

BOX ELDER COUNTY PLANNING COMMISSION MINUTES JUNE 19, 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	Chairman
Jed Pugsley	Excused
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	Excused
Boyd Bingham	Excused
Diane Fuhrman	Executive Secretary

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

The Invocation was offered by **Commissioner Jennifer Jacobsen**.

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 May 15, 2025 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 Lonnie Jensen** and passed unanimously.

UNFINISHED BUSINESS - NONE

PUBLIC HEARINGS

ORDINANCE TEXT AMENDMENT, Z25-007, Request to amend various sections of the Box Elder County Land Use Management & Development Code regarding buildable slopes. ACTION

Staff found multiple areas in county code having regulations on buildable slopes that do not match. A request has been made to amend text relating to buildable slopes and agricultural workforce housing, by amending the verbiage in multiple sections.

Staff read the standards for reviewing ordinance 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 proposed amendment is consistent with the goals, objectives, and policies of 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.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed amendment should not 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.

Proposed Amendments:

1-3-040 - Definitions

Agricultural Workforce Housing: Agricultural workforce housing means a place, area, or piece of land where sleeping places or housing sites are provided by an agricultural employer for agricultural employees.

Density: A measure of the number of dwelling units per acre of area. It shall be expressed dwelling units per acre (DU/acre). Unbuildable land (~~as defined by the Planning Commission~~) is land with a slope greater than ~~25~~30% or subject to inundation, or other geological hazards.

Lot, Restricted: A lot having an average slope of ~~15~~20 percent or more; a lot which does not contain at least 75 feet by 100 feet, or the minimum size of a lot permitted in the zoning district where located, with an average slope of less than ~~15~~20 percent; and/or a lot which has vehicular ingress to the main building or structure which, upon completion of construction on the site, has a slope of ~~15~~20 percent or greater; or a lot subject to geologic hazards.

Lot, Unrestricted:

- A. A lot having an average slope of less than ~~3~~20 percent and containing a buildable area of at least 75 feet by 100 feet, or
- B. the minimum size of a lot permitted in the zoning district in which it is located, with an average slope of less than ~~3~~20 percent, or
- C. as a buildable area designated as such on the subdivision plat in which the lot is located, if the average slope of the lot is greater than ~~3~~20 percent.

4-2-040 - General

The "Sensitive Area District, SA" zoning district if not marked on the zoning map per se, shall nonetheless include areas of Box Elder County designated as:

B. geological hazards including earthquake areas, unstable soil conditions, slopes in excess of ~~15~~20%, and areas subject to flooding;

6-1-130 - Large Subdivision Preliminary Plat

C. Plat Preparation and Required Information. The applicant shall submit a preliminary plan to the Zoning Administrator. One (1) 24" X 36" pdf file shall be submitted along with a pdf of any other documents, forms, studies and supporting plans. All required fees shall be paid and all documentation shall be submitted at least twenty (20) business days (i.e., the third Friday of each calendar month) prior to the Planning Commission meeting and at any time for an administrative review for a small subdivision. The following information is required:

5. A contour map at intervals of no more than 2 feet, showing all unusual topographic features, such as depressions, hills, wetlands, floodplain, drainages, springs, rock outcroppings, slopes over ~~3~~20%, etc., with verification by a qualified engineer or land surveyor.

Staff researched buildable slopes in other counties and in some cities, and found most were around 15 to 20%. Staff chose to go with 20% across the board so everything is consistent. Some engineering may be needed but nothing major for buildable areas.

The public hearing was then opened for comments. There were no comments.

Hearing no comments, a motion was made by **Commissioner Jared Holmgren** to close the public hearing on Ordinance Text Amendment Z25-007. The motion was seconded by **Commissioner Brandon East** and passed unanimously.

ACTION

The Commissioners agree with the proposal and found it meets the standards for reviewing text amendments.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z25-007. a request to amend various sections of the Box Elder County LUM&DC regarding slopes, and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Brian Bowen** 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.

ORDINANCE TEXT AMENDMENT, Z25-008, Request to add Chapter 3-10, Agricultural Heritage Area Zone to the Box Elder County Land Use Management & Development Code.
ACTION

Staff stated this request would add a new chapter to the Box Elder County Land Use Management & Development Code.

Staff read the standards for reviewing ordinance 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 proposed amendment is consistent with the goals, objectives, and policies of 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.
- C. **The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed amendment should not 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.

Proposed Amendments:

Chapter 3-10 Agricultural Heritage Area (AHA)

- 3-10-010. Purpose.**
- 3-10-020. Enabling.**
- 3-10-030. Definitions.**
- 3-10-040. Permitted and Conditional Uses.**
- 3-10-050. Area, Width, and Setback Requirements.**
- 3-10-060. Special Regulations.**

3-10-010 Purpose

The Agricultural Heritage Area zone (AHA) has been established for the primary purpose of supporting and reinforcing agriculture, through a flexible zoning district. Areas where the cultivation of crops and the raising and keeping of livestock and related uses can be carried on and where such uses can be protected and encouraged, were identified in the Box Elder Together General Plan. While dwellings and certain other uses not related to agriculture are permitted, non-agricultural related uses are not encouraged in the AHA due to the conflict which occurs between farm and non-farm uses. However, residential dwellings may be constructed in harmony with agricultural.

3-10-020 Enabling

The extent of the AHA zone is shown on the official zoning map of Box Elder County. All properties covered by this zone shall be subject to the requirements found herein, as well as other relevant requirements of the Box Elder County Land Use Management and Development Code.

In the case of any conflicts concerning standards or uses within this zone and other Sections of the Box Elder County Land Use Management and Development Code, the AHA shall prevail. Existing uses not allowed in Section 3-10-040, shall become non-conforming and are subject to Chapter 2-3.

3-10-030 Definitions

Certain words or phrases in this Chapter, including uses, are defined in Chapter 1-3 of this Code.

3-10-040 Allowed, Permitted, and Conditional Uses

In order to accomplish the objectives and purposes of this title and to stabilize and protect the essential agricultural characteristics, the following uses are allowed in the AHA:

A. Table of Land Use Regulations. Allowed, Permitted and Conditional Uses. Allowed, permitted and conditional uses allowed in the agricultural heritage area zone shall be as set forth pursuant to Section 3-10-040 in this Chapter. Allowed uses (any land use not requiring approval by a land use authority) are indicated by an “A” in the appropriate column. Uses that may be permitted by a permitted use review issued by the zoning administrator are indicated by a “P” in the appropriate column. Uses that may be permitted by a conditional use permit are indicated by a “C” in the appropriate column. Uses that may be permitted by an administrative conditional use permit issued by the zoning administrator are indicated by a “C1” in the appropriate column. If a use is not allowed in a given district, it is either not named in the use list or it is indicated in the appropriate column by a dash, “-.”

B. If a use is not specifically designated below, then it is prohibited.

<u>LAND USES</u>	<u>Permit Type</u>	<u>Limitations</u>
Agriculture	A	Only allowed on agricultural lots
Agricultural Sales & Service	C1	Site plan required
Agritourism	C1	
Agricultural Industry	C	Site plan required, Only allowed on agricultural lots
Animals and Fowl for Recreation and Family Food Production	P	Only allowed on Residential Lots
Produce Stand	P	Site plan required
Small Butcher Shop	C1	Site plan required
Single Family Dwelling	A	
Accessory Dwelling Unit	C1	
Internal Accessory Dwelling Unit	P	
Agricultural Workforce Housing	P	At least 20 acres of land being farmed.
Group Homes	C	Site plan required
Home Occupation	C1	
Household Pets	P	
Sportsman’s Ranch		

Public or quasi-public facilities, essential service facilities, airports, and railroad.	C	Site plan required
Equestrian Facility	P	Site plan required
Home-Based Kennel	C1	Site plan required
Animal clinic	C1	Site plan required
Water System	C	Site plan required
Educational Facility	P	
Church or Place of Worship	C1	Site plan required
Small Power Generation	P	
Large Power Generation, including Solar Farms	C	Site plan required
Above ground gas distribution structures less than 200 square feet	P	
Above ground gas distribution structures > 200 square feet	C1	Site plan required
Cannabis Production Establishment (must be State licensed and permitted)	C1	Site plan required
Swimming Pool	P	
Wireless telecommunication towers, radio and television transmitting stations or towers (including repeating towers)	P	As regulated in chapter 5-7

3-10-050 Area, Width, and Setback Requirements Lot Standards Table

Zone	Minimum Lot Area	Width & Depth	Setbacks for uses with Structures	Height
AHA Residential	20,000 sq. ft. unless the lot is on a well.	100'	Front: 30' from property line or 63' from the road centerline whichever is greater Side: 15'/30' side setback for a corner lot or 63' from the road centerline whichever is greater Rear: 30'	35' Max. main bldg. or 2.5 stories. Minimum 1 story
AHA Agricultural	N/A	N/A	Front: 30' from property line or 63' from the road centerline whichever is greater Side: 10'/30' side setback for a corner lot or 63' from the road centerline whichever is greater Rear: 30'	N/A

3-10-060 Special Regulations

- A. **Base Density:** The base density for the AHA zone shall be 5 acres if the lots will be connected to a culinary tap from a water company and is located along a paved road. The base density for lots that are connected to a well or that are along a gravel road shall be 10 acres.
- B. **Residential Lots on Existing Roads:** To increase flexibility for agricultural parcels while leaving at least a 30' access to the interior of the parcel, a minimum 20,000 square foot lot for a single family dwelling or workforce housing, using the standards of the RR-20 zone, may be allowed pursuant to:
1. A Subdivision plat application process is required - There shall be no remainder parcels (all land of the original parcel(s) shall be included);
 2. Access point(s) must adhere to drawings shown on Exhibit A.
 - i. All new internal roads shall remain private.
 3. Streets where allowed:
 - i. State Routes with UDOT approval for access
 - ii. Existing County B Roads
 - iii. New roads will be allowed only if they fit the 1320 grid pattern system existing in the County
- C. **Buildable Area:** The buildable area of land shall not include the following:
1. FEMA flood Zone A;
 2. wetlands;
 3. Slopes in excess of twenty percent (20%);
- D. **Maximum Developable Area:** The maximum developable area is determined by dividing the buildable area of land by the base density. (ex. if you start with a 40 acre parcel - you would get 8 - ½ acre lots or 4 - 1 acre lots or 2 - 2 acre lots or 1 - 4 acre lot...)
- E. **Agricultural Lot:** Agricultural lot, after meeting the base density maximum shall be left in place and not be further subdivided for a minimum of twenty (20) years.
1. After 20 years, the Agricultural Lot's eligibility to subdivide will reset and may be subdivided according to the regulations of this Chapter.

Staff noted the use for animals and fowl for recreation and family food production, as well as household pets, both show as a P. If the commission made a motion for recommendation of approval, staff proposes changing the P to an A for being allowed rather than permitted. Allowed means they can just do it, permitted means getting a permitted use review first. For the Sportsman's Ranch item, a definition will be coming later, but it would be good for the Planning Commission to choose what permit type it will be. In 3-10-060-E some verbiage needs to be cleaned up to clarify it is referring to the remainder piece being agricultural. In Section 3-10-020 Enabling, the word legal should be added so it reads "Existing uses not allowed in Section 3-10-040, shall become legal non-conforming and are subject to Chapter 2-3. Also, the name of the chapter, Agricultural Heritage Area could be easily confused with Agricultural Protection Area. Staff recommends changing the name of the chapter to Agricultural Heritage Zone.

The public hearing was then opened for public comment.

Brian Shaffer agrees with creating this zone. He is a member of a steering committee who is considering rezoning some areas in East Garland. The committee would like to strongly suggest whenever these subdivision cluster type areas are created, they adhere to subdivision rules, including full side roads. It is also best the county continues to ask for curb and gutter, in case in the future, those areas need to be built out, then they will be able to connect onto the roads already established. Mr. Shaffer would like to see the zone approved, it's a good zone for the county, and should go a long way.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Ordinance Text Amendment, Z25-008. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

ACTION

Commissioner Mellonee Wilding agrees with Mr. Shaffer. There needs to be consistency with the roads throughout the county. These roads should not be going in at less than the width the county needs. She still likes the two homes per private road rule currently in place.

The Commissioners discussed the permit type for the Sportsman's Ranch and decided upon a Conditional Use Permit.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z25-008, an ordinance text amendment to add Chapter 3-10, Agricultural Heritage Area Zone to the Box Elder County LUM&DC, modifying the last sentence of Section 3-10-020 Enabling, by adding the word legal before non-conforming for better clarity; in the table under B, changing the word permitted to allowed for animals and fowl for recreation and family food production and also for household pets; adding Sportsman's Ranch as a Conditional Use Permit; and in Section 3-10-060-E add the comma and the words the remainder parcel so it states the remainder parcel shall be left in place, and in Section 3-10-060 B1 replace the beginning verbiage with any development must follow Chapter 6-1 Subdivision Regulations, unless explicitly different in the AHZ, and change the name from Agriculture Heritage Area to Agriculture Heritage Zone, and roads have to be built to county subdivision standards 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.

ORDINANCE TEXT AMENDMENT, Z25-009, Request for a text amendment to Section 5-1-360, Annexation Policy of the Box Elder County Land Use Management & Development Code. ACTION

Staff is proposing two new additions to the exemptions listed in the county annexation policy. These exemptions would eliminate the need for the applicant to request annexation into the adjacent city. The first exemption is zoning map amendments in association with Agriculture Protection Area (APA) applications. The state requires landowners to zone or rezone their property to a zone allowing agriculture as a use in order to qualify for Agriculture Protection Area status. Eliminating the requirement to apply for annexation should streamline the process for the applicant.

The second is Agricultural Subdivisions with a single family dwelling. Generally, an agricultural subdivision with a single family dwelling is a one lot subdivision, which is already exempt from the annexation policy. There are unique scenarios where an agricultural subdivision is adjacent to a city boundary. In those unique scenarios, eliminating the requirement would allow the applicant to split the house off from the farm without having to go to the city to request annexation.

Staff finds no reason to require these application types to go through the annexation policy.

5-1-360. Annexation Policy. (Ordinance 573)

A. Requirements.

1. The Box Elder County Commission, Planning Commission, or Community Development Office shall not take action on any proposed Land Use Application or Zoning Map Amendment within unincorporated Box Elder County (except building permits that are not using municipal utilities) if the Land Use Application or Zoning Map Amendment is:
 - a. Located within ½ mile of a municipality's largest (by area) incorporated boundary, or
 - b. If a development, improvement, or building lot will be using two or more utilities provided by a municipality.
2. If the proposed Land Use Application or Zoning Map Amendment meets any of the above criteria, the applicant shall petition the applicable municipality for annexation of the property associated with the Land Use Application or Zoning Map Amendment pursuant to the requirements set forth in Title 10, Chapter 2 of the Utah State Code as currently existing or subsequently modified. If the municipality(ies) rejects the petition for annexation, the applicant shall provide signed documentation to the Community Development office from the municipality(ies) showing the municipality's rejection of an annexation petition. After such documentation is received, the Land Use Application or Zoning Map Amendment may move forward.
3. If a municipality accepts the petition for annexation, and it is an island annexation, the county and annexing municipality must agree to the annexation. This agreement shall come in the form of both entities approving the annexation. The annexation proposal must be presented to the County Commission through the County

Community Development Department with input from affected county departments and stakeholders.

4. If the County Commission does not agree to the island annexation the petitioner may move forward with the Land Use Application or Legislative Application within unincorporated Box Elder County.
5. Any Land Use Application or Legislative Application using a municipality's utilities cannot have a higher density than that allowed by the municipality providing the utilities.
6. All applications shall be subject to the time limits set forth in Section 2-2-040(K), Substantial Action Required and Section 2-2-040(L), Expiration of Application of the Box Elder County Land Use Management & Development Code.

B. Exemptions.

1. The following Land Use Applications and Legislative Applications are exempt from the requirements listed in subsection "A" of this section and are NOT required to go through the annexation petition process with a municipality:
 - a. 1-Lot Subdivisions that are not adjacent to a municipal boundary and are not using municipal utilities.
 - b. Accessory Dwelling Units (internal and detached) in which there are no municipal utility services to the parcel or lot.
 - c. Home Occupations
 - d. Swimming Pools
 - e. Home-Based Kennels
 - f. Conditional Use Permits for temporary buildings and mobile homes for uses incidental to construction work or temporary living quarters in which there are no municipal utility services to the parcel or lot.
 - g. Zoning Map Amendments in conjunction with Agriculture Protection Area applications.
 - h. Agricultural Subdivisions with a Single Family Dwelling

The public hearing was then opened for comments.

Brian Shaffer thinks this meeting tonight stems from the steering committee meetings in East Garland. He appreciates the Planning Commission hearing these changes and making some of the long term goals outlined in the County General Plan possible by keeping the county as an agriculture community as much as possible, for as long as possible. Mr. Shaffer stated without this new Agriculture Heritage Zone being created, Agriculture Protection Areas couldn't exist. He appreciates the commission hearing these things and taking action on them so quickly.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on the Ordinance Text Amendment, Z25-009. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

ACTION

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;** Multiple chapters of the General Plan highlight the county's and its resident's desire to protect and preserve agriculture. This proposal is an effort to streamline applications that are working towards this goal. 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.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed amendment should have no adverse effect on adjacent properties.
- 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 recommends approval.

MOTION: A Motion was made by **Commissioner Jennifer Jacobsen** to forward a recommendation of approval to the County Commission for application Z25-009 a request for a text amendment to Section 5-1-360, Annexation Policy of the Box Elder County LUM&DC 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

LARSEN AG PROTECTION AREA APA25-09, Request for an agriculture protection area on a parcel located in the Brigham City area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area on a 54.61 acre parcel in the Brigham City area. The parcel is zoned A-20 , the use is for pasture and cattle. Staff explained it is the job of the Planning Commission to determine if the request meets the approval standards for reviewing the creation of APA's including the effect of the creation of the proposed area on the planning policies and objectives of the county; whether or not the land is currently being used for agriculture production; whether or not the land is zoned for agricultural use; whether

or not the land is viable for agricultural production; the extent and nature of existing or proposed farm improvements; and in the case of an APA, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

Staff has received no protests for the proposal and recommends approval. 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 Jared Holmgren** to forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-09 on one parcel in the Brigham City area of Unincorporated Box Elder County. The motion was seconded by **Commissioner Brandon East** and unanimously carried.

RE FARM PROPERTIES AG PROTECTION AREA APA25-10, Request for an agriculture protection area on various parcels located in the West Tremonton area of Unincorporated Box Elder County. ACTION

Commissioner Brandon East recused himself from participating as he has interest in this request.

Staff said the applicants are requesting to establish an Agriculture Protection Area on various parcels in the West Tremonton area. All parcels are being used for agriculture but are all unzoned. The two approval standards set forth in state code coming in to play are, the effect of the creation of the proposed area on the planning policies and objectives of the county, and whether or not the land is zoned for agricultural use. Staff explained the parcels have no zoning designation. While unzoned areas do allow for agriculture as a use, the land is not zoned for agricultural use. Other approval standards to be considered are whether or not the land is currently being used for agricultural production, whether or not the land is viable for agricultural production, the extent nature of existing or proposed farm improvements, and in the case of an APA, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

Staff recommends rejecting the proposal since all parcels are unzoned.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-10 on multiple parcels in the West Tremonton area in Unincorporated Box Elder County based on not being zoned for agricultural use. The motion was seconded by **Commissioner Brian Bowen** and unanimously carried.

ANDERSON AG PROTECTION AREA APA 25-011, Request for an agriculture protection area on various parcels located in the West Tremonton/Bothwell area of Unincorporated Box Elder County. ACTION

Staff said the applicants are requesting to establish an Agriculture Protection Area on six parcels in the West Tremonton/Bothwell area, five of which are unzoned. A portion of one of the parcels sits in Bothwell zoning, but the bulk of the parcel is unzoned. County code is written to where the zone covering the majority of the parcel is the zone that regulates the parcel. The approval

standards addressed on the last two applications, would also apply here. Based on those approval standards, staff recommends the Planning Commission accepts and modifies the proposal to include the northern most parcel, 05-103-0048 zoned RR-5, which allows agriculture as a use, but not to include the other five parcels as they are currently unzoned.

Parcels	Acres	Use	Area & Zoning	
1	40.33	Crops	West Tremonton	Unzoned
2	20	Crops	West Tremonton	Unzoned
3	19	Crops	West Tremonton	Unzoned
4	38.78	Crops	West Tremonton	Unzoned
5	20.21	Crops	West Tremonton	RR-5
6	59.64	Crops	West Tremonton	Unzoned

MOTION: A Motion was made by **Commissioner Brian Bowen** to forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-11 on multiple parcels in the West Tremonton area in unincorporated Box Elder County, with the following modifications, to include parcel 05-103-0048 as it is zoned RR-5, but not include the other five parcels in the APA as they are currently unzoned. The motion was seconded by **Commissioner Jennifer Jacobsen** and unanimously carried.

CRESCENT MOON 1ST AMENDMENT SS25-011, Request for an amendment to the final plat of the Crescent Moon Subdivision located in the West Corinne area of Unincorporated Box Elder County. ACTION

The applicant is requesting an amendment to the final plat of the Crescent Moon Subdivision in the West Corinne area of unincorporated Box Elder County. The proposed amendment adjusts existing Lot 1 from 7.62 acres to 5.62 acres, and creates one additional 2-acre lot. The amendment adjusts the lot property lines, and renames Lot 1 of the original subdivision to Lot 3. The surrounding land uses are Agriculture and Rural Residential, the surrounding zones are RR-20, RR-5, and A-20.

All applicable departments have reviewed and approved the amended plat. Staff's recommends approval of the amended plat subject to County Attorney approval and compliance with state code.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to approve application number SS25-011, amending the Crescent Moon Subdivision 1st Amendment, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of staff, and as modified by the conditions below. The motion was seconded by **Commissioner Lonnie Jensen** and unanimously carried.

CONDITIONS:

1. Approval of the amended plat by ALL necessary county departments.
2. Compliance with Sections 17-27a-608 and 609 of the Utah State Code.

WORKING REPORTS

Ditches/Irrigation – Brandon East

Commissioner Brandon East presented a proposal for a Water Conveyance Facilities Ordinance. The purpose of the ordinance is to regulate the treatment of existing water conveyance facilities within subdivision developments in Box Elder County. The commissioners discussed the proposed ordinance at length highlighting the need for balancing public safety, property rights, and development standards. They discussed the need for mandatory piping of ditches in subdivisions to prevent offensive issues and protect water resources. The conversation also covered the challenges of locating and rerouting subsurface drainage facilities, including tiles. The importance of coordination between developers and ditch owners was emphasized, along with the need for clear regulations to ensure public safety and property protection. The discussion concluded with a consensus to require piping and address tiles in future codes.

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by Commissioner Jared Holmgren to adjourn commission meeting. The motion was seconded by Commissioner Lonnie Jensen and meeting adjourned at 8:45 p.m.



Mellanee Wilding, Chairman
Box Elder County Planning Commission

JED Rysley, Vice Chair

PLANNING COMMISSION MEETING

Thursday, June 19, 2025

NAME	ADDRESS	AGENDA ITEM
Brian Shaffer	4500 W 14800 N	A H A
Dennis Patterson	2875 N 6400 W	