

BOX ELDER COUNTY PLANNING COMMISSION MINUTES July 17, 2025

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	Excused
Jared Holmgren	Member
Jennifer Jacobsen	Member
Brandon East	Member
Brian Bowen	Alternate/Member

the following Staff was present:

Scott Lyons	Excused
Marcus Wager	Excused
Destin Christiansen	County Planner
Stephen Hadfield	County Attorney
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 Jared Holmgren.
Pledge was led by Commissioner Brian Bowen.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

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

UNFINISHED BUSINESS - NONE

PUBLIC HEARINGS - NONE

NEW BUSINESS

WILLARD CANYON TRAIL VACATE, VAC25-002, Request to vacate the trail right-of-way that runs east/west up Willard Canyon in Unincorporated Box Elder County. ACTION

Staff said the county is requesting to vacate the trail right-of-way that runs east/west up Willard Canyon in unincorporated Box Elder County. The current trail right-of-way will be temporarily relocated for public safety purposes while mining activities take place in the vicinity of this

right-of-way. An agreement between the county, Willard City, and the landowner is in place for the temporary relocation. The acknowledgement of the vacation of this right-of-way, dedication of a new right-of-way, and multiple possible vacations and rededications of a trail right-of-way within the Willard Canyon area is included in said agreement.

Staff read the Box Elder County Commission Policy #2003-01 outlining the standards for considering a right-of way vacation:

1. **Is there a prevailing public interest in keeping the road open; and** Based on the agreement between the County, Willard City, and the landowner it is acknowledged that a trail right-of-way in Willard Canyon has long been established and utilized by the general public. Based on this information there is a prevailing public interest in keeping the trail open. The agreement clarifies and binds that the landowner will provide and dedicate a new trail within a surveyed area in Willard Canyon for ongoing public use. It is agreed that a trail within the surveyed Willard Canyon area will consistently be in place and maintained in perpetuity.
2. **Does the proposed vacation substantially affect the County General Plan or the Transportation Plan of the County; and** The trail is included in the County's Active Transportation Plan as an unofficial single track corridor. So long as the agreement is fulfilled and a usable trail is in place and maintained the proposed vacation should not affect this plan.
3. **Is the proposed vacation in compliance with all Box Elder County Land Use and Development Code requirements, State, Federal or other local regulations; and** To staff's knowledge the proposed vacation is in compliance with all requirements and regulations.
4. **Will the proposed road vacation financially harm any landowner or stakeholder who may have an interest in the right-of-way; and** The portion of the trail proposed to be vacated is adjacent to one private landowner and they are a party in the agreement to ensure a perpetual right-of-way across their property. Adjacent landowners will be noticed of the public hearing held by County Commission. The public hearing process is in place to help bring any evidence of harm to light.
5. **The County shall not vacate any other private interest within the right-of-way; and** No private interests within the right-of-way are to be vacated. Private access within the right-of-way would become a civil issue between landowners if the application is approved by the County Commission.
6. **When considering the vacation of a deeded road as opposed to a right-of-use road, the provisions of the surplus property disposal policy shall be used; and** The proposed vacate is not a deeded right-of-way and does not need to conform to the surplus property disposal policy.
7. **The petitioner will provide descriptions in a deeded right-of-way for all abutting owners who may receive any ownership of the vacated road.** The right-of-way is not deeded, it is a public right-of-way by use and is currently in private ownership, thus no abutting owners will receive ownership of the vacated right-of-way.

Staff explained the agreement the county entered into with the landowner and Willard City will ensure there is always a safe trail available to the public in the Willard Canyon area.

Commissioner Jed Pugsley thinks this agreement will do everything possible to keep people safe and keep access to trails open.

MOTION: A Motion was made by Commissioner Jared Holmgren to forward a recommendation of approval to the County Commission for VAC25-02, a right-of-way trail vacation located in the Willard area of Unincorporated Box Elder County and adopting the conditions and findings of staff. The motion was seconded by Commissioner Jennifer Jacobsen and unanimously carried.

ROCKY MOUNTAIN POWER TUP25-001, Request for temporary storage of steel transmission poles. ACTION

Staff explained Rocky Mountain Power is requesting a Temporary Use Permit through December of 2027 for transmission pole storage on their property located at the south end of South Willard. The poles are anticipated to arrive in two shipments, the first at the end of July 2025 and the second in early August. The poles will remain there until January 2027 when construction mobilizes, then moved from the site to their final destination by April 2027. The poles will remain untouched until September of 2027 and through project completion in December of 2027.

(See Attachment No. 2 – Project Overview.)

Staff read the standards for reviewing Temporary Use Permits:

- a. Will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working within the vicinity, or injurious to property, improvements or the public in general;
- b. Will not substantially interrupt the safe and orderly movement of public transportation or other vehicular and pedestrian traffic in the area, nor block traffic lanes or hinder traffic during peak commuter hours on weekdays on any primary arterial street or principal commuter route designated by the County;
- c. Will not conflict with construction or development in the public right-of-way or at public facilities;
- d. Will not unduly interfere with the movement of police, fire, ambulance, or other emergency vehicles on the streets, nor require the diversion of so great a number of police, fire, or other essential public employees from their normal duties as to prevent reasonable police, fire, or other public services protection to the remainder of the County;
- e. Will not conflict with nor be incompatible with the permitted uses and regulations of the zone within which the temporary use is located; and
- f. Is in compliance with regulations, conditions and licensing requirements of applicable provisions of the Box Elder County ordinances.

Staff recommends approval.

Commissioner Jed Pugsley asked if there are limitations on the duration of Temporary Use Permits. Staff stated there are no limitations specified in county code.

MOTION: A Motion was made by Commissioner Jennifer Jacobsen to approve application TUP25-001, a Temporary Use Permit for pole storage and adopting the conditions and findings of staff and modified by the conditions below. The motion was seconded by Commissioner Lonnie Jensen and unanimously carried.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 2-2-160, Temporary Use Permit, of the Box Elder County Land Use Management & Development Code.
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all required licenses, permits, easements, etc.

PATTERSON AG PROTECTION AREA APA25-12, Request for an agriculture protection area on a 77.98 acre parcel located at 2875 N 6400 W in the West Corinne area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area on a parcel in the West Corinne area. The parcel contains 77.98 acres and uses include hay, grass seed production, occasional corn and agritourism. Utah State Code, 17-41 regulates the establishment of ag protection areas. Utah State Code 17-41-303 outlines the following standards for reviewing the creation of an ag protection area.

- A. The effect of the creation of the proposed area on the planning policies and objectives of the county;** At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. One aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change.
- B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;**
 - a. Whether or not the land is currently being used for agriculture production;** State code defines agricultural production as: Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.
 - b. Whether or not the land is zoned for agricultural use;** As shown in the table above, zoning for the proposed parcels is A-20 and RR-20. Both of these zones allow for agriculture as a land use.
 - c. Whether or not the land is viable for agricultural production;** Per the applications submitted, including applicant statements, the land is viable for agricultural production.
 - d. The extent and nature of existing or proposed farm improvements; and** All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

- e. **In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.** Planning Commissioners with experience in agricultural production may have a better understanding of this.
- C. **Recommends any modifications to the land to be included in the proposed agricultural protection area;** The Planning Commission must determine if all parcels should be included in the proposed Agriculture Protection Area.
- D. **Analyzes and evaluates any objections to the proposal; and** No objections have been received by staff.
- E. **Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.** This recommendation must come from the Planning Commission to the County Commission.

Following the Planning Commission motion, staff will prepare a recommendation to the County Commission on behalf of the Planning Commission.

MOTION: A Motion was made by **Commissioner Brian Bowen** to forward a recommendation to the County Commission to accept the proposal to create Agricultural Protection Area APA25-05 on multiple parcels in the West Corinne area of Unincorporated Box Elder County. The motion was seconded by **Commissioner Jared Holmgren** and carried unanimously.

WORKING REPORTS - NONE

PUBLIC COMMENTS

County Commissioner Boyd Bingham stated RR-20 stands for Rural Residential half-acre, not 20 acres as he once thought. Properties zoned RR-20 are being used for agriculture, yet are zoned residential. The purpose of a rural residential zone is about residential preservation and agricultural zones are about preserving agriculture. He doesn't understand why property zoned half-acre in unincorporated Box Elder County is being used for agricultural purposes. He would like to try to get that zone changed to an agricultural zone, then put the layer of agricultural protection area over the top, which gives the property owner some teeth to protect their property.

Commissioner Bingham said he has talked about RR-20 for 2 ½ years and didn't know until the June 10th commission meeting that RR-20 is 20,000 square feet. That's less than a half an acre which doesn't make sense to him. Currently there are seven rural residential zoning options, and only two agricultural zoning options in Box Elder County and asked the Planning Commission to look into these issues. He appreciates the recent decision that unzoned is not an official zoning designation and unzoned areas need to be zoned to a zone allowing agriculture as a use.

Commissioner Bingham stated there is an anonymous donor willing to donate the fee to cover the cost of changing zones. The anonymous donor would pay the fee and whoever in the county

wanted to change zones from rural residential or unzoned to an agricultural zone, could make an application within a 90 to 120 day time frame and not cost the applicant anything. He said he likes to listen to the Planning Commission talk and discuss the issues. He thinks the commission has a lot of great ideas and thanked them for their service.

Dennis Patterson, said in June 2004 the West Corinne Community Plan was completed. He said he is not standing up for RR-20 but that is what is zoned in the community plan of 2004. As far as the APA request, the RR-20 zone does allow for agriculture and does meet state qualifications. Mr. Patterson stated he is for community plans, not an anonymous donor and people rezoning their little parcel whenever they want. In the meetings for the general plan, it was said they wanted to have development more toward the cities, Corinne was one of those cities, and that's why they did it. Let's get together as a community and do it like it was done 20 years ago. Mr. Patterson thanked the Planning Commission for their time and service.

ADJOURN

MOTION: A Motion was made by Commissioner Jared Holmgren to adjourn commission meeting. The motion was seconded by Commissioner Jennifer Jacobsen and meeting adjourned at 7:40 p.m.



Mellonee Wilding, Chairman
Box Elder County Planning Commission

PLANNING COMMISSION MEETING
Thursday July 17, 2025

[illegible]

1. Project Overview

- a. Project Purpose: Temporary storage of steel transmission poles to support ongoing wildfire mitigation efforts on transmission lines.
- b. Location: Parcel # 01-048-0011
- c. Duration: July 28, 2024 – December 21, 2027
- d. Size of Yard: 3 acres

2. Site Preparation and Use

- a. Surface Treatment: The yard will be graded and covered with dust-suppressing material to minimize erosion and dust.
- b. Fencing: A secure perimeter fence (minimum 6 feet high) will be installed to prevent unauthorized access.
- c. Access Control: Gated entry with signage indicating restricted access, emergency contact information, and safety warnings.

3. Storage and Operations

- a. Material Storage: Steel poles will be stacked in a stable, safe manner on level ground to prevent tipping or rolling.
- b. Equipment Use: Only necessary equipment (e.g., forklifts, cranes) will be used, and all operators will be certified.
- c. Hours of Operation: Limited to daylight hours (e.g., 7:00 AM – 6:00 PM) to reduce noise and traffic impacts.

4. Health, Safety, and Welfare Measures

a. Public Safety

- i. Traffic Management: A traffic control plan will be implemented to manage ingress/egress and minimize disruption to local roads.
- ii. Emergency Access: Clear access routes will be maintained for emergency vehicles at all times.

b. Environmental Protection

- i. Dust Control: Water trucks or dust palliatives will be used during dry conditions.

c. Community Welfare

- i. Communication: Will provide advance notice to nearby residents and businesses, including a contact number for concerns.

5. Restoration and Decommissioning

- a. Site Cleanup: All materials, equipment, and temporary infrastructure will be removed at the end of the permit period.
- b. Land Restoration: The site will be restored to its original condition.