

BOX ELDER COUNTY PLANNING COMMISSION MINUTES MARCH 19, 2026

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
Jed Pugsley	Vice-Chair
Lonnie Jensen	Member
Bonnie Robinson	Member
Jared Holmgren	Member
Jennifer Jacobsen	Member
Brandon East	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	County Attorney
Boyd Bingham	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 Jennifer Jacobsen**.

The 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 January 15, 2026 meeting were made available to the planning commission 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.

APPOINT CHAIR AND VICE CHAIR

MOTION: A motion was made by **Commissioner Jared Holmgren** to continue the terms of Commissioner Mellonee Wilding as Chair and Commissioner Jed Pugsley as Vice-Chair for one (1) year. The motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

UNFINISHED BUSINESS

ROBERTS LANDSCAPE ROCK, SP25-009, Request for Site Plan approval for a commercial landscape/rock product facility located at 8393 N 6800 W in the Elwood area of unincorporated Box Elder County. ACTION.

Staff explained this application for site plan approval was tabled at the November 20, 2026 meeting to allow additional time for departmental reviews to be completed. Since then multiple departments have approved the site plan. The county engineer had concerns relating to the bridge crossing over the adjacent canal and the load capabilities. Staff contacted Trevor Nielson at the Bear River Canal Company regarding the county's concerns with the bridge. The applicant, their engineer, and Trevor Nielson met and agreed to modify and update the existing bridge, and in the fall, build a new bridge further south from the existing one. Updates to the existing bridge include the adding on of an additional eight feet and having the area before the bridge cleaned out as to not track onto 6800 West. Part of the agreement for the new bridge was to add wing walls as well as bollards to make sure vehicles stay on the bridge.

Staff read the standards for approval for permitted uses as they apply to this request:

- 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.**
The Roads, Building, Engineer and Surveyor Departments have approved the site plan. The proposed use is still under review by the other departments.
- C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set forth in this Code.** The Roads, Building, Engineer, and Surveyor Departments have approved the site plan. The proposed use is still under review by the other departments.
- D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances.** The Roads, Building, Engineer and Surveyor Departments have approved the site plan. The proposed use is still under review by the other departments.
- 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

Commissioner Mellonee Wilding asked when the new bridge is built, will the old bridge no longer be used? The applicant explained the old bridge will be brought up to the canal company's standards and still be utilized.

Commissioner Jed Pugsley asked if the road department is okay with two accesses coming onto the county road. Road Supervisor Darin McFarland said with the space before the bridge being cleaned out, he is fine with it.

MOTION: A motion was made by **Commissioner Jed Pugsley** to approve application number SP25-009, a Site Plan for a commercial landscape business and adopting the exhibits, conditions and findings of staff with the addition of the applicant meeting the conditions set upon by the Bear River Canal Company. The motion was seconded by **Commissioner Jared Holmgren** and unanimously carried.

CONDITIONS

1. Approval of the site plan by ALL necessary county departments.
2. Compliance with Section 2-2-090, Permitted Use Review, of the Box Elder County Land Use Management & Development Code.
3. Compliance with Section 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
4. Compliance with all standards found in Chapter 5-9 (Outdoor Lighting Standards) 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.
7. Compliance with the conditions agreed upon with the Bear River Canal Company.

GSL LITHIUM EXTRACTION, SP25-008, Request for Site Plan approval for a lithium extraction facility located on the north arm of the Great Salt Lake. ACTION.

Staff explained the planning commission tabled this item at their November 2025 meeting to address concerns regarding truck weight and volume on county roads. The facility is on the west side of the Promontory range. The turn off for the facility is approximately 12 miles from the Golden Spike Historic National Monument and is where the current asphalt ends, from there on is a gravel road. The planning commission's main concern was the impact of this operation on the county road accessing the facility. The applicant has met with staff from community development and the road superintendent multiple times and submitted an updated proposal for road improvements. The county engineer reviewed the proposal, made some modifications, and provided the review back to the applicant who agreed to the modifications outlined in the engineer's memo. What remains now with this project is an agreement with the county commission for construction funding and a timeline of this 12 mile stretch of road.

Steve Morrey, applicant, said he has no disagreement on funding the road, but did not want to officially approach the county commissioners until after this meeting to make sure they were aligned with the road department and planning commission. Mr. Morrey explained their intention is to build the road right after the major construction activities are done, that way a bunch of construction equipment isn't put on top of a brand new road.

Commissioner Bonnie Robinson asked if the current road is sufficient for all the construction equipment going in and out on the road. Road Supervisor Darin McFarland said they may be required to do some preliminary work, which is common in construction where they improve the road to a point so they can access it, but not go all the way to the paving portion.

Staff stated the current property owner has a lease in place with the lithium operation to provide water for the facility. The water is currently classified as irrigation water. The property owners would need to submit a change application with the Utah Division of Water Rights to allow the water to be used for industrial use as opposed to irrigation water.

When asked by **Commissioner Holmgren** if the application has been requested for the change in water classification, Mr. Morrey stated the application had been requested and typically takes approximately 30 days.

MOTION: A motion was made by **Commissioner Jed Pugsley** to approve application number SP25-008, a Site Plan for a lithium extraction facility and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Lonnie Jensen** and unanimously carried.

CONDITIONS

1. Compliance with review and requirements by the County Engineer.
2. Approval and fulfillment of agreement between the applicant and the County Commission for required road improvements.
3. Proof of water agreement with landowner, as well as approval of change application to the appropriate use type by the Division of Water Rights.
4. Compliance with Section 2-2-090, Permitted Use Review, of the Box Elder County Land Use Management & Development Code.
5. Compliance with Section 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
6. Compliance with all standards found in Chapter 5-9 (Outdoor Lighting Standards) of the Box Elder County Land Use Management & Development Code.
7. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
8. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

PUBLIC HEARINGS

ZONING MAP AMENDMENT, Z26-001, Request for a zone change on Lot 1 of Roberts Subdivision from unzoned to the RR-2 (Rural Residential - 2 acre min.) zone located at approximately 9310 N 6000 W in the Tremonton area of unincorporated Box Elder County.

ACTION

Staff stated the applicant is requesting Lot 1 of the Roberts Subdivision be rezoned from unzoned to the RR-2 (Rural Residential - 2 acre min.) zone. The property is located in the Elwood area of unincorporated Box Elder County. The applicant went through an annexation petition with Elwood Town and was denied.

Staff read the standards for reviewing zoning map amendments as they pertain 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 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. Future Land Use: In Elwood Town's Projected Land Use Map (adopted in October, 2024), it projects the future use of this area as "agriculture".

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** The area is mainly agricultural uses with some residential homes (north and south) along 6000 West. The Planning Commission needs to decide if an RR-2 zone would 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.** Staff is unaware of the adequacy of facilities and services in the area; however, if these facilities and services are needed, the applicant would have to verify and bring them into any future project(s).

The public hearing was then opened for comments.

Steven Barfuss wants to make sure he has access to the ditch to make repairs since the ditch is 80 years old.

Chad Christensen wants to keep the feel of the country in the area. He wants to make sure he can continue to haul manure and raise his animals and stay a farming community. He said there are too many people and too many homes being built in the area. Annexing into Tremonton and Elwood was mentioned but he would like to do whatever possible to stay out of the towns and stay in the county. He loves the county, and the road guys take really good care of our roads and keep the snow down, he wouldn't want to turn that over to anybody else.

Danielle Barfuss lives down the road from the proposed zone change. She has been noticing all the new developments in the area recently. There are also more people on the main roads and the speed limit keeps getting lowered. While she is not opposed to the lower limit because her husband farms on those roads, and she wants to keep him safe, it is just increasingly frustrating because she only lives three miles from Tremonton and it takes 15 minutes to get there. Ms. Barfuss said with all the bridges being out and the lower speed limits on Iowa String road, putting more homes facing 6000 West is just going to affect her, which she is not thrilled about. She agrees with Mr. Christensen about not wanting to control what the neighbors do but it does have an effect on those sticking around and living in the area.

Bryan Capener, applicant, thinks keeping things more rural out there is the appeal. It was the appeal for him to purchase, it was the appeal of having such large acreage, and it was also an affordable amount of acreage. The beauty of our area is keeping it more rural. He grew up in the valley his entire life, and having it more rural is what appeals to people and was his reason for doing this. He said the two acre zoning is nice because it helps him protect the investments he has to make to finalize those properties. Anywhere you go now, it's apartments, apartments, and more apartments. This is not an appeal to get apartments but to have a small number of homes on the outskirts of Tremonton which fits the plan for our community.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on Zoning Map Amendment Z26-001. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

ACTION

Commissioner Jared Holmgren clarified by zoning this lot to the 2 acre minimum zone, the applicant is restricted to two acre lots. If the lot remains unzoned and if culinary water is available the applicant can have half-acre lots.

Commissioner Bonnie Robinson reminded those in attendance there are things you can do to help protect your agriculture community. One of them is to talk to your friends and neighbors and put your land in an Agricultural Protection Area (APA). Then, if you haul your manure, or bail at 2 a.m., you are protected because that is what agriculture does. It's like a blanket protection for agriculture. Another way to protect agriculture is to rezone your property to the Agriculture Heritage Zone or the A-20 zone, then the land stays agricultural. The landowners in unzoned areas can build half-acre lots if they choose and the planning commission cannot say anything because of the property being unzoned.

Commissioner Brandon East stated the county has a policy that if a ditch is within 30 feet centerline to a new development, the developer is required to pipe the ditch. He said when and if development comes to not forget about the ditch on the north end.

Commissioner Jennifer Jacobsen said the planning commission has to base their decision on this being nothing more than a zone change request. Unzoned is like a wild card where anything goes. If the property were zoned agriculture, the commission could look at it and ask if this is harmonious with the area? If it was agricultural land and they wanted to zone it residential, we could ask are there other houses in the area and is it in keeping with being harmonious. Since the property is unzoned the planning commission cannot do that, because unzoned is a wild card.

MOTION: A motion was made by **Commissioner Jared Holmgren** to forward a recommendation of approval to the county commission for application Z26-001, a zoning map amendment from unzoned to the RR-2 (Rural Residential - 2 acre) zone and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

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.

ORDINANCE TEXT AMENDMENT, Z26-002, Request to amend various sections of the Box Elder County Land Use Management & Development Code. ACTION.

Staff stated this text amendment updates different portions of county code which would apply to the county overall. Changes made to Section 2-2-160 Temporary Use Permits, places the planning commission as the land use authority; reduces the time for approval from 2 years to 1 year; adds a description of grounds for revocation; and rewords the definitions section. Other changes include correcting incorrect code references, updating the daycare section of home occupations; removing RV use from Chapter 3-6 and adding it to Chapter 5-1 Section 410.

(See Attachment No. 2 - Changes to County Code.)

The public hearing was then opened for comments.

Richelle Sorensen, East Garland, said she sees people living in RVs all over the county so she doesn't know how that section of code is being regulated.

Hearing no further comments, a motion was made by **Commissioner Jed Pugsley** to close the public hearing on the Ordinance Text Amendment, Z26-002. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

ACTION

Commissioner Jed Pugsley is aware of RVs being used as homes in our county. Enforcement of the code is complaint-based. If there are individuals who have concerns, problems or complaints, the code enforcement department will hear the complaints and enforce as necessary.

Commissioner Brian Bowen commented having something written in county code gives the department something to enforce.

MOTION: A motion was made by **Commissioner Jennifer Jacobsen** to forward a recommendation of approval to the county commission for application Z26-002, an ordinance text amendment amending various sections of the Box Elder County Land Use Management & Development Code 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 Section 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.

ZONING MAP AMENDMENT, Z26-003, Request for zone changes of multiple parcels from Unzoned to the AHZ (Agricultural Heritage Zone) and from Unzoned to the A-20 (Agricultural 20 acres) zone. ACTION.

Staff said this is a group application organized by residents of the Third Ward area near Elwood and Tremonton. The residents are proposing over 1000 acres of unzoned property be placed into either the (AHZ) Agricultural Heritage Zone or the A-20 (Agricultural 20 acre zone). Staff created a table showing the parcel number, the owner, and the zone request associated with the parcel. (See Attachment No. 3 - Table.) One property owner has two parcels located just south of the East Garland zoning effort. The property owners were interested in participating in that effort but were located outside the area. The property owner decided to join this effort and has requested their property be zoned AHZ. Staff explained the surrounding land use is agriculture, with some rural residential dispersed throughout and the surrounding land is all unzoned.

Staff said the task of the planning commission is to review this proposal against four approval standards and make a recommendation to the county commission. Those four approval standards are as follows:

- 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. Staff feels this amendment supports this statement.
- B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** The subject properties are located primarily in the 3rd Ward area of unincorporated Box Elder County. The subject parcels and most of those parcels adjacent to them are currently used for agricultural purposes and/or rural residential purposes and would be harmonious with existing development.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed zoning should not 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.** The proposed amendment should reduce the demand on facilities and services.

Commissioner Mellonee Wilding asked staff to explain the Agricultural Heritage Zone.

(See Attachment No. 4 - Power Point Presentation.)

The public hearing was then opened for comments.

Danielle Barfuss stated she helped put this proposal together. All her neighbors were really concerned about protecting their rights to continue to earn a living as they see fit, protecting our

interests, and protecting our ground from being annexed into Tremonton or Elwood. The residents like being in unincorporated county and prefer it to stay that way.

Pat Nielsen lives on 6800 West and is the steward of her family farm. She said she married into it, and her husband's grandpa was one of the farmers from Iowa that came out and settled Iowa String. Even though she is a widow, it is important to her and her children to keep this farm as a family farm and not let it be integrated into any city. She loves the country and wants to keep it as it is.

Becky Christensen lives within this zoning area. She knows the state is growing. The governor has mandated cities to increase housing so children can have a place to live. He has even indicated cities would be penalized if they don't improve on housing. She feels the encroachment and the desire of people to see our beautiful green farmlands and say, I want that. The developers appear to be a little bit deceitful in her eyes. They come in and buy farmland and say we're going to keep it farmland, and as soon as they get to that little period where they can't, then they want to put up high rise apartment buildings and corner convenience stores. She really doesn't want that around her farm. Ms. Christensen would love it if her children had the desire to move back and have her grandchildren around to play in the fields or to teach them about agriculture where they can feel a sense of home and security. She is grateful for the opportunity to designate the zoning.

Steven Barfuss wants to protect agriculture in Box Elder County. That's what this county has been about forever and is what we are getting away from. Let's protect our agricultural land, it's very important.

Vernon Mortensen thinks this proposal is great. There is certainly a place for annexation into areas right next to cities, but he would love rural areas to stay out in the county. He said a comment was made about finding ways for more affordable housing. That's certainly an issue more and more for younger folks to find a place to live, but a lot of that is happening within the annexation areas of the cities. There are even some opportunities within the county that are not peak producing prime farm ground. There are other opportunities where folks can have a rural place to live and be able to enjoy the kind of life we live here.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on Zoning Map Amendment, Z26-003. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

ACTION

Staff finds this proposal meets the approval standards and recommends the planning commission forward a recommendation of approval to the county commission. Staff explained that two property owners called and requested parcel numbers 05-091-0018, 05-096-0060 05-09-0059 be removed from the application. The owner of parcel 05-202-0016 wants to be zoned in the AHZ (Agricultural Heritage Zone.)

MOTION: A motion was made by Commissioner Jed Pugsley to forward a recommendation of approval to the county commission for application number Z26-003, a zoning map amendment from unzoned to the AHZ (Agricultural Heritage Zone) and A-20 (Agriculture 20 Acre Zone) with the amendments of lot 05-202-0016 be amended to the AHZ (Agricultural Heritage Zone) and lots 05-091-0018 05-096-0060 05-096-0059 be removed from the application and adopting the conditions and findings of staff. The motion was seconded by Commissioner Brandon East 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

WHITAKER LANDING SUBDIVISION, SS26-002, Request for preliminary approval of a 7-lot subdivision located at approximately 14320 N 6000 W in the Garland area of unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting preliminary approval for the Whitaker Landings Subdivision Phase 1. The proposed subdivision is for 7 Lots approximately ½ acre in size with one lot being nearly 3 acres in size. There are two entrances, one from 6000 West and a private lane off 14400 North. The subdivision is taken from 2 original parcels totaling 7.16 acres in size. All departments have gone through one round of reviews. Comments from those reviews were sent to the applicant and his surveyor on March 3rd. Staff is waiting on an updated plat as well as a geotechnical report. Lots 3, 4, and 5 do not meet the minimum frontage standard. The lot lines will need to be rearranged to meet the standard or lose a lot.

MOTION: A motion was made by Commissioner Bonnie Robinson to table application SS26-002, a request for preliminary approval of a 7-lot subdivision, for up to 6 months to allow time to receive the geotechnical report, an updated plat, and to find any drain tiles in the area, and if there is a ditch right-of-way. The motion was seconded by Commissioner Jed Pugsley and unanimously carried.

SUNSET BAY VIEW SUBDIVISION, SS26-003, Request for preliminary approval of 12-lots extending 7950 South to the east in the South Willard area of unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting preliminary approval for the Sunset Bay View Subdivision in South Willard. The proposed subdivision is for 12 Lots around ½ acre in size. This proposal would extend 7950 South in Sunset View Estates, to the east and stub at a remainder parcel. The road would also stub to the north aligning with 475 West in a separate development.

The applicant proposed matching the road cross-section from the lower subdivision, which is asphalt with drainage swales. The county has had difficulty with drainage swales in the South Willard area; people fill them in and then they no longer function. The county engineer and road supervisor met with the applicant and explained the road department has moved to a road cross-section that has curb and gutter on both sides. The applicant has submitted an updated plat addressing their concerns and will need to be reviewed by the engineer and the county GIS department.

Staff explained this item will come back to the planning commission as a final application where the applicant submits improvement drawings that address in detail the road, the stormwater drainage system, and a cost estimate for the improvements. The applicant is required to put up financial security like an escrow for those improvements. An improvement agreement is created, the improvements are installed, inspected, and a warranty is held for one year to ensure the improvements hold up.

MOTION: A motion was made by **Commissioner Jed Pugsley** to approve application SS26-003, a request for preliminary approval of the Sunset Bay View Subdivision, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below. The motion was seconded by **Commissioner Jared Holmgren** and unanimously carried.

CONDITIONS:

1. Approval of the subdivision plat by all county departments.
2. Updated water will-serve letter from South Willard Water Company.
3. Compliance with Chapter 6-1, Subdivisions, of the BEC Land Use Management & Development Code.

ROAD VACATE, VAC26-01, Request to vacate 53400 West/27200 North from the Utah/Idaho border southeast to the terminus of the road on the Higley property in the Clear Creek area of unincorporated Box Elder County. ACTION.

The county is requesting to vacate the road right-of-way that runs southeast from the Utah/Idaho state line to the terminus of the county road on the Higley property in Clear Creek. The road is basically the landowner's driveway. Mr. Higley would like to do what he wants with his driveway and not have it regulated to a specific county road standard. According to the county's road vacate policy, the landowner was not properly notified about the intention to vacate. Staff will send the proper notice to Mr. Higley to meet the legal standard and bring this item back to the next meeting. Mr. Higley will be informed that county maintenance of the road will stop once the road is vacated.

MOTION: A motion was made by **Commissioner Jed Pugsley** to table the review of item VAC26-01, a request to vacate 5340 West/27200 North, for up to 6 months to allow time to properly notice the landowner and include information that county road maintenance will stop when the road is vacated. The motion was seconded by **Commissioner Lonnie Jensen** and unanimously carried.

WORKING REPORTS

Planning Commission items

Staff has drafted language regarding public hearing guidelines, public comment guidelines, a policy for public hearing letters/emails, and a policy for distributed materials. Heather Anderson from the Special Service District Council is willing to look over the language and give feedback. Staff and the commissioners discussed some points to address such as vulgar language, a three minute time restriction at public hearings, signing up for a specific talking point vs. the public can comment on anything. Staff will submit the draft to Ms. Anderson and bring this before the commissioners again next month.

Water Conveyance Facilities

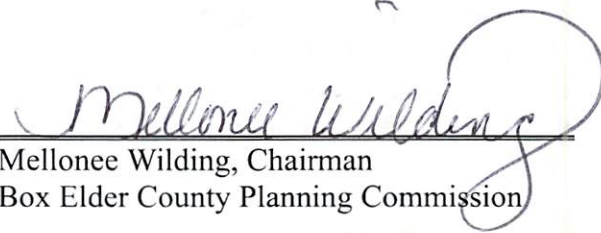
This working report will be brought before the commission next month.

PUBLIC COMMENTS

Dennis Holland has a neighbor who built a new building and added extremely bright lights. The neighbor is building a privacy fence along the property line, 30 ft. from the building. They have added a lean-to on the building but have left the side open so the light shines across the Malad River into Fielding. He doesn't understand why the neighbor gets privacy but he has to cover his window to keep out light from 5000 ft. away. Mr. Holland is a big proponent of the Dark Sky ordinance. He has spoken with two contractors who are unaware of the ordinance and are selling these bright light fixtures. Another neighbor bought a house next to the kennel who has the same lights installed. He doesn't have to turn on his kitchen lights anymore because the kennel lights shine in his kitchen. Mr. Holland wants to know why people are not following the ordinance.

ADJOURN

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to adjourn commission meeting. The motion was seconded by **Commissioner Jed Pugsley** and meeting adjourned at 9:30 p.m.



Mellonee Wilding, Chairman
Box Elder County Planning Commission

Planning Commission Meeting

Thursday March 19, 2026

Attendance List

<u>Name</u>	<u>Address</u>	<u>Agenda Item</u>
Patricia Nielson	8944 N. 6800 W Tremonton	Ut. zoning for Ag.
Danielle Barfuss	8640 N 6000 W Tremonton, UT	zone map amendment
Steven Barfuss	8640 N. 6000 W. Tremonton	Ag zoning
Steve Morrey	9350 S 150E Sandy Utah	Water leaf
Mark Mulligan	9300 S 150 E Sandy Utah	Water leaf
Vernon Mortensen	689 W. 7950 S. Willard, UT	Sunset Bay View Sub.
Angie Mortensen	689 W. 7950 S. Willard, UT	Sunset Bay View Sub.
Dennis Patterson	2875 N 6400 W	
Richelle Sorensen	4655 N 12800 N Garland UT 84312	zoning Amendment
Will Sorensen	4655 N 12800 N Garland UT 84312	zoning Amendment
JIM FLINT	538 N. MAIN BRIGHAM CITY	ROBERTS
Lloyd Wood	9360 N. 5600 W Tremonton 84337	
Jam Wood	9360 N. 5600 W 84337	
Leigh Roberts	193 W. 1500 W 84337	Roberts
Robbi Roberts	193 W. 1500 W. 84337	Roberts
Bryan Capener	5286 W. 10800 N. Tremonton.	zoning
Curtis Crouch	5105 W. 8800 N ELWOOD	ZONING
Chad Christensen	6095 W. 9600 N. Tremonton	zoning
Kim Christensen	6095 W. 9600 N. Tremonton	zoning
Norman Fukui	6460 W. 8000 N Tremonton	Zoning
Jennifer Bjorn	7145 W. 9600 N. Tremonton	zoning
Becky Christensen	9270 N. 6800 W. Tremonton	zoning
Boyd Bingham	3525 W 8000 N Hoveyville	

EXHIBIT B

2-2-160. Temporary Use Permit.

B. Authority. The ~~Zoning Administrator or a designee~~ Planning Commission is authorized to approve temporary use permits as provided in this section.

E-2-g: The time for an approved Temporary Use Permit shall only be given for up to 1 year.

E-2-h: A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application.

I. Revocation. A temporary use permit may be revoked as provided in Section 2-4-070(B) of this Code.

1. In addition to the grounds set forth in Section 2-4-070 B of this Code, any of the following shall be grounds for revocation:
 - a) The holder or user of a permit has failed to comply with the conditions of approval or any County, State, or Federal law governing the conduct of the use;
 - b) The holder or user of the permit has failed to construct or maintain the site as approved by the Planning Commission; or
 - c) The operation of the use has been found to be a nuisance or a public nuisance by a Court of competent jurisdiction in any civil or criminal proceeding.

1-3-040: Definitions.

Temporary Use: A use not allowed as a permitted, conditional or accessory use where located and which is established for a limited time with the intent to discontinue the use upon expiration of the time period authorized by a temporary use permit. ~~which, in the determination of the Planning Commission shall not extend beyond 2 years from inception of such land use. A determination as to whether or not a land use is temporary shall be based solely upon facts submitted to the Planning Commission at the time of application for a conditional use permit for a temporary use.~~

2-4-092(E). Appeal. (Re: Enforcement)

E. **Appeal.** Any person aggrieved of the hearing officer's determination regarding the imposition of civil penalties for a Code violation may appeal such final administrative determination to the Hearing Officer in accordance with the appeal procedures set forth in Section 2-2-~~180~~190 of this Code.

2-4-110. Appeal. (Re: Enforcement)

Any person adversely affected by a final decision of the Zoning Administrator regarding the provisions of this Chapter may appeal that decision to the Hearing Officer as provided in Section 2-2-~~180~~190 of this Code.

2-2-190(D)(4). Appeal of Administrative Decision.

The Hearing Officer shall review the record of decision and shall consider and decide the matter in accordance with the standard of review set forth in Subsection 2-2-200190(eE) of this Section.

2-2-190(F). Appeal. Any person adversely affected by a final decision of the Hearing Officer regarding an appeal of an administration decision may appeal that decision to the district court as provided in *Utah Code Ann. §§17-27a-801 and 17-27a-808*, as amended.

5-1-290(F)(7) (Re: daycare home occupation requirements)

7. When day-care and preschool centers ~~for 4 or more children under the age of 14 for more than 4 hours a day~~ are approved as a home occupation, applicant shall be compliant with any licensing requirements and provisions as required by the Utah Department of Health and Human Services.~~the following conditions will also be required:~~

- ~~a. A license shall be issued by the Utah Department of Workforce Services for the same, and all regulations and conditions imposed by that agency observed.~~
- ~~b. Copies of all required State licenses will be attached to the application.~~
- ~~c. Outside yard space will be fenced for the protection of the children (contain them safely).~~

3-6-030. Location. (Re: Agritourism)

~~B. Recreational vehicles shall not be used at any place within the established boundaries of the County, at any time, for living quarters except in designated camping areas or recreational vehicle parks.~~

~~C. Recreational vehicles which are not in use may be temporarily stored on a private residential lot or parcel of land, provided they do not violate any section of this Code and are not parked in the public right-of-way or front yard.~~

BD. Storage facilities for recreational vehicles, mechanical repair and maintenance operations, reconstruction or construction activities, and other similar uses are not permitted by this chapter and are only permitted in zoning districts allowing such uses.

5-1-410. Recreational Vehicle Use.

A. Recreational Vehicles (Recreational Coaches) as defined in Chapter 1-3 shall not be used at any place within the established boundaries of unincorporated Box Elder County, at any time, as permanent living.

B. Regulations.

1. Recreational vehicles shall not be occupied on a lot or parcel for more than 14 consecutive days and no more than 90 total days of any single calendar year. The

recreational vehicle use shall be limited to recreational uses only and not for longer term placement or for full-time, permanent living.

2. No recreational vehicle dumping is permitted except at approved dumping facilities.
3. Recreational vehicles which are not in use may be temporarily stored on a private residential lot or parcel of land, provided they do not violate any section of this Code and are not parked in the public right-of-way or front yard.

C. Exceptions.

1. An individual with an issued building permit may reside in a recreational vehicle during the process of construction of a single family dwelling. This time begins on the date of issuance of the building permit and expires after 365 days or the date of issuance of the Certificate of Occupancy, whichever is less.
2. Long-term, permanent living in a recreational vehicle may occur in a designated and permitted mobile home or recreational vehicle park.
3. Agricultural workforce housing.

1-3-040. Definitions.

Recreational Use: The use of land or facilities for leisure, outdoor enjoyment, or relaxation activities conducted for personal or group pleasure rather than for profit. This includes both developed and undeveloped recreational activities such as camping, picnicking, hiking, fishing, hunting, boating, horseback riding, off-highway vehicle use, etc.

2-2-220(D)(2) (Re: Lot Line Adjustment)

2. After an application is determined to be complete, the Zoning Administrator shall approve, approve with conditions, or deny the application pursuant to the standards set forth in Section 2-2-~~090~~220(E) below. Any conditions of approval shall be limited to conditions needed to conform the lot line adjustment to approval standards.

05-086-0022	AHZ	Eric Burbidge
05-086-0007	AHZ	Dennis Christensen
04-052-0024	AHZ	Sam A Rose
05-202-0016	A-20	Chad J Bjorn
05-202-0018	AHZ	Chad J Bjorn
05-087-0008	A-20	Allan Barfuss
05-091-0008	AHZ	Norman Fukui
05-085-0017	A-20	Chris R Barfuss
05-086-0016	A-20	Erma H Barfuss
05-086-0025	AHZ	Erma H Barfuss
05-201-0002	A-20	Allan R Barfuss
05-084-0007	A-20	James Jeffrey Barfuss
05-084-0008	AHZ	James Jeffrey Barfuss
05-086-0038	AHZ	James Jeffrey Barfuss
05-201-0001	A-20	Laron D Barfuss
05-086-0044	AHZ	Laron D Barfuss
05-087-0057	AHZ	Sheldon K Barfuss
05-090-0004	AHZ	Dennis A Barfuss
05-091-0010	AHZ	Dennis A Barfuss
05-091-0012	AHZ	Dennis A Barfuss
05-091-0013	AHZ	Dennis A Barfuss
05-202-0022	A-20	Joel Jeppson
05-090-0027	AHZ	Riley R McFarland
05-086-0054	AHZ	Dave Gene Nielson
05-091-0018	AHZ	Theurer Properties LLC
05-093-0002	A-20	Ward Farm Holdings LLC
05-094-0005	AHZ	Ward Farm Holdings LLC
05-096-0060	AHZ	Thomas A Hanks
05-096-0059	A-20	Thomas A Hanks
06-069-0040	AHZ	Will D Sorensen
06-069-0041	AHZ	Will D Sorensen
05-091-0001	A-20	Ben Hunsaker
05-091-0042	A-20	Ben Hunsaker
05-091-0043	A-20	Ben Hunsaker
05-086-0009	A-20	Ben Hunsaker
05-086-0012	A-20	Ben Hunsaker
05-086-0015	A-20	Ben Hunsaker
04-052-0067	AHZ	Dotty Jensen
04-052-0057	AHZ	Dotty Jensen
05-091-0037	AHZ	Jeremiah Jacobson

Introduction to the Agricultural Heritage Zone

Preserving our farmland and heritage
for the future



Why a New Zone?

County General Plan

- Agriculture Matters!
 - 92% of participants support preservation of prime agricultural land.
- Growth Focused in Cities.
 - 81% of participants identified a preference for growth in cities and towns and reduced pressure on ag land.
- The General Plan was developed through broad public input. Following this outreach, a review and recommendation of approval by the Planning Commission went to the County Commission. The County Commission adopted the Plan as a blueprint for the county's future.

Why a New Zone?

- Unzoned areas lead to a loss of agriculture and rural character.
 - The new zone is designed specifically to meet ag preservation goals in the general plan. It balances flexibility for landowners with long-term ag preservation.
- Increased demand on local resources and infrastructure.
 - Leapfrog development in unincorporated areas creates a financial burden that is placed on all taxpayers. Increased costs for services such as roads, fire, sheriff, school district, etc. are borne by all.
 - Zoning improves resource planning. While working on the County Water Master Plan we interviewed several water providers. Those that service unzoned areas have a more difficult time planning for growth and sources as such a variety of densities, uses, and demands are allowed in those areas.
- Uncertainty for landowners.
 - Zoning makes better neighbors. Communities are more predictable and stable.

Purpose



Protect farmland



Support landowners



Reduce land conflicts



Safeguard heritage

What Is It?

Agricultural Heritage Zone (AHZ)

- Viable agriculture is the primary use.
- Allows ag businesses and home businesses.
- Allows residential development to mirror the area's heritage.

What Is It?

Agricultural Heritage Zone (AHZ)

- Flexible zone with a base density dependent on infrastructure availability.
 - 5 acre base density if connected to culinary water company and on a paved road.
 - 10 acre base density if served by well water or located on a gravel road.

What Is It?

Agricultural Heritage Zone (AHZ)

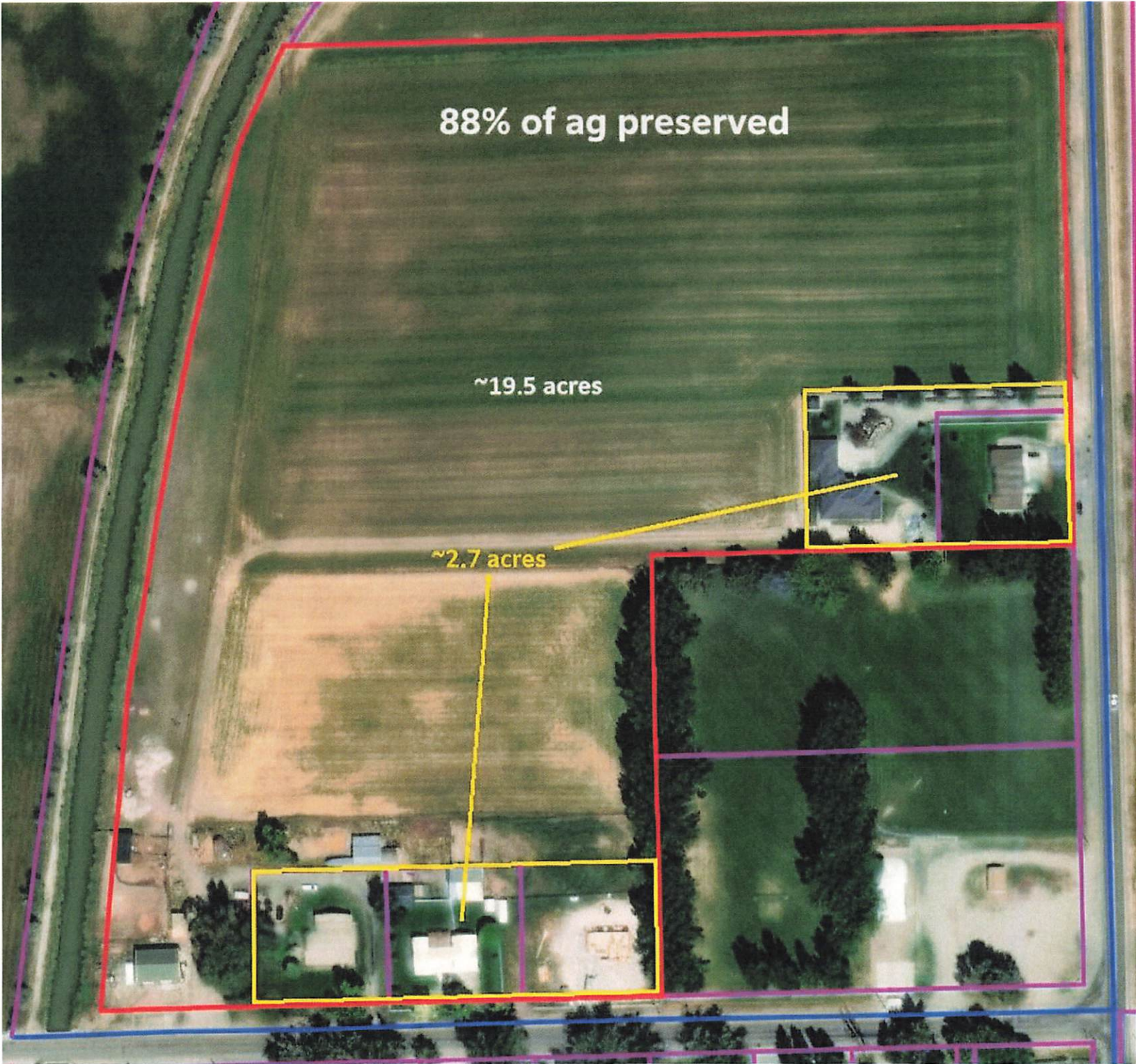
- Buildable Acreage - does not include:
 - FEMA floodplain
 - Wetlands
 - Slopes in excess of 20%
- Maximum Developable Area:
 - Divide the Buildable Acreage by the base density.
 - This is your allowed number of $\frac{1}{2}$ acre lots.
- Agricultural Lot:
 - In place for 20 years. After 20 years the Ag Lot's eligibility resets.



~2.55 acres

~25.5 acres

90% of ag land preserved



88% of ag preserved

~19.5 acres

~2.7 acres

How Is It Different?

Ag Heritage Zone

- Flexible zone with base density dependent on infrastructure availability.
- Viable agriculture is the primary use.
- Allows compatible ag businesses and home businesses.
- Allows residential development to mirror the area's heritage.

Traditional 5 or 10 acre zone

- Rigid lot sizes.
- Lot sizes are not conducive to viable agriculture.
- Preserves much less viable agricultural land.
- More difficult and expensive to service.

Benefits

- Creates more certainty for farmers. Makes their land eligible for Agricultural Protection status.
- Balances flexibility for landowners with long-term preservation of prime ag land and viable agriculture.
- Enhances local food security.
- Supports local jobs and economy.
- Encourages responsible and sustainable development.
- Improves resource planning.

Agriculture Protection Areas

- Protection from nuisance lawsuits
- Disclosure for new developments
- Zoning stability
- Eminent domain limitations
- State development restrictions

Agriculture Protection Areas

- Land must be actively used for agriculture
 - farming, ranching, other ag production
- Zoning Compatibility
 - land should be zoned for agriculture