

BOX ELDER COUNTY PLANNING COMMISSION MINUTES AUGUST 20, 2026

The Board of Planning Commissioners of Box Elder County, Utah met in the Box Elder County Commission Chambers at 7:00 p.m. The following members were present by a roll call, constituting a quorum:

Roll Call

Mellonee Wilding	Chairman
Jed Pugsley	Vice-Chair
Lonnie Jensen	Excused
Bonnie Robinson	Member
Jared Holmgren	Member
Jennifer Jacobsen	Excused
Brandon East	Member
Brian Bowen	Alternate/Member

the following Staff was present:

Scott Lyons	Comm Dev Director
Marcus Wager	Excused
Destin Christiansen	County Planner
Stephen Hadfield	Co. Attorney
Glen Thurston	Attorney
Boyd Bingham	Excused
Diane Fuhriman	Executive Secretary

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

The invocation was offered by Commissioner Bonnie Robinson.

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 July 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 Brian Bowen and passed unanimously.

UNFINISHED BUSINESS - None

PUBLIC HEARINGS

ORDINANCE TEXT AMENDMENT, Z26-016, Request for a text amendment to Section 5-1-290(C) Home Occupations of the Box Elder County Land Use Management & Development Code. ACTION

Staff stated the applicant is requesting a text amendment to remove “*Body piercing, body art, or tattoo parlor*” as a prohibited use of Section 5-1-290(C) that addresses Home Occupations of the Box Elder County Land Use Management & Development Code.

Staff read the standards for reviewing text amendments as they pertain to this application.

- A. Whether the proposed amendment is consistent with goals, objectives and policies of the County’s General Plan;** The County’s General Plan states that future land use decisions will consider the following: promoting development patterns consistent with, and sensitive to, resident preferences; and balancing private property rights with public interests.
- 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 amend Section 5-1-290 (addressing home occupations) to remove a body art facility as a prohibited use for a home occupation. This amendment would affect the unincorporated areas of Box Elder County. The Planning Commission needs to decide if this amendment would be harmonious.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed text amendment should not have an adverse effect on adjacent property.
- 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 is county-wide and shouldn’t have an effect on the adequacy of facilities.

The public hearing was then opened for comments.

Leslie Stark, applicant, would like to start a body art studio based out of her home. She would like to be able to take the business to different events in the county, and support the local community.

Aisha Secrist is currently a permanent cosmetics artist. She said it was easy applying for a business license for her home studio in Tremonton, what was hard was meeting the high standards of regulations required by the health department. Her type of business probably has more restrictions than most businesses. She has spent upwards of \$20,000 on her studio just to make it suitable enough to operate her business. When applying for her county license it was explained to her why it was denied but finds it frustrating that because she is outside of the city limits, an imaginary line decides whether or not she can run her business. Ms. Secrist said there are multiple artists working in Tremonton in salon spaces. The work she does is becoming a lot more common and she has done well over 100 clients. Ms. Secrist feels this is something needing to be reconsidered.

Hearing no further comment, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on Zoning Map Amendment Z26-016. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

ACTION

Commissioner Jed Pugsley said this is a straightforward request and is allowable by the reviewing standards. The business is also well regulated by the health department and the state.

MOTION: A motion was made by Commissioner Jared Holmgren to forward a recommendation of approval to the County Commission for application Z26-016, an ordinance text amendment to remove body piercing, body art, or tattoo parlor as a prohibited use of Section 5-1-290(C) of the Box Elder County LUM&DC and adopting the conditions and findings of the staff report. 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 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.

NEW BUSINESS

SERENITY VISTA SUBDIVISION, SS26-019, Request for preliminary approval of a 12-lot subdivision located at approximately 11000 N Hwy 38 in the Deweyville area of unincorporated Box Elder County. ACTION

Staff said the county's web map shows ownership of the land as Box Elder County School District but there is a purchase agreement in place with the applicant. The applicant provided the county with authorization from the school district allowing him to go through this process while the land is still in their ownership. The parcel is 7.67 acres in size. It is currently unzoned, and is located just north of Deweyville. Access to the proposed subdivision would be via Highway 38. The applicant has started a conditional access permit process with UDOT but the access permit has not been issued yet.

The setbacks are shown on the preliminary plat but staff cannot definitively state the setbacks can be met. The Bear River Canal Company has a canal on the west side and the size of the easement is unknown in this particular location. There is a 30-foot easement shown on the plat from the canal company to the Bear River Water Conservancy District for conservancy district infrastructure. Not all canal easements are recorded. Whether or not there is a recorded easement, what that easement is, and how it needs to be shown on the plat, needs to be sorted out between the canal company and the applicant. From the county standpoint, state code requires the county to supply the canal company with a copy of any sort of development application and proposal to them if it is adjacent to their facility. Staff will need an updated plat and the geotechnical report

for county departments to review. The commissioners discussed and agreed there is a lot that still needs to be done before preliminary approval.

Commissioner Jed Pugsley asked the applicant about the access.

Vernon Mortensen stated he has met with UDOT who wanted him to verify there is 300 feet from the entrance to before the next access, which there is. There are two other access points, one of them is for the Bear River Water Conservancy District where they access the pump house, and the other is the easement on the south for the canal. UDOT wants all three access points consolidated to one. The new plat will reflect this change.

MOTION: A motion was made by Commissioner Jed Pugsley to table application number SS26-019 the Serenity Vista Subdivision, for up to 6 months to allow time to receive the geotechnical report and additional county department reviews of an updated plat. The motion was seconded by Commissioner Brandon East and unanimously carried.

PLANNING COMMISSION POLICIES, Rules and policies for submission of material and public comment. ACTION

The planning commission attended training regarding public meetings and directed staff to begin working on some policies. Staff stated these policies are to be posted in a public location, ideally where the meeting takes place, posted on the county's website, and with the meeting agendas as well. This gives the public every opportunity to see them prior to the meeting.

Staff explained public comment takes place at the end of meetings and is separate from public hearings. Public hearings are specific to an agenda item, whereas public comment is where someone attends a meeting and wants to say the commission does a fantastic job, or they did a terrible job. The public can also express a concern they have about land use in the county they want the commission to take into account.

PLANNING COMMISSION POLICY FOR PUBLIC COMMENT (No action will be taken)

1. Those wishing to make a public comment shall sign the comment roll and will be responsible for following the rules outlined below.
2. Speaker will have one, three (3) minute opportunity to speak regardless of the number of items they wish to address.
3. Speaker shall address their comments to the Planning Commission only. This is a time to be heard, there will not be a back and forth dialogue with the Commissioners.
4. Speakers may file copies of their remarks or supporting information with the Community Development Administrative Assistant. The Administrative Assistant will make the information available to the Planning Commission.

PLANNING COMMISSION POLICY FOR PUBLIC HEARINGS

1. Those wishing to speak at the public hearing shall sign the public hearing attendance roll, state their full name and residence, and comply with the rules outlined below.

2. Speaker will have one, three (3) minute opportunity to speak. Comments must address the subject matter of the public hearing.
3. Speaker shall address comments to the Planning Commission only. This is a time to be heard, it is not a question and answer period, there will not be a back and forth dialogue with the Commissioners.
4. Speakers may file copies of their remarks or supporting information with the Community Development Administrative Assistant. The Administrative Assistant will make the information available to the Planning Commission.

Staff stated it is not uncommon for our office to receive phone calls from either neighbors or community members regarding an agenda item they feel affects them. They may be out of town and are unable to participate in a public hearing. There may be an item such as a preliminary subdivision which does not require a public hearing. Preliminary subdivisions are not a legislative item because no new law is being created; they are an administrative item where all the commission is doing is administering existing code already in place. If the public has a concern and wants to provide additional information for the planning commission to take into consideration, they may submit an email or a letter.

PLANNING COMMISSION POLICY FOR PUBLIC INPUT VIA LETTER OR EMAIL

Public input received by County staff or the Planning Commission via letter, email, or other written communication before the submission deadline will be made available to the Planning Commission and added to the file of the item being considered. The submission deadline is 5:00pm on the day of the meeting. These written communications will not be read into the record during the public hearing. They should also be no longer in length than a three (3) minute comment.

Staff explained when a pamphlet, a plan, or some other form of information is brought to a meeting and provided to the planning commission, there is not enough time to give the item a thorough review. To include the information into the commission's decision is not realistic. Additionally, if new information is going to be provided to the planning commission, there should be sufficient copies handed out to everyone in attendance. The material should be submitted at least three days in advance of the meeting so the planning commission can have it available for their decision and so the county can make the material public on the website.

PLANNING COMMISSION POLICY FOR DISTRIBUTED MATERIALS (pamphlets, plans, handouts that are provided to the Planning Commission during a public meeting)

1. Submission of Materials
 - a. All documents intended for consideration shall be submitted to staff no later than three (3) days prior to the meeting.
 - b. Materials submitted less than three (3) days prior to the meeting will be rejected.
2. Distribution at Meeting
 - a. Any materials presented at a meeting shall be:
 - i. In electronic format for all commissioners, staff, and the public to see as part of the applicant's presentation; or
 - ii. In paper format and provided to all commissioners, staff, and interested public in attendance; and

- iii. With the understanding that last minute information may not be taken into account as part of the Planning Commission's deliberation and action.
- 3. Public Record
 - a. All materials submitted or distributed at a public meeting are public records and shall be retained and made available consistent with Utah law.
- 4. Fairness / Tabling
 - a. If new material is introduced that may affect a party's ability to respond, the Commission may table the item.

Staff presented the official policy the planning commission uses for how an agenda item flows through the process. First, the chair introduces the item, staff gives their report and review of the item. If the applicant desires to present on their item the applicant may do so. The public hearing is held if one is required, depending on if a new law is being created or if the commission is just administering existing law. From there, the planning commission can deliberate and ask questions of the applicant to get more information and take action on the item.

PLANNING COMMISSION POLICY FOR AGENDA ITEM FLOW

- 1. Agenda Item Flow
 - a. Item Introduction - PC Chair
 - b. Staff Report & Review
 - c. Applicant Presentation
 - d. Public Hearing (if required)
 - e. PC Deliberation & Vote
- 2. Applicant Presentation shall be completed in 5 minutes (up to 10 minutes may be allowed if requested in advance). Questions from the Planning Commission and answers provided by the Applicant will not be counted towards the time limitations.

The commissioners discussed the Planning Commission Policies and made two changes. First, to remove "or supporting information" from #4 in public comment and public hearings. Second, under the planning commission policy for distributed materials, 2a shall state "Any materials presented at a meeting that were not submitted in advance shall be".

MOTION: A motion was made by Commissioner Jed Pugsley to adopt the rules and policies for submission of material and public comment with the additions and subtractions as discussed during deliberation. The motion was seconded by Commissioner Brian Bowen and unanimously carried.

WORKING REPORTS

Box Elder Together, Countywide Zoning Review, Based on the General Plan

Staff reviewed the timeline and history of how zoning the unzoned areas of Box Elder County came about. The county currently has 9365 unzoned parcels which amounts to approximately 2.19 millions acres. The vast majority of that land is being used as agriculture or rural residential but there are some existing industrial areas. Nucor is in an unzoned area, all of Northrop Grumman and Autoliv out in the Promontory area is also unzoned. It would make sense to zone

those areas as Industrial, but the rest of the land is likely to be the Agricultural Heritage Zone (AHZ).

Staff explained the “Box Elder Together, Countywide Zoning Review, Based on the General Plan” is a proposal for zoning the unzoned land as the Agricultural Heritage Zone. This zone would provide a consistent framework for future land-use decisions. Public participation is encouraged by attending town hall opportunities, submitting comments and participating in the formal public hearing. This proposal does not change who owns the property, does not automatically approve development, or prevent landowners from requesting a future zone change. Staff said the anticipated timeline would be for the planning commission briefing to be in August, community outreach and town halls in September, the planning commission public hearing in October and county commission consideration in November.

Bear River Water Conservancy District Presentation

Chris Slater and Hollee Wood, JUB Engineers, stated they have been working on a countywide water master plan with Scott Lyons, from the county and Chance Baxter, from the Bear River Water Conservancy District. Mr. Slater said this started partly because the state passed a code requiring counties to implement a water use and preservation component to their general plan. He said working together was a great effort between the county and the district, and bringing stakeholders together. There were over 50 stakeholder interviews held to try and understand what the water issues were and identify things that could help both the county and the district move forward in the future and have a secure water supply.

Holley Wood explained they have been working with the conservancy district to see if the water dedication or transaction policy is something the county would be interested in. She said they have met with the county commission, and talked to the Bear River Canal Company to see what their concerns, interests, priorities would be for a policy if it were to move forward. She invited the planning commission and staff to a meeting on the third of September from 10 a.m. to noon at the BRWCD to continue this conversation. It is an opportunity to bring everyone together to see if there are joint concerns or joint interest in moving forward.

PUBLIC COMMENTS

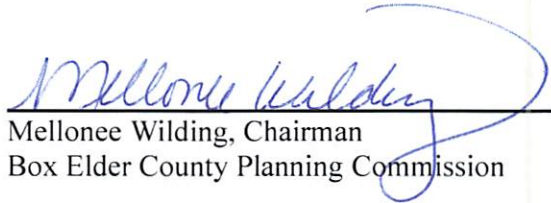
Kirt Enright is a landowner west of Bear River City. He is here because he saw the county commission has finally forced this issue of zoning to a head. As a private landowner he wants to be able to do whatever he wants to with his land. He is glad Scott Lyons took the time to explain the AHZ. The zone is not as restrictive as he first thought. Mr. Enright said he is also glad he has the opportunity to have some input on the zoning of his land.

Veron Mortensen commented on half-acre lots being approved in the unzoned areas. He said it may happen, but there still needs to be services and infrastructure available in the area. There needs to be water and sewer connections and an economically viable reason to even propose half-acre lots. He can get 12 lots on the land he is developing by Deweyville with half-acre lots, and still have a good rural feel. If he proposed that in a 2-acre zone, he might lose 20% of the acreage through streets, sidewalks and detention basins. It is not always right to beat up on

half-acre lots, sometimes there is a place for it. Mr. Mortensen thinks property owners should have the ability to opt out and keep their land unzoned if that is what they want. It is something to think about as we go into these other hearings. Other options should be made available like a conversion zone where anything being proposed would still have to go through the planning commission approval process to make sure it is a fit in the area. On that same note, he thinks the whole big can of worms about to open up is going to be a headache for everyone. Mr. Mortensen said this could be avoided if the unzoned areas stay unzoned but with a caveat in county code stating it still has to be brought before the planning commission and county commission for approval.

ADJOURN

MOTION: A Motion was made by Commissioner Bonnie Robinson to adjourn commission meeting. The motion was seconded by Commissioner Brian Bowen and meeting adjourned at 8:55 p.m.



Mellonee Wilding, Chairman
Box Elder County Planning Commission

Attendance List

[illegible]

