BOX ELDER COUNTY
PLANNING COMMISSION MINUTES
JULY 16, 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	Excused
Jared Holmgren	Excused	Stephen Hadfield	County Attorney
Jennifer Jacobsen	Member	Boyd Bingham	Co. Commissioner
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 Jennifer Jacobsen.
The pledge was led by Commissioner Brandon East.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The minutes of the June 18, 2026 meeting were made available to the planning commissioners prior to this meeting and upon review a **Motion** was made by Commissioner Jennifer Jacobsen to approve the minutes as written. The motion was seconded by Commissioner Jed Pugsley and passed unanimously.

UNFINISHED BUSINESS - None

PUBLIC HEARINGS

Chairman Mellonee Wilding explained public hearings provide an opportunity for the public to voice their concerns or approval on an item. She invited those in attendance to come forward during the public hearings and state their name and where they are from. She asked to keep the comments concise so everyone has a chance to speak. It is not a time for public comment or input. Although the commissioners may ask questions of the applicant during these times.

ZONING MAP AMENDMENT, Z26-012, Request for a zone change of 1,240.5 acres from unzoned to MG-EX (Mining, Quarry, Sand & Gravel Excavation) located at approximately 23400 W 12200 N in the Hansel Valley area of unincorporated Box Elder County. ACTION

Staff stated the applicant is requesting parcels 05-005-0008 and 06-005-0044 be re-zoned from unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone. It is a total of 1,240.5 acres in size. Originally, the application requested 3,196.28 acres with a total of 6 parcels be rezoned, but the applicant has amended that down to what is being requested now.

Staff read the approval standards for zone changes as they apply to this request:

A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan; The General Plan (Resource Management Plan): Box Elder County supports existing and future mining operations and desires to be consulted in approval of new operations. The county desires to maintain a cooperative relationship with existing mining operations while encouraging environmental stewardship during active mining and reclamation at the close of each operation. The county desires mining entities to have strong reclamation plans and oversight for mining activities, including road maintenance plans.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; The subject parcel and the parcels adjacent to it are currently used for agricultural purposes with some historic pit activity.

C. The extent to which the proposed amendment may adversely affect adjacent property; 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. There are limited facilities and services in this area. Additionally the road may need to be brought up to county road standards.

Staff stated the county road supervisor has indicated he is comfortable with the road the way it is at this point. The road supervisor will be one of the reviewers during the administrative conditional use permit process. If the road needs improvement, it would be at that time he would require improvements.

The public hearing was then opened for comments.

Frank Rees, property owner, told some of the history of the gravel pit. Years ago when the Sunset Pass road was being graveled, the farmers got together with their dump trucks and their grain trucks, and they hauled gravel. Then the county got their trawler tractors with the old wheel graders, and they graveled Sunset Pass road so the farmers could haul out their big loads of grain. He said the gravel pit has been used ever since for personal use and a little bit has been sold using what was called the grandfather permit. Now we understand this has to be changed to align with state rules. Mr. Rees said in about 2011 the county came in and raised the road considerably, putting in a lot of culverts and some cattle guards and topping it off with crushed gravel. The road turned into what he calls a boulevard. It is a good road and will be beneficial to those adjacent to the road.

Tom Checketts, applicant, said the use of this parcel has been gravel for a lot of years. When he called the county to ask about the process to get official certification of the grandfathered use, the county asked him to seek a rezone to come under the regulatory umbrella of the county. He realizes this is the first step and in order to process gravel, he will need to get a conditional use permit and deal with all of the things that come with gravel operations. Mr. Checketts said he is grateful for the planning commission and their willingness to be here and serve in this capacity.

Randy Moulding, neighbor, is all in favor of the rezone. He said it's a great spot for a gravel pit and always has been. It's a good resource for the neighbors to have.

Laurie Munns, property owner to the north, has no objection to the proposed zone change. She would like to see all of the county zoned in one way or another and get out of the unzoned category we sit in as a county. Having a zone there is a great thing. Her only concern would be the roads as gravel is being hauled in and out, but that is something we could keep an eye on.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Zoning Map Amendment Z26-012. The motion was seconded by Commissioner Jed Pugsley and passed unanimously.

ACTION

Commissioner Jed Pugsley noted this request is pretty straightforward. It is a historic fit and is in a good location for a gravel pit, and the neighbors are in favor.

MOTION: A motion was made by Commissioner Jed Pugsley to forward a recommendation of approval to the county commission for application Z26-012, a zoning map amendment from unzoned to the MG-EX (Mining, Quarry, Sand & Gravel Excavation) zone and adopting the conditions and findings of staff. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

CONDITIONS:

1. Compliance with Article 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.
4. Compliance with Chapter 3-9 Mining, Quarry, Sand & Gravel Excavation zone of the Box Elder County Land Use Management & Development Code.

ZONING MAP AMENDMENT, Z26-013, Request for a zone change of 74.1 acres from unzoned to the AHZ (Agricultural Heritage Zone) located at approximately 9175 N 6000 W in the Tremonton area of unincorporated Box Elder County. ACTION

Staff stated the proposal is to change 74.1 acres from unzoned to the Agricultural Heritage Zone. The landowner is interested in including the acreage in an Agricultural Protection Area which is on the agenda later this evening.

Staff read the approval standards for zone changes as they apply to this request:

A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan; The General Plan states that future land use decisions should enhance our towns and cities, focusing most of the growth there and that decisions should support our farmers and ranchers in their agricultural stewardship. 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 property is located in the 3rd Ward area of unincorporated Box Elder County. The subject parcel and adjacent parcels are currently used for agricultural purposes and would be harmonious with existing development.

C. The extent to which the proposed amendment may adversely affect adjacent property; 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 will reduce the potential demand on facilities and services.

The public hearing was then opened for comments.

Hearing no comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Zoning Map Amendment, Z26-013. The motion was seconded by Commissioner Brian Bowen and passed unanimously.

ACTION

Staff explained the request conforms to the county's general plan and meets the approval standards for zoning map amendments. Staff recommends approval.

MOTION: A motion was made by Commissioner Bonnie Robinson to forward a recommendation of approval to the county commission for application Z26-013 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 Brian Bowen 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, Z26-014, Request for a zone change of 0.51 acres from RR-5 (Rural Residential - 5 acre lots) to RR-20 (Rural Residential - 20,000 sq. ft. lots) located at approximately 9365 W 11200 N in the Bothwell area of unincorporated Box Elder County. ACTION

Staff stated the applicant is requesting the listed parcel be rezoned from RR-5 (Rural Residential 5 Acres) to RR-20 (Rural Residential 20,000 sq. ft. min.). The Parcel is .51 acres in size and was subdivided on September 24, 1984. The zoning was put into place in the Bothwell area on September 14, 1978. The subdividing below 5 acres made this parcel illegal. The applicant wants to clean up this parcel to be a legal, conforming parcel. Staff noted there have been two times in the past where applicants have come in for this same exact reason in the Bothwell area. In 2018 the Planning Commission recommended approval, and the County Commission approved an application to rezone a parcel from RR-5 to RR-2. In 2019 the Planning Commission recommended approval, and the County Commission approved an application to rezone from RR-5 to R-1-8, which is 8000 square foot minimum.,

Staff read the approval standards for zone changes as they apply to this request:

A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan; The County's General Plan: This plan suggests that most growth should occur in the cities and towns. The county can adopt policies to encourage that to happen but must continue to recognize private property rights and coordinate with the incorporated communities. Bothwell General Plan section: Future Land Use indicates that "as part of the agricultural heritage area, large lot zoning should remain to encourage continued agricultural activity."

B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; The area is a combination of residential and agricultural uses. Whether the proposed amendment is harmonious with the overall character of existing development is quite subjective. This point could be argued saying yes, it is harmonious due to there being existing residential uses and that this parcel has been .51 acres since 1984.

C. The extent to which the proposed amendment may adversely affect adjacent property; and This is subjective. Residential uses do tend to bring additional traffic. They also tend to bring higher property values. The public hearing process may shine additional light on this. In this case, there is already a home on the property and the applicant would not be able to subdivide it further under the county's currently available zoning districts.

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 facilities and services intended to serve the subject property currently exist.

The public hearing was then opened for comments.

Carleen Ramirez, applicant, has lived in Bothwell since 2020. At the time she was not aware of the five-acre zoning in Bothwell. Ms. Ramirez understands the importance of keeping Bothwell

an agricultural community, however, she asked for a few specific things to be considered. The home was built in 1977 and the lot was subdivided in 1984. The lot was subdivided prior to the creation of subdivisions in the area in 1993. She and Nefi are not requesting any subdividing of the land but are attempting to bring an existing lot into compliance with the law. There is no definitive evidence the home was ever intended to be illegal and other similar homes have been rezoned to meet zoning requirements in the area. Ms. Ramirez said everything for this home is already there and has been since 1977. With all these things taken into consideration, she firmly believes rezoning their home will not adversely affect the Bothwell community.

Lee Summers, adjoining property owner, stated "I don't know why we're here" and asked "why can't we leave it like it is? He said Bothwell wanted five-acre zoning and that house was on five-acres a long time ago. He asked the commission to not set a precedent by changing the zone.

Katherine Summers said she is equally confused. There is no building going on, nothing is changing so why are they here asking for change? She said it was grandfathered in when the zone came in and she does not want to see a change. There have already been three people come in and say they were not aware of the zoning, and now they are not happy with it so they want a change for themselves. Ms. Summers doesn't think that is the precedent the commission would want to set. When someone buys a piece of property, they should look into it, see the rules of where they are, accept it and buy the property. The home has had several owners and has stayed the same but now the owners want to change it, and yet she did not hear any offers of what changes they are looking to make. Ms. Summers said she is against the zone change and thanked the commissioners for their time.

Steve Skinner, Bothwell, has no interest in this either way, but knows there are really great people living there. His only concern is the home was built after the five-acre zoning was in place. There are several homes in Bothwell on half-acre, or one, two or three acres. He said there is a $2 million home there for sale on three acres. The county at some point accepted the house and has been collecting taxes on it. He said farmers don't want to pay residential taxes on the whole farm, so they cut off a little piece and leave the house taxed at the house rate and put the rest in greenbelt. That's great, take advantage of what you can but he thinks it may put hardships on people. There are elderly who are going to retire soon, and he would hate to see somebody get locked up and not be able to sell because of something they decided before the zone was put in.

Matt Adams has been in Bothwell for about 10 years. He was well aware of the five-acre zone when he bought his home and is in favor of the five-acre stipulation. He feels similar to Steve Skinner when talking about grandfathering existing homes that happen to be on a half-acre. If people get stuck and are not able to sell their home, that creates quite a hardship for them. He is a proponent of continuing with the five-acre limitation in Bothwell, but on homes already existing, allow them to be able to sell their homes, to make upgrades and allow them to do the things that will help them and our community be better while also maintaining the rural feel of Bothwell.

Nefi Ramirez, applicant, has spoken with multiple community members and it has been made clear there is no direct opposition to the rezoning of this block. Most of his neighbors were not aware his home fell outside of the zoning requirements. The home has been bought and sold multiple times since it was built in 1977. We all agree this will not negatively affect the

community in any way, especially since his home is not part of a subdivision, but is a pre-existing lot of nearly 50 years. Mr. Ramirez is asking for this rezone so his family can be safe and secure in the home, and so the future of the lot is not in question. We don't want future owners or anyone after us to have this problem.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Zoning Map Amendment, Z26-014. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

ACTION

Commissioner Mellonee Wilding stated county code allows for zone changes. One of the reasons is because rezoning can help people come into conformity with zoning laws. She appreciates the grace of the gentleman who spoke saying Bothwell residents want five acres, but understands the plight of this individual person. Commissioner Wilding thinks this in no way sets the precedent for half-acre lots in Bothwell. Bothwell residents have made it abundantly clear their desire for their community. This does not change that, this just legalizes the property for this person.

Staff noted if the applicant would have requested a half-acre zone, they could have potentially subdivided the two-acre piece into four properties. Instead they requested the two-acre zone as a demonstration to the neighbors they are trying to become compliant. They have no intention of further subdividing or developing this property. They are trying to leave the community as is.

MOTION: A motion was made by Commissioner Bonnie Robinson to forward a recommendation of approval to the county commission for application Z26-014, a zoning map amendment from RR-5 to the RR-20 zone and adopting the conditions and findings of staff. The motion was seconded by Commissioner Jed Pugsley 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.
4. Put verbiage in the Ordinance that states: "the property owner desires only to bring the property into compliance with zoning ordinances and in no way is trying to set a precedence to rezoning properties in Bothwell".

ORDINANCE TEXT AMENDMENT Z26-015, Request to amend various sections of the Box Elder County Land Use Management & Development Code. ACTION

Staff stated the applicant is requesting a text amendment to amend/update a number of sections of the Box Elder County Land Use Management & Development Code. Staff reviewed the proposed amendments which include cleaning up Section 5-3-100(C) and Section 6-6-010; replacing the verbiage in Section 5-1-320-Flag Lots with the more current verbiage located in the

subdivision chapter; adding new sections regarding protection strips, site preparation work prohibited, and violation on property; replacing the mixed use and multiple use verbiage to state minimal use to better portray what the zone means; clarification in the subdivisions chapter that any access can have up to 30 lots; and public notices for zoning map amendments affecting an area of 5,000 acres or more.

(See Attachment No. 2 - Code Changes.)

The public hearing was then opened for comments.

Hearing no comments, a motion was made by Commissioner Jed Pugsley to close the public hearing on Zoning Map Amendment, Z26-015. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

ACTION

MOTION: A motion was made by Commissioner Bonnie Robinson to forward a recommendation of approval to the County Commission, application number Z26-015, an ordinance text amendment, and adopting the conditions and findings of staff. The motion was seconded by Commissioner Brian Bowen 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

BARFUSS AG PROTECTION AREA, APA26-03 Request for an Agricultural Protection Area on multiple parcels totalling approximately 1,627 acres located in the Elwood area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area (APA) totaling approximately 1,627.27 acres on multiple parcels throughout the Elwood area. APA's originate in the county clerk's office and end with the county commission. The APA requests are sent to two different bodies for review with the planning commission being one of those bodies. The planning commission then forwards a recommendation to the county commission.

Staff explained this group of residents came before the planning commission earlier this year to change the zoning from unzoned to the Agricultural Heritage Zone, intending to ultimately put the area in agricultural protection. One parcel in the proposal totaling 74.1 acres is unzoned and was the zoning request heard earlier during the public hearing process. If the planning commission chooses to forward a recommendation of approval on this APA request, staff requests that zoning approval be a condition of approval for the ag protection.

MOTION: A motion was made by Commissioner Brian Bowen to forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA26-03 on parcels in the Elwood area in unincorporated Box Elder County and the 74.1 acre parcel 05-086-0024 be included in the proposed Agriculture Protection Area with the condition that the AHZ request is approved before or concurrently with APA approval. The motion was seconded by Commissioner Lonnie Jensen and passed unanimously.

WORKING REPORTS

Water Conveyance Facilities

The commissioners, staff, and Trevor Neilson from the Bear River Canal Company discussed piping requirements, perimeter fencing on subdivisions in place of piping, prescriptive easements, public safety, state map of ditches, developers working with ditch owners, maintenance of ditches, the Canal Safety Act among other topics of discussion.

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by Commissioner Bonnie Robinson to adjourn the commission meeting. The motion was seconded by Commissioner Brian Bowen and the meeting adjourned at 8:37 p.m..

Mellonee Wilding, Chairman
Box Elder County Planning Commission

Planning Commission Meeting
Thursday July 16, 2026
Attendance List

Name	Address	Agenda Item
[illegible]	9660 W 11200 N Bothwell	
[illegible]	9660 W 11200 N Bothwell	
Vance Smith	4465 W 13600 N Garland	
Randi Smith	4465 W 13600 N Garland	
Carleen Ramirez	9365 W 11200 N Bothwell	
NEFI RAMIREZ	9365 W 11200 N BOTHWELL	
Steve Skinner	9475 Point Lookout Dr. Bothwell	
RANDY MOULDING	13133 W. FAUST VALLEY RD THATCHER	
Laurie Munns	23600 W. 1800 N. Hansel Valley	
Becky Rees	2190 N HWY 38 Brigham City,	
Mark Rees	2190 N Hwy 38 Brigham City	
Frank Rees	1790 N Hwy 38 Brigham City	
Mikel Rees	5770 N. 4800 W Box Elder Co.	
Town Chevelle HS	182 S. 1950 E. Layton, UT 84040	
NATHAN TUELLER	2010 So. Hwy 89, PERRY	

5-3-100(C) Appeal. Any person adversely affected by a final decision of the Zoning Administrator regarding a sign permit may appeal that decision to the Board of Adjustment as provided in Section 2-2-~~180~~190 of this Code.

6-1-060 Compliance Required.

D. The county may bring an action against an owner to require the property to conform to this code as provided under state law. (Utah Code 17-~~27a-611~~79-715)

5-1-320. Flag Lots ~~(Ordinance 249)~~

~~All flag lots shall be approved as a special provision to Box Elder County Land Use and Development Code by the Planning Commission in accordance with the following provisions:~~

~~1. All flag lots shall be approved as a special provision to the Land Use and Development Code by the Planning Commission. The Planning Commission may grant approval only if 1) The applicant makes written application for a flag lot on a form approved by the Planning Commission and pays the required fees at the time the application is submitted, 2) there are special circumstances attached to the property that do not generally apply to other properties in the same area and, 3) the Planning Commission specifically finds that all of the following conditions are met as to the proposed flag lot:~~

~~a. It is necessary, reasonable and feasible to allow the flag lot in the area;~~

~~b. Approval of a flag lot in the area will not substantially affect the general plan;~~

~~c. Approval of a flag lot in the area will not be contrary to the public interest;~~

~~d. The staff of the flag lot has a minimum width of thirty (30) feet~~

~~e. The staff of the flag lot has a maximum length of two hundred and fifty (250) feet~~

~~f. The flag lot, exclusive of the staff portion meets all of the zoning requirements of a lot in the area in which it is located; or be a minimum of ½ acre in lot size, whichever is greater.~~

~~g. The applicant for a flag lot has prepared plan showing the location of fire hydrants to serve the flag lot and that plan has been approved by the Fire Marshall.~~

~~2. Flag lots shall be approved only in subdivisions containing four (4) lots or fewer.~~

~~3. The staff portion of a flag lot shall be used only for ingress/egress. The staff portion shall be landscaped to be in harmony with other adjacent property and shall be improved by the installation of an improved hard surface such as concrete, asphalt or compacted road base with a dust prevention treatment.~~

~~4. All improvements to the flag lot, including installation of the hard surface and fire hydrants, shall be performed at the applicant's expense. No certificate of occupancy shall be issued for the proposed flag lot until the improvements are fully installed.~~

~~5. The Planning Commission may impose such additional requirements or conditions on the proposed flag lot as it deems necessary.~~

~~6. The Planning Commission may hold a public hearing on each flag lot application it receives. Notice of such hearings shall be given to property owners within a three-hundred (300) foot radius of the proposed flag lot. The costs of such notices shall be paid by the applicant.~~

5-1-320 Flag Lots

1. All flag lots shall be reviewed, and if needed, modified to meet the provisions of this Code and approved by the Zoning Administrator through an Administrative Conditional Use Permit application. The flag lot shall be granted approval only if:
    a. The staff of the flag lot has a minimum width of thirty (30) feet.
    b. The staff of the flag lot has a maximum length of two hundred fifty (250) feet;
    c. The flag lot, exclusive of the staff portion, meets all the zoning requirements of a lot in the area in which it is located; or be a minimum of ½ acre in lot size, whichever is greater.
    d. The applicant for a flag lot has prepared a plan showing the location of fire hydrants to serve the flag lot and that plan has been approved by the Fire Marshall.
2. The staff portion of a flag lot shall be used only for ingress/egress and utilities. The staff portion shall be improved to a private road standard as found in the Box Elder County Public Works Standards. The stem shall not be used for any lot area calculations.
3. All improvements to the flag lot, including installation of the hard surface and fire hydrants, shall be performed at the applicant's expense. No certificate of occupancy shall be issued for the proposed flag lot until the improvements are fully installed.

~~**2-2-220. Lot Line Adjustment.**~~

~~A. **Purpose.** This section sets forth procedures for reviewing lot line adjustments to determine compliance with applicable requirements of this Code and State Code.~~

~~B. **Authority.** The Zoning Administrator is authorized to review and approve applications for lot line adjustments as set forth in this section.~~

~~C. **Initiation.** A property owner or a lessee may request a lot line adjustment review as provided in this section. An agent or lessee of a property owner shall provide an affidavit of authorization.~~

~~D. **Procedure.** Lot line adjustment applications shall be considered and processed as provided in this subsection.~~
~~1. A complete application shall be submitted to the Zoning Administrator in a form established by the Administrator along with any fee established by the County's schedule of fees. The application shall include at least the following information:~~
~~a. The name, address and telephone number of the applicant or the applicant's agent, if any;~~
~~b. The address and parcel identification number of the subject property;~~
~~c. The zone of the subject property;~~

d. All legal descriptions for the lot line adjustment;

e. Other information needed to demonstrate the lot line adjustment conforms to applicable provisions of this Code and State Code.

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 2-2-220(E) below. Any conditions of approval shall be limited to conditions needed to conform the lot line adjustment to approval standards.

3. After making a decision, the Zoning Administrator shall give the applicant written notice of the decision.

4. A record of all lot line adjustments shall be maintained in the office of the Zoning Administrator.

E. **Approval Standards.** The owner(s) of record of adjoining properties where one or more of the properties is a lot may exchange title to portions of those properties if the exchange of title is approved by the land use authority as a lot line adjustment in accordance with this Code.

1. The land use authority shall approve a lot line adjustment if the exchange of title will not result in a violation of any land use ordinance.

2. If a lot line adjustment is approved, a notice of approval shall be recorded in the office of the county recorder which is approved by the land use authority and recites the legal descriptions of both the properties and the properties resulting from the exchange of title. A document of conveyance of title reflecting the approved change shall be recorded in the office of the county recorder.

3. A notice of approval that is recorded does not act as a conveyance of title to real property and is not required to record a document conveying title to real property.

F. **Appeal.** Any person adversely affected by a final decision of the Zoning Administrator regarding a lot line adjustment may appeal that decision to the Hearing Officer as provided in Section 2-2-190 of this Code.

G. **Effect of Approval.** Approval of a lot line adjustment shall authorize an applicant to engage in adjusting lot lines subject to any conditions of approval. Approval of a lot line adjustment shall not be deemed an approval of any conditional use permit, site plan or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this Code and to any other applicable requirements of Box Elder County Ordinances.

H. **Amendment.** The procedure for amending a lot line adjustment shall be the same as the original procedure set forth in this section.

I. **Expiration.** Except as otherwise provided in this Code, a lot line adjustment approval shall expire and have no further force or effect if the notice of approval and the document of conveyance are not recorded within thirty (30) days after approval.

6-1-240 (T) **Protection Strips.** Protection strips shall not be permitted under any circumstances, nor shall remnant parcels be permitted which may act as protection strips.

6-1-240 (U) **Site Preparation Work Prohibited.** No excavation, grading, installation of utilities, or other improvements, for a proposed subdivision, or subdivision phase, shall take place prior to final approval of the plat by the Development Review Committee.

5-1-420 **Violation on Property.** If there is a violation on the property then no land use permit or building permit will be issued.

3-1-010(A)(2): ~~Mixed~~ Minimal Use Zones (MU-160, MU-80, MU-40)

3-1-020(B): ~~Mixed~~ Minimal Use. ~~Mixed~~ Minimal Use zones provide a ~~multiple use~~ district to establish areas in mountain, hillside, canyon mountain valley, desert and other open and generally undeveloped lands where human habitation should be limited in order to protect land and other open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scattering of population; to encourage use of the land, where appropriate, for forestry, grazing, agriculture, ~~mining,~~ wildlife habitat, and recreation; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brushland fires, damage to grazing and livestock raising, and to wildlife values; to avoid the premature development of lands by discouraging intensive development until the ultimate best use of the land can be recommended by the Planning Commission to the County Commission; and to promote the health, safety, convenience, order, prosperity, and general welfare of the inhabitants of the community.

Chapter 3-2 Heading: Chapter 3-2 – ~~Multiple~~ Minimal Use, Agricultural, and Rural Residential District

3-2-010(A): ~~Mixed~~ Minimal Use. ~~Mixed~~ Minimal Use zones provide a ~~multiple use~~ district to establish areas in mountain, hillside, canyon mountain valley, desert and other open and generally undeveloped lands where human habitation should be limited in order to protect land and other open space resources; to reduce unreasonable requirements for public utility and service expenditures through uneconomic and unwise dispersal and scattering of population; to encourage use of the land, where appropriate, for forestry, grazing, agriculture, wildlife habitat, and recreation; to avoid excessive damage to watersheds, water pollution, soil erosion, danger from brush land fires, damage to grazing and livestock raising, and to wildlife values; to avoid the premature development of lands by discouraging intensive development until the ultimate best use of the land can be recommended by the Planning Commission to the County Commission; and to promote the health, safety, convenience, order, prosperity, and general welfare of the inhabitants of the community.

3-2-020: The provisions of this Chapter shall apply to any real property located in a ~~mixed~~ minimal use, agricultural, or rural residential zone as shown on the Official Zoning Map.
3-2-040(A): Allowed, Permitted and Conditional Uses. Allowed, permitted and conditional uses allowed in ~~mixed~~ minimal use, agricultural, and rural residential zones shall be as set forth pursuant to Section 3-2-070 in this Chapter.

3-2-060: The use and development of real property in agricultural, ~~mixed~~ minimal use, or rural residential zones shall conform to regulations of general applicability as set forth in the following chapters of this Code.

Footer of all pages in Chapter 3-2: Zoning Districts: ~~Mixed~~ Minimal Use, Agricultural, Rural Residential

3-4-060: The use and development of real property in agricultural, ~~mixed~~ minimal use, or rural residential zones shall conform to regulations of general applicability as set forth in the following chapters of this Code.

6-1-240(A)(7): ~~Subdivisions~~ Any access with more than thirty (30) lots shall have two full and complete accesses meeting County (if it is a County road) or UDOT roads standards (if it is a UDOT road).

2-2-050(B)(b)(2): For zoning map amendments, the area directly affected shall be the parcel(s) or lot(s) that have petitioned for the amendment. The public notice will be posted on the property that has petitioned for the amendment. In addition, the private real property owner and adjacent property owners to the proposed amendment will be sent a courtesy notice. Public notices for zoning map amendments that affect an area of 5,000 acres or more of unincorporated County will be posted on major roadways and a courtesy notice will be sent to private real property owners.