandon East	Member
Vance Smith	Alternate/Member
Brian Bowen	Alternate/Member

## *the following Staff was present:*

Scott Lyons	Comm Dev Director
Marcus Wager	County Planner
Destin Christiansen	County Planner
Stephen Hadfield	Excused
Boyd Bingham	Co. Commissioner
Diane Fuhrman	Executive Secretary

**Vice Chairman Jed Pugsley** called the meeting to order at 7:00 p.m.

The Invocation was offered by **Commissioner Bonnie Robinson**.

Pledge was led by **Commissioner Lonnie Jensen**.

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

See Attachment No. 1 – Attendance Sheet.

The Minutes of the December 19, 2025 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jared Holmgren** to approve the minutes as written. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

## **UNFINISHED BUSINESS - NONE**

## **PUBLIC HEARINGS**

**ZONING MAP AMENDMENT, Z25-002, Request for a zone change of 1.5 acres from R-1-20 (Residential District-20,000 sq. ft.) to M-G (General Industrial) located at approximately 11145 North 11600 West in the Bothwell area of unincorporated Box Elder County. ACTION**

Staff explained the applicant is requesting 1.5 acres be re-zoned to allow for a cabinet and machine shop. The land uses surrounding the property are Agricultural and Residential. The surrounding zones are R-1-20 and RR-5. Zoning map amendments are a legislative proceeding and decisions shall be based on “reasonably debatable” standards 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.

Staff read the standards for reviewing zoning map 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: States that future land use decisions should enhance our towns and cities, focusing most of the growth there and that decisions should support our farmers and ranchers in their agricultural stewardship. For the Thatcher/Penrose area, the General Plan states that "large lot zoning should continue, including R-1-20, RR-1, and larger A-20 zones, which encourage continued agriculture." The Box Elder County vision suggests continuing the agricultural heritage of the area and allowing for some flexible lot sizes through rural residential clustering.

**B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** The subject property is 1 of 5 lots of the Keith H. Anderson Minor Subdivision. The area is mainly a combination of agricultural uses and some residential homes. The Planning Commission needs to decide if an M-G zone could be considered harmonious. Aside from the applicant's desired uses, other M-G uses could comprise anything from gas stations, auto repair shops, etc. to petroleum products manufacturing (petroleum refining, paving materials, roofing materials, etc.) and iron/steel foundries and manufacturing.

**C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed zoning could affect adjacent properties; however, 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.** It is likely that the facilities and services already exist; however, the developer would have to verify this and bring them into the project.

The public hearing was then opened for comments.

Lanny Lewis, applicant, explained he used the building to make altars for temples before retiring and losing his eyesight 2 ½ years ago. He has no use for the facility anymore but has found someone who he thinks would be a perfect fit for the building.

Aaron Hill is the interested party purchasing the property. The use of this property will be for a small machine shop. He said the facility is already equipped with everything he needs to run his business. He understands he needs a conditional use permit to do what he wants with the building.

Hearing no further comments, a motion was made by **Commissioner Jared Holmgren** to close the public hearing on Zoning Map Amendment Z25-002. The motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

### **ACTION**

**Commissioner Bonnie Robinson** has concerns with the request not following the General Plan of keeping industry close to the cities and protecting agriculture. It seems like a harsh zone switch with all that is allowed in the M-G zone. This also sets a precedent. If one is allowed, the commission will have to allow all.

**Commissioner Jed Pugsley** confirmed the conditional uses stay with the property. If a new property owner wanted to do something else allowed in the zone, the new property owner would need a new Conditional Use Permit. Commissioner Pugsley verified the shop has been used as a cabinet shop for five years.

**Commissioner Jennifer Jacobsen** agrees with Commissioner Robinson about a precedent being set. If she lived in the area she wouldn't care if a machine shop was there, but she would care if six more popped up, or if they were something other than cabinet shops and fall underneath one of the other uses not quite as attractive as a cabinet shop.

**Commissioner Vance Smith** said there are a handful of home businesses in the area. He likes little industry-like cabinet shops and home shops and people working out of them. Commissioner Smith said he champions the idea. The property is only an acre and a half so it can't be used for a large factory or anything similar. The zoning does mess with it being harmonious to the area, but things do change and they have got to start somewhere. He is personally in favor of the zone change.

**MOTION:** A Motion was made by **Commissioner Jared Holmgren** to forward a recommendation of approval to the County Commission for application Z25-002, a request for a zone change from R-1-20 (Residential District-20,000 sq. ft.) to M-G (General Industrial) located at approximately 11145 N. 11600 W in the Bothwell area of unincorporated Box Elder County and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Vance Smith** and carried with **Commissioners Bonnie Robinson** voting nay.

## 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.

## **ORDINANCE TEXT AMENDMENT, Z25-003, Request to amend various sections of the Box Elder County Land Use Management & Development Code. ACTION**

Staff explained a couple of months ago modifications were made to different portions of code allowing administrative conditional use permits for a number of different uses. Not realizing there was written language in those individual chapters needing to be modified also, this request modifies the language in those chapters of conditional use versus administrative.

Staff read the standards for reviewing zoning 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 County's General Plan states that future land use decisions will consider the following: promoting development patterns consistent with, and sensitive to, resident preferences; and balancing private property rights with public interests.

**B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** This text amendment updates different portions of the Code that are conflicting with other updated sections of the Code. The Planning Commission needs to decide if this amendment would be harmonious.

**C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed text amendment should not have an adverse effect on adjacent property.

**D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.** The proposed text amendment is county-wide and should not have an effect on the adequacy of facilities.

Staff said the accessory dwelling units were updated to an administrative conditional use permit and all tables were updated where ADUs existed. The actual wording in the accessory dwelling unit chapter did not get changed. The same thing happened with kennels, the chapter still had the written language of a conditional use. In Chapter 5-1-150 the building height was limited to 25 feet in the unzoned areas, zoned areas allow 35 feet. The building height has been corrected to 35 feet for both zones.

The public hearing was then opened for comments.

Hearing no comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Ordinance Text Amendment, Z25-003. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

## **ACTION**

Staff pointed out accessory buildings to one, two, three, and four family dwellings are no longer allowed but they do exist. Staff suggested the Planning Commission make their motion to the County Commission with the condition the language in Chapter 5-1-150 be reviewed and approved by the County Attorney.

**MOTION:** A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z25-003, a request to amend various sections of the Box Elder County LUM&DC adopting the conditions and findings of staff and that the language in Chapter 5-1-150 be reviewed and approved by the County Attorney. 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.

*(See Attachment No. 2 – Amendments.)*

## **NEW BUSINESS**

### **HOMESTEAD AT EAST GARLAND, SS25-001, Request for preliminary approval of a 27-Lot subdivision located at approximately 13500 North 4400 West in the East Garland area of Unincorporated Box Elder County. ACTION**

Staff said the applicant is requesting preliminary approval for 27 new lots (in 2 phases) approximately 0.5 to 1.96 acres in size with a remainder portion on the west. The existing parcel is approximately 52.34 acres in size. The land uses surrounding the property are Agricultural and Residential; the surrounding zoning is Unzoned. Culinary water will be provided by Ukon Water Company for the 13 lots in Phase One. Staff said most county departments are currently reviewing the plat and plans provided. Staff is waiting for an updated plat. Modifications to the proposed preliminary plat will need to be made to bring it into conformance with the BEC LUM&DC.

**Commissioner Jared Holmgren** would like to see an updated plat showing where the storm drain water is going to go and the easements listed for the canals and ditches.

**Commissioner Bonnie Robinson** said ditches come with drainage issues. She would like to see some discussion concerning drainage for storm water and irrigation.

Staff stated drainage was part of the road department discussion. The developer wanted to use swales but the road department determined swales often get filled in and do not function well as drainage.

**Commissioner Jed Pugsley** understands this is a preliminary plat, but there are a lot of issues needing to be addressed and corrected.

Garth Day, applicant, said the main canal will be re-routed. The other ditches are in the 2<sup>nd</sup> phase. All of the storm water will be running back toward the Malad River. He will discuss with the road department if the county prefers to have the storm water in pipes or if a swale system would work. Mr. Day explained Ukon Water Company is providing the culinary water but, as the developer, they will provide a secondary water system.

**MOTION:** A Motion was made by **Commissioner Jared Holmgren** to table preliminary approval of application SS25-001, a 27-lot subdivision located in East Garland until the storm water and irrigation canals have been added to the plat. The motion was seconded by **Commissioner Vance Smith** and unanimously carried.

**ALMA WALKER CAMPGROUND, CUP25-001, Request for a Conditional Use Permit for a small campground located at approximately 3792 West 3600 North in the Corinne area of Unincorporated Box Elder County. ACTION**

Staff said the applicant seeks to build a campground consisting of six tent sites, two day use areas, and two group sites. An annexation petition was filed with Corinne City which was denied. A flood plan permit has been approved. The land use surrounding the property is Agricultural; the surrounding zoning is A-20 and RR-20.

Staff read the standards for mitigation of reasonably anticipated detrimental effects arising from the conditional use:

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, gasses, 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.

Staff stated all county departments except engineering have reviewed and approved the request.

**Commissioner Bonnie Robinson** asked about West Corinne Water Company providing water to the campground. She is also concerned with the time frame of how long campers will be allowed to stay at the campground.

Alma Walker, applicant, explained they are just going to do without water for now. The property currently has a Class B water tap which will later be switched to a Class C commercial tap. Mr. Walker said he plans to provide tent camping for day use. He doubts people would want to camp there for weeks and weeks in a tent. Mr. Walker stated there is a lot of private property along the river with no public access. He owns a lot of land along the river and would like to provide access to the public.

**MOTION:** A Motion was made by **Commissioner Jared Holmgren** to approve application CUP25-001, a request for a Conditional Use Permit for a small campground located at approximately 3792 West 3600 North in the Corinne area of Unincorporated Box Elder County. The motion was seconded by **Commissioner Jennifer Jacobsen** and unanimously carried.

**CONDITIONS:**

1. The Engineering Department approves the site plan.
2. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
3. Compliance with Article 2-2-100, Conditional Use Permit, of the Box Elder County Land Use Management & Development Code.
4. Compliance with Article 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
5. Compliance with all applicable county, state, and federal laws regulating the proposed use, including all licenses, permits, etc.

**WORKING REPORTS**

## **Parking Standards for Reception Centers**

Staff researched parking standards and found there is no rhyme or reason to parking standards in any county in the state. The standard most fitting county code would be private clubs.

### **Reception Center:**

At least 30 spaces.

1 space per 6 seats of total seating capacity, plus 1 space per 100 sq. ft. of assembly area within the main auditorium where there are no fixed seats.

1 space for each 3 persons, based on the maximum anticipated capacity of all facilities capable of simultaneous use as determined by the land use authority.

### **Business or Professional Offices:**

1 space per 200 sq. ft. - 2 places

1 space per 300 sq. ft. of gross floor area - 3 places

### **Dance Hall:**

1 space per 100 sq. ft.

3 spaces per 100 sq. ft.

1 space per 200 sq. ft. of floor space in the building

1 space for every 3 persons based upon maximum occupancy

### **Office Space/Retail Commercial:**

3.5 spaces per 1,000 sq. ft. Maximum

### **Personal Service Shop:**

5 spaces per 1,000 sq. ft.

### **Private Club:**

1 space per 100 sq. ft.

### **Recreational/Amusement:**

1 space per 5 people up to the max number of people accommodated by the facility - 2 places

### **Commercial:**

1 space per 300 gross sq. ft.

### **Service Commercial Business:**

1 space per 500 sq. ft. of building area

### **Assembly Hall:**

1 space for every 5 seats

### **Community Center:**

4 spaces per 1,000 sq. ft.

1 space per 200 sq. ft.

Staff asked the commission if they prefer going by square footage or maximum occupancy. Any type of reception or event center is considered a commercial use and would require a site plan review. An architect would draw up the plans for the center and would also state the occupancy.

The commission discussed the different options for occupancy. Staff will bring this item back as a text amendment on a future agenda.

## **PUBLIC COMMENTS**

Bill Meyers questioned if the irrigation ditches, as explained by the developer of the Homestead Subdivision, are feasible as there is a 100 year easement for water rights in the ditch. His son-in-law who lives next to the proposed subdivision has horses and would like the subdivision to put up a fence to protect his horses and possessions. Mr. Meyers is concerned with how the water, irrigation and run-off are going to be controlled.

Wes Pierson said he hopes the developer would contact the surrounding farmers and get their approval about controlling the water, but there has been zero contact. He has spoken with the county road supervisor about access to the subdivision and found no engineering has been done. He thinks Canal Bank Road cannot handle the amount of traffic that would come with a 27-lot



subdivision. Mr. Pierson thinks there are a lot of things needing to be addressed regarding the Homestead Subdivision.

Brent Shaffer asked who would maintain the ditch after the subdivision has been completed. Who sizes the ditch and handles the flow so the farmers aren't cut short with water? The county and the developer need to take into consideration the new rule from Ukon Water Company about the developer providing secondary water. Does the county want to maintain these systems? He asked if the Bear River Canal Company had been approached to approve these systems.

Hunter Gunderson agrees with Wes Pierson. His main concerns are the ditches and increased traffic. It has been said in these meetings how we want to preserve agriculture and to follow the general plan. He said it feels like a slap in the face when citizens show up to these meetings and those things aren't followed. He would like to see the East Garland Community Plan completed before this subdivision is approved.

### **ADJOURN**

**MOTION:** A Motion was made by Commissioner Jared Holmgren to adjourn commission meeting. The motion was seconded by Commissioner Lonnie Jensen and the meeting adjourned at 8:25 p.m.

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Jed Pugsley, Vice-Chair  
Box Elder County Planning Commission