BOX ELDER COUNTY
PLANNING COMMISSION MINUTES
May 21, 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		the *following Staff was present*:	
Mellonee Wilding	Chairman		
Jed Pugsley	Vice-Chair	Scott Lyons	Comm Dev Director
Lonnie Jensen	Member	Marcus Wager	County Planner
Bonnie Robinson	Member	Destin Christiansen	County Planner
Jared Holmgren	Member	Stephen Hadfield	Excused
Jennifer Jacobsen	Member	Boyd Bingham	Excused
Brandon East	Member	Diane Fuhriman	Executive Secretary
Brian Bowen	Alternate/Member		

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

The invocation was offered by Commissioner Jed Pugsley.
The pledge was led by Commissioner Jennifer Jacobsen.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The minutes of the April 16, 2026 meeting were made available to the planning commissioners 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.

UNFINISHED BUSINESS - NONE

PUBLIC HEARINGS

ZONING MAP AMENDMENT, Z26-008, Request for a zone change of 514.2 acres from Unzoned to the AHZ (Agricultural Heritage Zone) located in the Fielding and Plymouth areas of unincorporated Box Elder County. ACTION.

Staff stated the applicant represents Capener Brothers Dairy LLC and Jeffrey Rigby who are requesting parcels located north of Riverside and parcels located north of Plymouth be zoned

from unzoned to the Agricultural Heritage Zone (AHZ). The application includes 514.2 acres of land. The surrounding land uses are Rural Residential and Agriculture.

Staff explained there are four approval standards for reviewing zoning map amendments.

- Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;
- Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
- The extent to which the proposed amendment may adversely affect adjacent property;
- 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 public hearing was then opened for comments.

Neil Capener, applicant, encouraged the planning commission to approve the rezone. He said they are getting encroached upon by houses and would just like to continue farming.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Zoning Map Amendment Z26-008. The motion was seconded by Commissioner Jared Holmgren and passed unanimously.

ACTION

MOTION: A motion was made by Commissioner Jed Pugsley to forward a recommendation of approval to the county commission for application Z26-008, a zoning map amendment from unzoned to the AHZ (Agricultural Heritage Zone) and adopting the conditions and findings of staff. The motion was seconded by Commissioner Jared Holmgen 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.

ZONING MAP AMENDMENT, Z26-009, Request for a zone change of 22.07 acres from A-20 (Agriculture-20 acres minimum) to RR-5 (Rural Residential, 5-acre minimum) located in the West Corinne/Bear River area of unincorporated Box Elder County. ACTION.

Staff stated the applicant is requesting a zoning map amendment from A-20 (Agriculture - 20 acres minimum) to RR-5 (Rural Residential, 5-acre minimum) for part of parcel 04-064-0030, totaling approximately 22.07 acres. The surrounding land use is Agriculture, the surrounding zoning is A-20 and RR-20.

Staff read the standards for reviewing zoning map amendments as they apply to this request as follows:

1. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan; The Box Elder County 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.

The Box Elder County vision for the West Corinne area suggests "continuing the agricultural heritage of the area, allowing for some flexible lot sizes through rural residential clustering.."

The future land use portion of the vision states that "as part of the agricultural heritage area, large lot zoning should remain, to encourage continued agricultural activity."

The West Corinne Community Plan (from 2004) in the Land Use Policies section states, "Zoning should reflect the prevailing character of an overall district or neighborhood to the largest extent possible. Districts determined to be in transition may be given special consideration."

2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; The immediate area around the proposed parcel is mainly used for agriculture. Procter & Gamble (manufacturing) is to the west across the railroad (appx. 1 mile west). The Planning Commission must consider if the RR-5 zone would be considered harmonious.

3. 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.

4. 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. Future development will require verification of utilities and road access. These must be addressed at the subdivision stage.

The public hearing was then opened for comments.

Kim Braegger, applicant, said he currently does not own the property but has a letter from the owner stating he can get the rezone done. Mr. Braegger owns the property to the north and eventually will own the rest. He has four kids who would eventually like to build homes on those lots and thinks it is a good idea to have five acre lots rather than half acre lots. He expressed his appreciation to the planning commissioners for their time and effort.

Chad Hardy is one of the owners and wants to speak in support of this zone change. He said Mr. Braegger has purchased some ground to the north of him and they have come to an agreement to allow him to purchase the rest of the parcel over a period of time.

Walker Bell is one of the kids who would be building on one of the lots. He loves living in the country and to have a 5-acre lot with minimal neighbors besides his siblings, would be great.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on the Zoning Map Amendment, Z26-009. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

ACTION

The commissioners are in agreement that the request meets the four standards for reviewing zoning map amendments

MOTION: A motion was made by Commissioner Jared Holmgren to forward a recommendation of approval to the county commission for application Z26-009 a zoning map amendment from the A-20 (Agriculture-20 acre min.) zone to the RR-5 (Rural Residential - 5 acre min.) zone and adopting the conditions and findings of staff. The motion was seconded by Commissioner Jed Pugsley 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.

NEW BUSINESS

LEWANDOSKI ESTATES SUBDIVISION AMENDMENT 1, SS26-007, Request for a subdivision amendment, located at approximately 6960 West 9600 North in the Tremonton area of Unincorporated Box Elder County. ACTION.

Staff said this subdivision came to the commission before as Lewandowski Estates. This proposal would adjust Lot 1 into 2 lots. The surrounding land uses are Agriculture and Rural Residential. All of the county departments have reviewed and approved the amendment. Staff also recommends approval.

MOTION: A motion was made by Commissioner Jared Holmgren to approve application SS26-007, amending the Lewandoski Estates Subdivision 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 Jed Pugsley and unanimously carried.

CONDITIONS:

1. Compliance with Chapter 6-1, Subdivisions, of the BEC Land Use Management & Development Code.
2. Compliance with Sections 17-79-711 and 712 of the Utah State Code.

FLINT SMALL SUBDIVISION AMENDMENT, SS26-011, Request for a subdivision amendment, located at approximately 20455 North Gunsight Peak Road in the Plymouth area of Unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting an amendment to the final plat of the Flint's Small Subdivision in the Plymouth area of unincorporated Box Elder County. The proposed amendment adjusts the existing Lots 1 and 2 to make them a little bigger, as well as creating a new lot. The surrounding land use is Agriculture and Rural Residential and the surrounding area is unzoned.

Staff said all county departments reviewed the amendment and came up with comments. Those comments were compiled and sent off to the applicant and the surveyor on May 11th. Staff is still waiting for an update. A bigger issue is the access road creates a flag lot that does not meet the flag lot standards. The applicant has two options, they can either bring this road at least 100 feet somewhere into this property, and that would be their 100 feet of running, or they could have frontage along Gunsite Peak Road.

Commissioner Mellonee Wilding is not comfortable with the applicant not having answered staff's questions since May 11th. She said they also need to solve their lot lines before the commission can proceed.

MOTION: A motion was made by Commissioner Jed Pugsley to table application SS26-011 amending the Flint's Small Subdivision for up to 6 months to allow time for the applicant to respond to staff's comments and fix the lot lines. The motion was seconded by Commissioner Jared Holmgren and unanimously carried.

STEPHENS AG PROTECTION AREA, APA26-01, Request for an Agricultural Protection Area on multiple parcels located in the Tremonton area of Unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting to establish an Agriculture Protection Area (APA) on five parcels in the Tremonton area. Parcel 05-074-0010 was included in an Agriculture Heritage Zone (AHZ) donor funded process that went through last fall. The other four parcels owned by family members and neighbors were not part of that process and remain unzoned.

Staff highlighted items from the approval standards for reviewing Agriculture Protection Areas.

- **The effect of the creation of the proposed area on the planning policies and objectives of the county;** Locking in unzoned property into an APA for 20 years would make it difficult to stay consistent with the planning policies and objectives of the county.

- **Whether or not the land is currently being used for agriculture production;** Based on the state's definition as well as the applicants, all five parcels would meet this requirement.

- **Whether or not the land is zoned for agricultural use;** Only one of the parcels is zoned AHZ. This zone allows for agriculture as a land use. The remaining four parcels are unzoned. While unzoned areas allow for agriculture as a use, staff cannot say the land is zoned for agricultural use.

- **Whether or not the land is viable for agricultural production;** As per the application submitted, including applicant statements, the land is viable for agricultural production.

- **The extent and nature of existing or proposed farm improvements**. These parcels have crops or livestock on the property.

- **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 than staff to evaluate this standard.

Staff explained by taking into account these approval standards, the planning commission would need to decide if the recommendation to the county commission would include any modifications to the land included in the proposed APA. Staff's recommendation is to accept the parcel zoned AHZ and that the other four parcels not be included in the recommendation of approval to the county commission.

MOTION: A Motion was made by Commissioner Jed Pugsley to forward a recommendation to the county commission to accept and modify the proposal to create Agriculture Protection Area APA26-01 by accepting parcel 05-074-0010 and denying the remaining four parcels as they are unzoned and do not meet the standards of approval. The motion was seconded by Commissioner Jared Holmgren and unanimously carried.

WORKING REPORTS - NONE

PUBLIC COMMENTS - NONE

Commissioner Jared Holmgren thanked the county commissioners and staff for their service. The controversy over the data center has not made this last month easy for them.

ADJOURN

MOTION: A Motion was made by Commissioner Jed Pugsley to adjourn commission meeting. The motion was seconded by Commissioner Jared Holmgren and meeting adjourned at 7:39 p.m.

Mellonee Wilding

Mellonee Wilding, Chairman
Box Elder County Planning Commission

Planning Commission Meeting
Thursday May 21, 2026
Attendance List

Name	Address	Agenda Item
Neil Clayton	15685 N 5400 W Riverside	Ag Heritage
Jeff Rigby	15580 N. 5400 W Riverside UT	Ag Heritage
Crispin Rigby	" "	Ag Heritage
Kim Bregger	4680 N Hwy 13 Corinne	Rezone
Wade Dowell	4680 N Hwy 13 Corinne	Rezone
Chad Hardy	2675 N. 3100 W. BC.	Rezone