

BOX ELDER COUNTY PLANNING COMMISSION AGENDA

May 15, 2025

Agenda review with Planning Commissioners at 6:00 p.m.

1. **CALL TO ORDER 7:00 p.m.** (County Commission Chamber Room, Main Floor)
 - a. Roll Call (Commissioners B. Robinson, M. Wilding, J. Holmgren, J. Pugsley, J. Jacobsen, L. Jensen, B. East and B. Bowen)
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL of the April 17, 2025 Planning Commission Minutes.**
5. **UNFINISHED BUSINESS**
 - a. **ORDINANCE TEXT AMENDMENT, Z23-018**, Proposal to update well requirements in Section 6-1-240 (I), Subdivisions, of the Box Elder County Land Use Management & Development Code. **ACTION**
6. **PUBLIC HEARINGS**
 - a. **ZONING MAP AMENDMENT, Z25-006, Request for a zone change of 6.29 acres from RR-20 (Rural Residential District-20,000 sq. ft.) to M-G (General Industrial) located at approximately 5900 W Hwy 83 in the Corinne area of unincorporated Box Elder County. ACTION**
7. **NEW BUSINESS**
 - a. **YOUNG AG PROTECTION AREA APA25-004**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
 - b. **MARBLE AG PROTECTION AREA APA25-005**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
 - c. **THORNLEY AG PROTECTION AREA APA 25-006**, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. **ACTION**
 - d. **R&D MACHINING SP25-004 & CUP25-002**, Request for site plan approval and a conditional use permit for a machining/cabinet shop located in the Thatcher area of Unincorporated Box Elder County. **ACTION**
 - e. **ANGUS VALLEY ESTATES, SS25-007**, Request for preliminary approval of Phase 1, a 9-lot subdivision located in the Garland area of Unincorporated Box Elder County. **ACTION**
8. **WORKING REPORTS**
 - a. **PENDING ORDINANCE – Agriculture Protection Areas**
9. **PUBLIC COMMENT**
10. **ADJOURN**

BOX ELDER COUNTY PLANNING COMMISSION MINUTES APRIL 17, 2025

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

Roll Call

Mellonee Wilding	Chairman
Jed Pugsley	Vice-Chair
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	County Attorney
Boyd Bingham	Co. Commissioner
Diane Fuhriman	Executive Secretary

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

The Invocation was offered by **Commissioner Lonnie Jensen**.
Pledge was led by **Commissioner Jared Holmgren**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the March 20, 2025 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 Brandon East** and passed unanimously.

APPOINT NEW CHAIR AND VICE CHAIR

MOTION: A Motion was made by **Commissioner Jared Holmgren** to nominate Mellonee Wilding as chair and Jed Pugsley as Vice-Chair of the Planning Commission for a term of one (1) year. The motion was seconded by **Commissioner Jennifer Jacobsen** and passed unanimously.

UNFINISHED BUSINESS – NONE

PUBLIC HEARINGS

ORDINANCE TEXT AMENDMENT, Z25-005, Request for a text amendment to Chapter 5-2 Off Street Parking Requirements in the Box Elder County Land Use Management & Development Code. ACTION

Staff stated a request has been made to amend Chapter 5-2, Off-Street Parking Requirements, by amending the verbiage in multiple Sections. Staff read the standards for reviewing text amendments as they apply to this request as follows:

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.

(Attachment No. 2 – Proposed Amendments.)

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

Hearing no comments, a motion was made by **Commissioner Jed Pugsley** to close the public hearing on Ordinance Text Amendment Z25-005. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

ACTION

Staff recommends approval with the conditions listed below.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z25-005 an ordinance text amendment to Chapter 5-2 Off Street Parking Requirements 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 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

GRIFFITH AG PROTECTION AREA APA25-001, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. The request includes 14 parcels and range in size from 3.11 acres to 118.43 acres. The parcels range in agricultural use from pastures for horses, cattle or goats to grass and hay production. The surrounding zones are RR-5, MU-160 and A-20. Staff read the approval standards for reviewing the creation of Agriculture Protection Areas as follows:

These standards also apply to the following two (2) APA Requests.

A. The effect of the creation of the proposed area on the planning policies and objectives of the county; At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. The one aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change.

B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;

a. Whether or not the land is currently being used for agriculture production;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

Staff can't say whether more than 50% of the production from the proposed parcels is for commercial purposes. This may be something the Planning Commission desires to bring up during their meeting.

b. Whether or not the land is zoned for agricultural use; All parcels are zoned RR-5. This zone allows for agriculture as a land use.

c. Whether or not the land is viable for agricultural production; According to BEC Ordinance 556, Section 2, any area in an agriculture protected area must have 5.5 continuous acres. The full area proposed exceeds 5.5 continuous acres. Staff believes the land is viable for agricultural production.

- d. **The extent and nature of existing or proposed farm improvements; and** All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.
 - e. **In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.** This is something with which Planning Commissioners familiar with agricultural production may be more familiar.
- C. **Recommends any modifications to the land to be included in the proposed agricultural protection area;** The Planning Commission must determine if all parcels should be included in the proposed agriculture protection area.
- D. **Analyzes and evaluates any objections to the proposal; and** No objections have been received by staff.
- E. **Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.** This recommendation must come from the Planning Commission to the County Commission. Following the Planning Commission motion, staff will prepare a recommendation to the County Commission on behalf of the Planning Commission

MOTION: A Motion was made by **Commissioner Jared Holmgren** to forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-01 on multiple parcels in the Harper Ward area in unincorporated Box Elder County. The motion was seconded by **Commissioner Bonnie Robinson** and unanimously carried.

MUNNS AG PROTECTION AREA APA25-002, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County.
ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. The parcels range in size from half-acre to 95 acres and are used primarily for beef cattle and hay production. The surrounding zoning is RR-5 and A-20 and the surrounding land uses are agricultural and residential. The approval standards from the first request, also apply here.

MOTION: A Motion was made by **Commissioner Jared Holmgren** forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-02 on multiple parcels in the Harper Ward area in unincorporated Box Elder County. The motion was seconded by **Commissioner Lonnie Jensen** and unanimously carried.

ADAMS AG PROTECTION AREA APA 25-003, Request for an agriculture protection area on multiple parcels located in the Harper Ward area of Unincorporated Box Elder County.
ACTION

Staff said the applicant is requesting to establish an Agriculture Protection Area across multiple parcels in the Harper Ward area. The area is close to Honeyville annexation boundary. The parcel

range in size from 1.5 acres to 96.34 with a variety of agricultural uses. The surrounding zoning RR-5 and MU 160. The approval standards from the first request, also apply here.

MOTION: A Motion was made by **Commissioner Jed Pugsley** to forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-03 on multiple parcels in the Harper Ward area in unincorporated Box Elder County. The motion was seconded by **Commissioner Brandon East** and unanimously carried.

LITTLE MOUNTAIN LOOKOUT 1ST AMENDMENT SS25-004, Request for an amendment to the final plat of the Little Mountain Lookout Subdivision located in the Bear River area of Unincorporated Box Elder County. ACTION

Staff said the applicant a requesting an amendment to the final plat of the Little Mountain Lookout Subdivision in the Bear River area of unincorporated Box Elder County. The surrounding land uses are Agriculture and Rural Residential. The surrounding zones are Unzoned. The proposed amendment adjusts existing Lot 1 from 6 acres to 2 acres, and creates two additional 2-acre lots. The amendment adjusts the lot property lines, and renames Lot 1 of the original subdivision to Lot 3. Staff explained the Planning Commission's role is to ensure a proposed amended subdivision is consistent with established ordinances, policies and planning practices of the county.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to approve application number SS25-004, amending the Little Mountain Lookout Subdivision 1st Amendment, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

CONDITIONS:

1. Compliance with Sections 17-27a-608 and 609 of the Utah State Code.

WORKING REPORTS
Fire Marshal Presentation

Box Elder County Fire Marshal Kevin Lloyd stated Box Elder County adopted International Fire Code 2024 and is the standard used for approving subdivisions. He explained the requirements for fire suppression systems and informed the commission of the challenges of enforcing fire codes in one-lot subdivisions. A discussion ensued between Fire Marshal Lloyd and the Commissioners regarding the need for better infrastructure. There was also discussion of the impact of insurance companies on construction and the need for better fire protection in the county.

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by Commissioner Jared Holmgren to adjourn commission meeting. The motion was seconded by Commissioner Bonnie Robinson and meeting adjourned at 8:06 p.m.

Mellonee Wilding, Chairman
Box Elder County Planning Commission



**PLANNING COMMISSION
STAFF REPORT**

Meeting Date: May 15, 2025

Agenda Item #: 5a

Application Type:

Ordinance Text Amendment

APPLICANT(S):

Box Elder County

PROJECT #:

Z23-018

ORDINANCE:

Section 6-1-240(I)

TYPE OF APPLICATION:

Legislative

REPORT BY:

Marcus Wager,
County Planner

BACKGROUND

The county is proposing a text amendment to amend Section 6-1-240(I) in Chapter 6-1, Subdivisions - this part of the text amendment was tabled, the original text amendment was recommended for approval by the Planning Commission on 12/21/2023 and was approved by the County Commission on 1/23/2024. Specifically this text amendment will update well requirements. This amendment would apply to all areas of unincorporated Box Elder County. See proposed verbiage below.

ANALYSIS

County Code:

The Box Elder Land Use Management & Development Code 2-2-080.C allows authorized county staff to initiate amendments to the text of the Box Elder County Land Use Management & Development Code. These amendments are decided upon by the County Commission with a recommendation from the Planning Commission.

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code section 2-2-080 outlines the following standards for review for zoning text amendments.

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

The General Plan does not specifically give guidance on subdivisions, but it does address both culinary and non-culinary water. The water section of the plan states:

“Box Elder County understands that future development is most likely to occur in areas where adequate services are available. The County does not support extending services through or into areas that have not been identified for future development. With respect to responsible land use planning and efficient resource use, it is the County's preference that growth and development take place within existing communities or in unincorporated areas within which adequate services are or may be made available.”

Under Water System Threats it states “Overuse of culinary water for irrigation purposes – consider requiring secondary water for residential landscaping”.

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. The proposed amendment should be harmonious with the overall character of existing development.

C. The extent to which the proposed amendment may adversely affect adjacent property; and

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 and services.

FINDINGS:

Based on the analysis of the ordinance text amendment application, staff concludes the following:

1. The Box Elder Land Use Management and Development Code does allow for ordinance text amendments subject to review procedures and approval by the County Commission with a recommendation from the Planning Commission.
2. The Planning Commission will need to determine if this application meets the standards in Section 2-2-080.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and a review of areas, the Planning Commission should forward a recommendation to the County Commission. As this is a legislative decision, additional information may be taken into account such as public input, resident preferences, private property rights, economic considerations, etc.

If a recommendation of approval is forwarded to the County Commission staff recommends it be subject to the following 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.

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation of approval to the County Commission, part the tabled portion of application number Z23-018, an ordinance text amendment adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

Table – “I move the Planning Commission table the review of part of the tabled portion of application number Z23-018, an ordinance text amendment to (give date), based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Denial – “I move the Planning Commission forward a recommendation of denial to the County Commission, part the tabled portion of application number Z23-018, an ordinance text amendment based on the following findings:”

1. List findings for denial...

Please feel free to contact Marcus Wager at 435-734-3308 if you have any questions.

Proposed Text Amendment:

Section 6-1-240(I)

I. Water in Sufficient Quantity to be the obligation of the developer.

1. The procurement of water, whether by purchase of water rights, water shares, exchange, or service agreement, shall be the responsibility of the developer; and the water shall be provided for the use of the development in an amount sufficient **as per the Fire Code, the Utah Division of Water Rights, and/or the Utah Division of Drinking Water** ~~to meet minimum flows of 250 gallons per person per day plus outside irrigation and minimum static pressures of 50 pounds per square inch (psi), unless it can be proved to the Planning Commission that a lesser amount is adequate.~~
2. **Any subdivision using a well for culinary water must have the well water tested and meet the requirements of this Code before the subdivision can be recorded** ~~However, in no event shall the quantity of water provided by the developer be less than that required to meet fire flow standards as established by the County Fire Marshall and the County Commission, and the County Commission shall be given first right of refusal to purchase any excess water formerly used on the land.~~
3. **Private well(s) for personal use will only be allowed for a (PC needs to choose 1) one (1) lot subdivision or for a small subdivision up to three (3) lots total.**



PLANNING COMMISSION STAFF REPORT

Meeting Date: May 15, 2025

Agenda Item #: 6a

Application Type:
Zoning Map Amendment

APPLICANT(S):
Jared Rea

PROJECT #:
Z25-006

ADDRESS:
5900 W Hwy 83, Corinne,
UT 84307

PARCEL #:
Parcel #: 04-078-0034

CURRENT ZONE:
RR-20

TYPE OF ACTION:
Legislative

BACKGROUND

The applicant is requesting that parcel 04-078-0034 (6.29 acres total) located in the Corinne area be re-zoned from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone to relocate a light manufacturing business. A petition for annexation was submitted to Corinne City and denied.

ANALYSIS

County Code:

Land Use Management & Development Code 2-2-080.C allows a property owner to apply for and request a re-zone subject to zoning map amendment approval by the County Commission with a recommendation from the Planning Commission.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Agricultural	RR-20
South	Agricultural/Hwy 83	RR-20
East	Agricultural/Walmart DC	RR-20/Corinne
West	Rural Residential	RR-20

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code section 2-2-060-A states that zoning map amendments are a legislative proceeding. Per said section:

Decisions regarding a legislative application shall be based on the “reasonably debatable” standard, as follows:

- The decision-making authority shall determine what action, in its judgment, will reasonably promote the public interest, conserve the values of other properties, avoid incompatible development, encourage appropriate use and development, and promote the general welfare.
- In making such determination, the decision-making authority may consider the following: (1) Testimony presented at a public hearing or meeting; and (2) personal knowledge of various conditions and activities bearing on the issue at hand, including, but not limited to, the location of businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of

utilities; the zoning of surrounding property; and the effect that a particular proposal may have on such conditions and activities, the values of other properties, and upon the general orderly development of the County.

- The decision-making body should state on the record the basis for its decision.

Box Elder County Land Use Management & Development Code section 2-2-080-E outlines the following standards for review for zoning map amendments.

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.

In reviewing the Corinne City General Plan and its future land use map, it shows that they would like to see industrial uses for the area in which this parcel lies. The plan states that this industrial zone would "provide limited locations for intensive, high-impact industrial activity such as mining, manufacturing, warehousing, assembly and storage involving large-scale machinery and structures."

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 along Highway 83 about a ¼ mile west of the Walmart Distribution Center in Corinne. The area is mainly a combination of agricultural uses and scattered residential homes along the highway with the Walmart DC to the east. The Planning Commission needs to decide if an M-G zone could be considered harmonious. Aside from the applicant's desired use(s), other M-G uses could comprise anything from gas stations, auto repair shops, etc. to petroleum products manufacturing (petroleum refining, paving materials, roofing materials, etc.) and iron/steel foundries and manufacturing.

C. The extent to which the proposed amendment may adversely affect adjacent property; and

The proposed zoning could 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.

It is likely that the facilities and services already exist; however, the developer would have to verify this and bring them into the project.

FINDINGS:

Based on the analysis of the zoning map amendment application request for the re-zone of the subject parcel from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone and a survey of the surrounding area, staff concludes the following:



1. The Box Elder Land Use Management and Development Code allows for the re-zone of properties subject to zoning map amendment review procedures and approval.
2. The Planning Commission will need to decide if the proposed map amendment meets the Approval Standards found in Section 2-2-080(E) of the Box Elder County Land Use Management and Development Code.
3. This application is for a rezone from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **the Planning Commission has three options to forward as a recommendation to the County Commission.** As this is a legislative decision additional information may be taken into account such as public input, resident preferences, private property rights, economic considerations, etc.

If a recommendation of approval is forwarded to the legislative body staff recommends it be subject to the following 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.

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation of approval to the County Commission, application number Z25-006, a zoning map amendment from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

Table – “I move the Planning Commission table the review of application number Z25-006, a zoning map amendment from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone to (give date), based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Denial – “I move the Planning Commission forward a recommendation of denial to the County Commission, application number Z25-006, a zoning map amendment from RR-20 (Rural Residential District-20,000 sq. ft.) to the M-G (General Industrial) zone based on the following findings:”

1. List findings for denial...

Please feel free to contact Destin Christiansen at 435-695-2547 if you have any questions.







**PLANNING COMMISSION
 STAFF REPORT**

**Meeting Date: May 15, 2025
 Agenda Item #: 7a**

APPLICATION TYPE:
 Agricultural Protection Area

APPLICANT(S):
 Young

PROJECT #:
 AP25-04

ADDRESS:
 Harper Ward, Hogup/Peplin,
 Pocatello Valley, Johnson
 Canyon/Whites Valley,
 Promontory

PARCEL #:
 Multiple Parcels listed in the
 Background Section

CURRENT ZONE:
 MU-160, RR-5, Unzoned

TYPE OF ACTION:
 Legislative

REPORT BY:
 Scott Lyons,
 Comm. Dev. Director

BACKGROUND

The applicants are requesting to establish an Agriculture Protection Area on various parcels in various areas across the county. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcels	Acres	Use	Area & Zoning
1-36	18,836.42 smallest 2.35 largest 644	Grazing	Hogup/Peplin MU-160
37-43	105.726 smallest 3.33 largest 41.04	Grazing, Animal Confinement	Harper Ward RR-5 MU-160
44-81	6,274.03 smallest 0.63 largest 646.4	Grazing	Pocatello Valley Unzoned
82-94	6,136.6 smallest 20 largest 640	Grazing	Johnson Canyon/ Whites Valley Unzoned
95-98	40.23 smallest 4.4 largest 13.8	Crop Farming	Harper Ward RR-5
99-110	3,868.12 smallest 30.34 largest 640	Grazing	Promontory Unzoned

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture Protection Areas.

A. The effect of the creation of the proposed area on the planning policies and objectives of the county;

At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. One aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change. At their April 2025 meeting the Planning Commission directed staff to begin drafting language that would require a landowner, in conjunction with the Ag Protection Area request, to zone their property an agricultural zone if the property is currently unzoned.

B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;

a. Whether or not the land is currently being used for agriculture production;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

b. Whether or not the land is zoned for agricultural use;

As shown in the table above, 47 of the 110 parcels are zoned MU-160 or RR-5. These two zones allow for agriculture as a land use. 63 of the parcels have no zoning designation (aka unzoned). While unzoned areas allow for agriculture as a use, staff cannot say that the land is "zoned" for agricultural use.

c. Whether or not the land is viable for agricultural production;

Per the applications submitted, including applicant statements, the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

e. In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

Planning Commissioners with experience in agricultural production may have a better understanding of this.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed Agriculture Protection Area.

D. Analyzes and evaluates any objections to the proposal; and
No objections have been received by staff.

E. Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.
*This recommendation must come from the Planning Commission to the County Commission.
Following the Planning Commission motion, staff will prepare a recommendation to the County Commission on behalf of the Planning Commission.*

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-04 on multiple parcels in various areas in unincorporated Box Elder County.

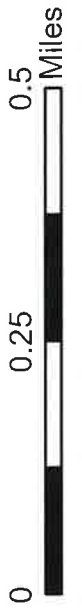
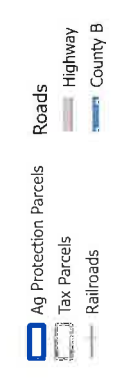
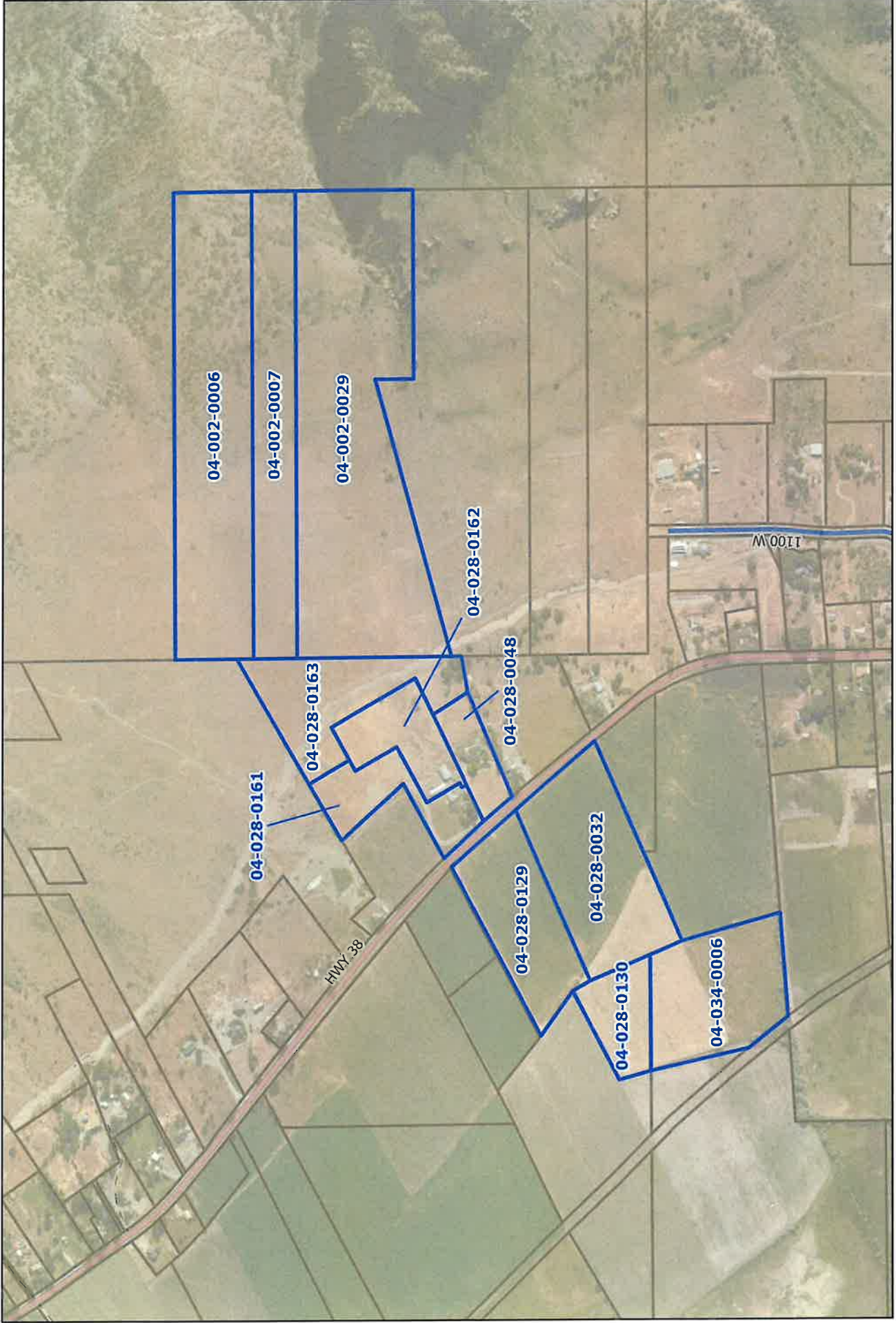
Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-04 on multiple parcels in various areas in unincorporated Box Elder County, with the following modifications...”

Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-04 on multiple parcels in various areas in unincorporated Box Elder County, based on the following findings:”

1. List findings for rejection...

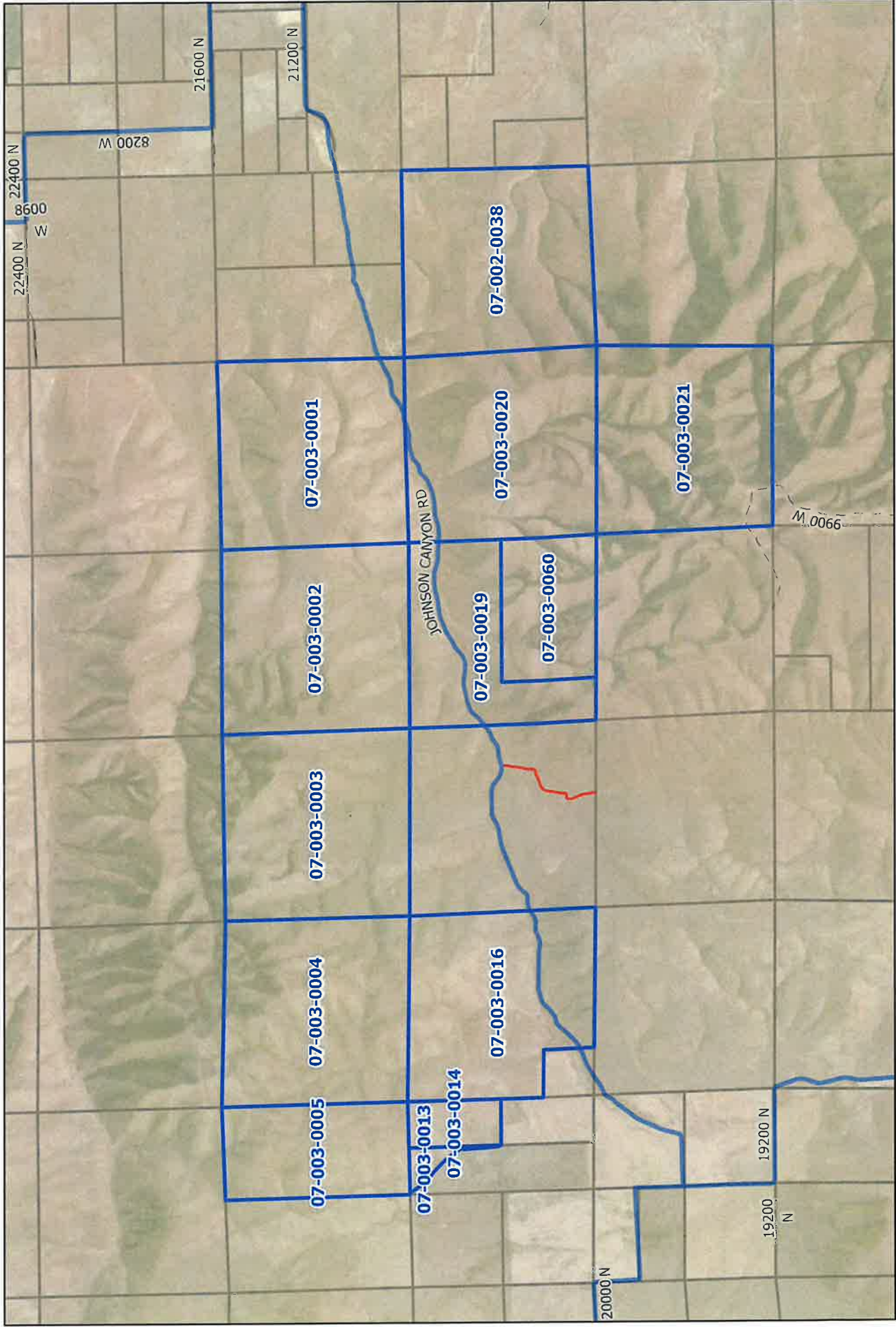
Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

Young Family Ag Protection - Harper Ward



This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

Young Family Ag Protection - Plymouth Area



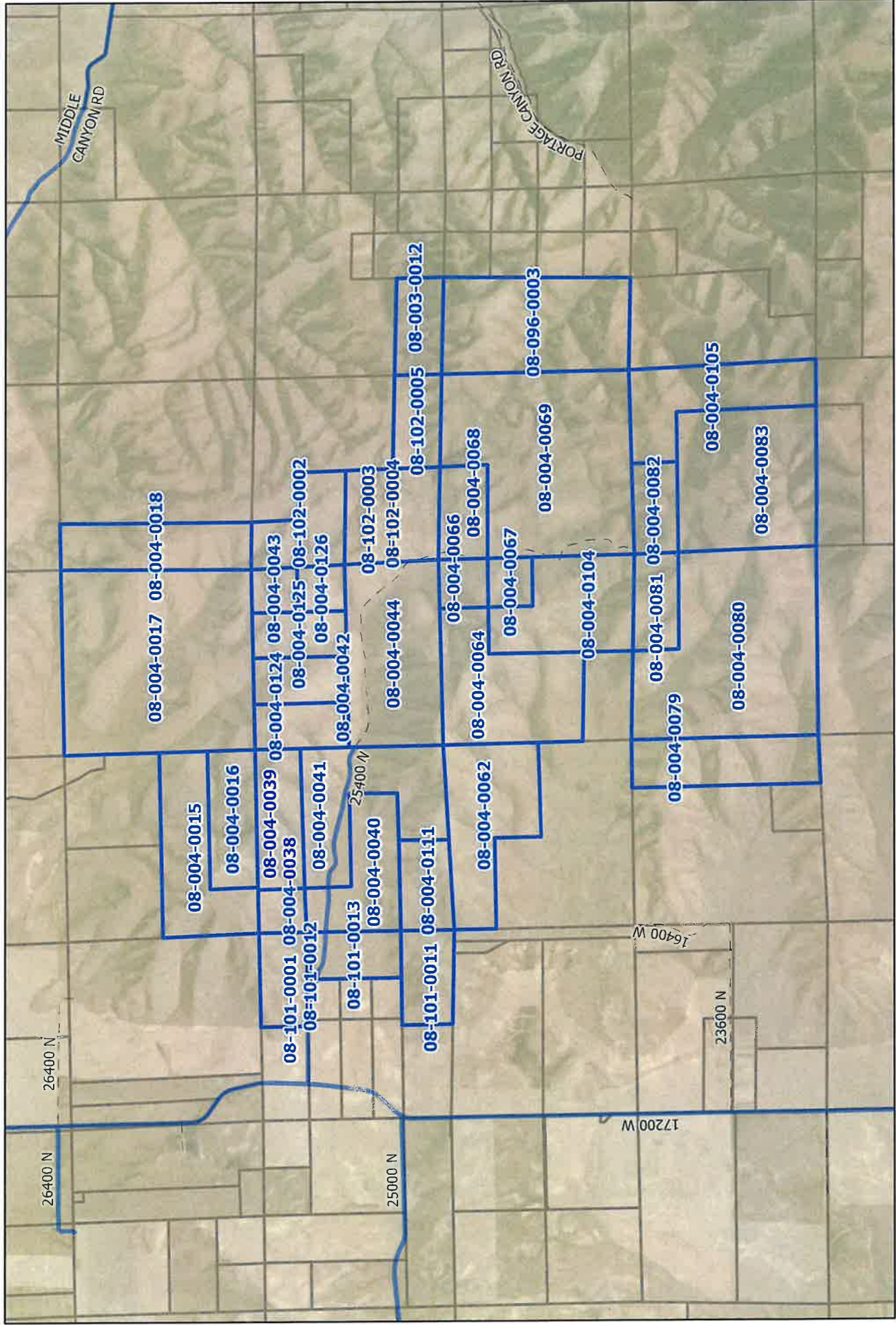
- Ag Protection Parcels
- Tax Parcels
- Railroads
- Roads
- Highway
- County B
- County D
- City
- Private

0 0.5 1 2 Miles

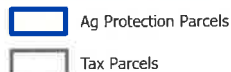
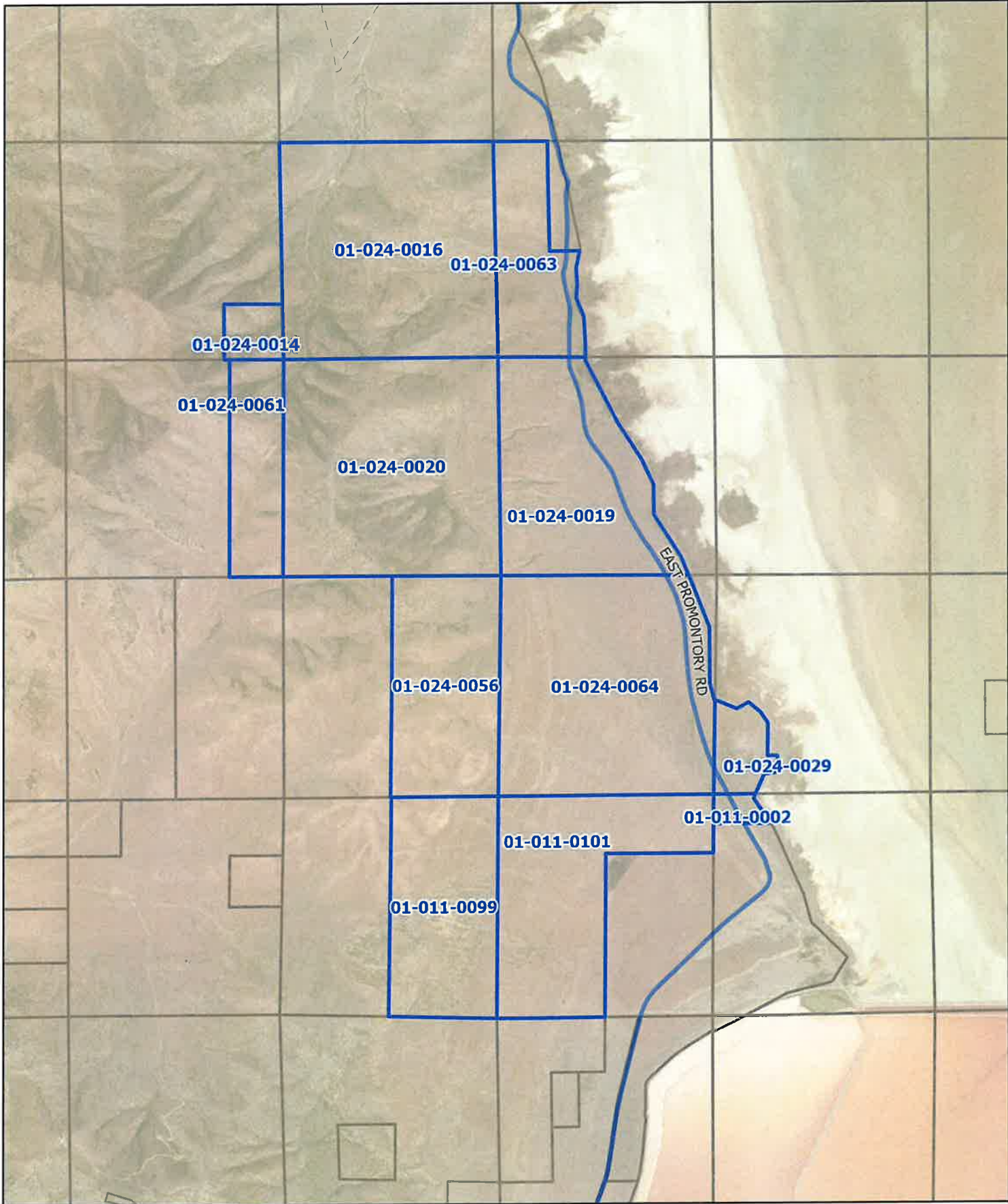
This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.



Young Family Ag Protection - Portage Area



Young Family Ag Protection - South Box Elder Area

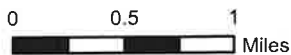
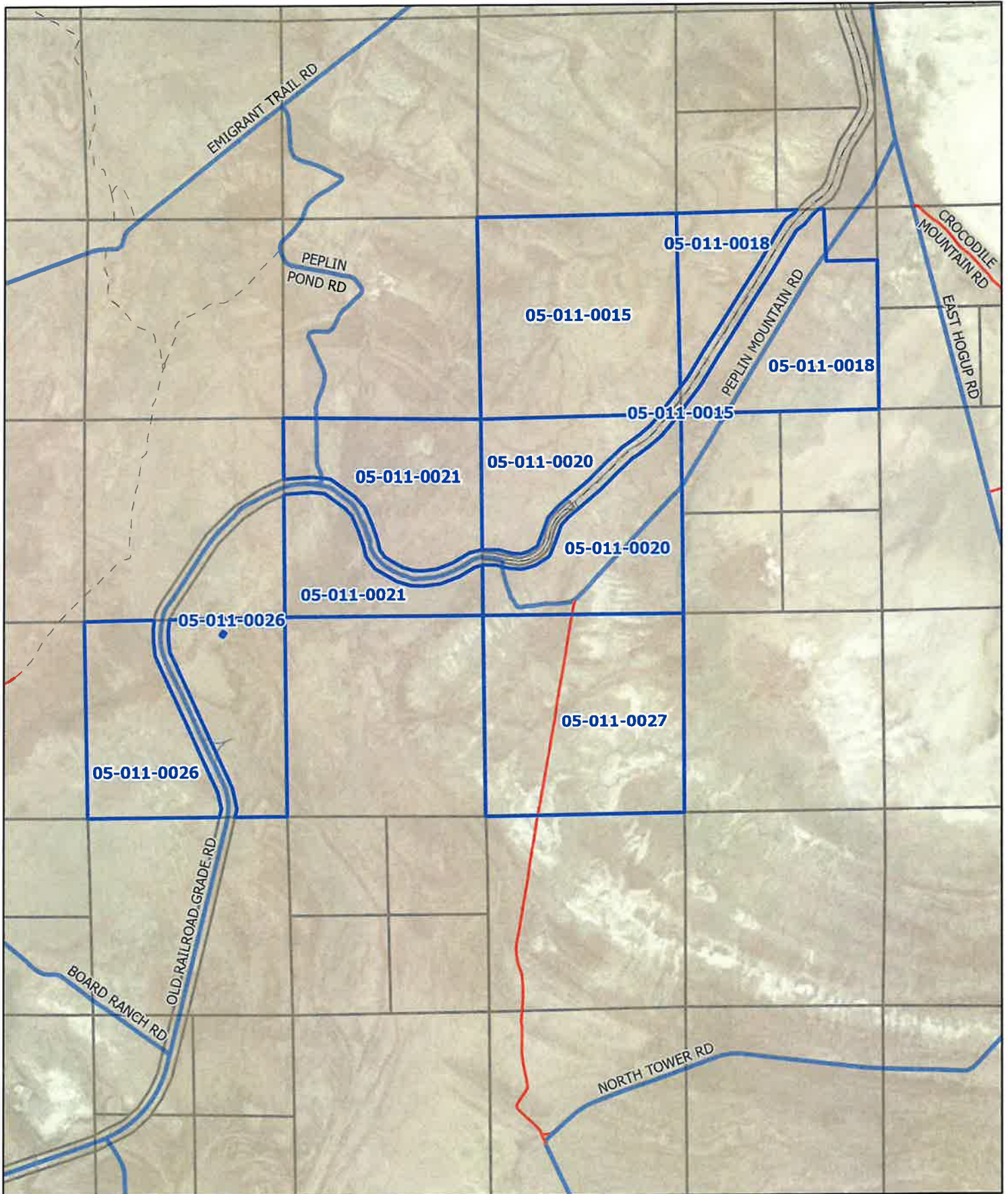


Roads
 County B



This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to create and other land. No liability is assumed by reason of any reliance hereon.

Young Family Ag Protection - West Box Elder Area A



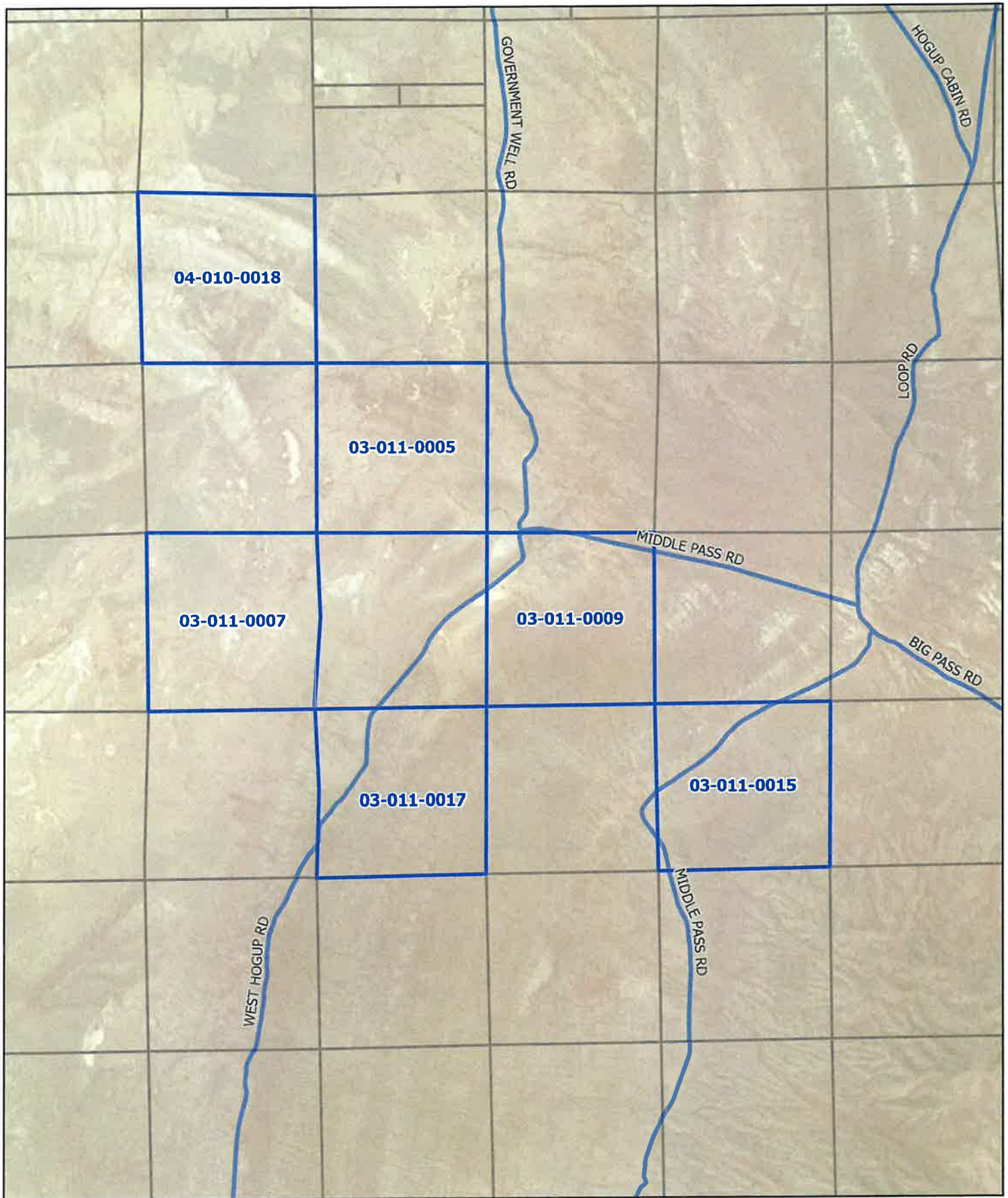
Ag Protection Parcels
 Tax Parcels

Roads
 County B
 County D



This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated herein with reference to maps and other land. No liability is assumed by reason of any reliance hereon.

Young Family Ag Protection - West Box Elder Area B



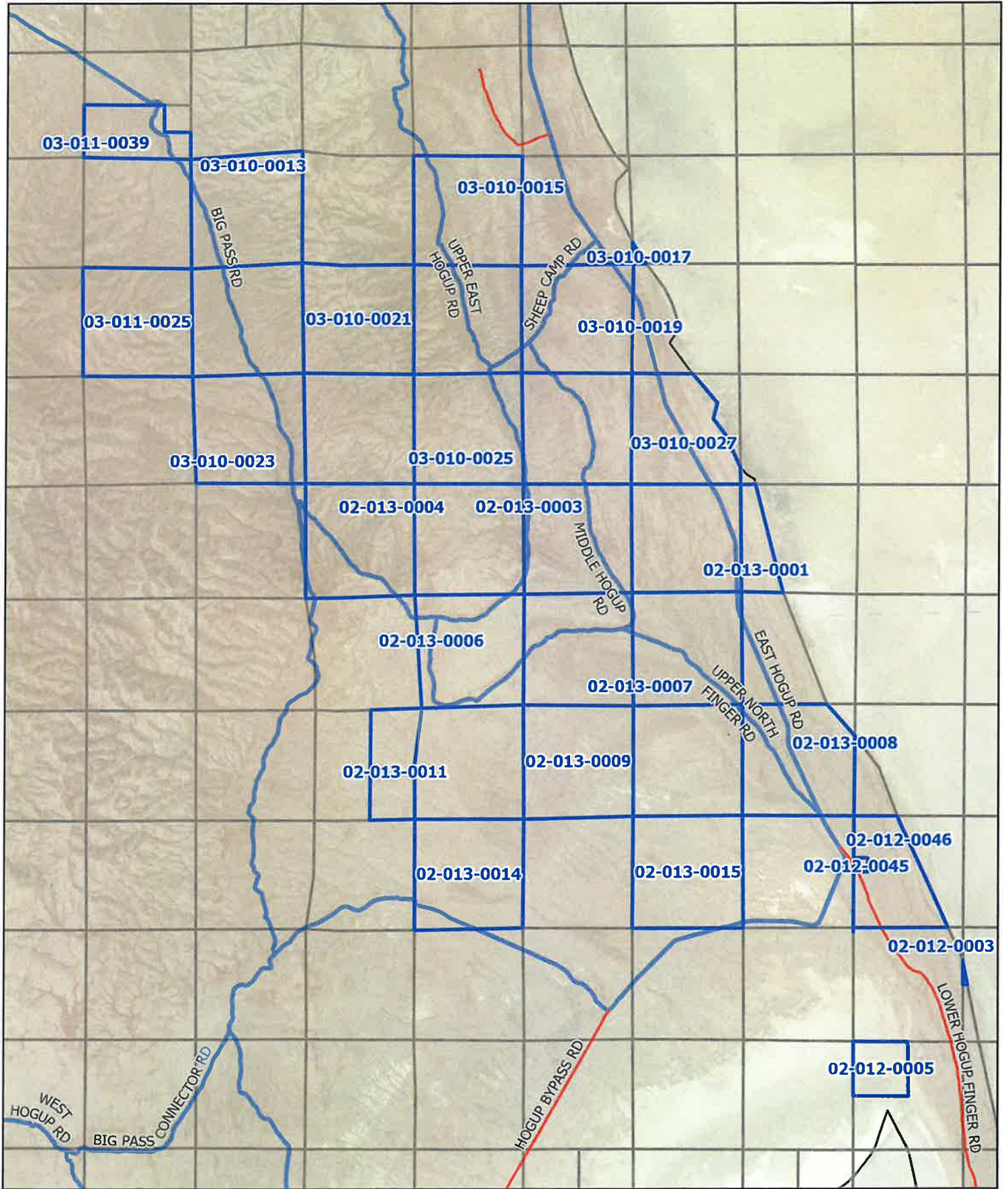
- Ag Protection Parcels
- Tax Parcels

- Roads**
- County B
 - County D



This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to other land. No liability is assumed by reason of any reliance hereon.

Young Family Ag Protection - West Box Elder Area C



- Ag Protection Parcels
- Tax Parcels

- County B
 - County D
- N
▲

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to maps and other land. No liability is assumed for error or omission.

**PLANNING COMMISSION
 STAFF REPORT**

**Meeting Date: May 15, 2025
 Agenda Item #: 7b**

APPLICATION TYPE:
 Agricultural Protection Area

APPLICANT(S):
 Marble

PROJECT #:
 AP25-05

ADDRESS:
 West Corinne

PARCEL #:
 Multiple Parcels listed in the Background Section

CURRENT ZONE:
 RR-20, A-20

TYPE OF ACTION:
 Legislative

REPORT BY:
 Scott Lyons,
 Comm. Dev. Director

BACKGROUND

The applicant is requesting to establish an Agriculture Protection Area on various parcels in the West Corinne area. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcels	Acres	Use	Area & Zoning
1	41.49	Row Crops	West Corinne RR-20
2	25.89	Row Crops	West Corinne RR-20
3	5.11	Shops, Residential, Row Crops	West Corinne RR-20
4	30	Row Crops	West Corinne A-20
5	36.07	Row Crops	West Corinne A-20
6	70	Row Crops	West Corinne A-20

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture Protection Areas.

A. The effect of the creation of the proposed area on the planning policies and objectives of the county;

At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. One aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change.

B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;

a. Whether or not the land is currently being used for agriculture production;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

b. Whether or not the land is zoned for agricultural use;

As shown in the table above, zoning for the proposed parcels is A-20 and RR-20. Both of these zones allow for agriculture as a land use.

c. Whether or not the land is viable for agricultural production;

Per the applications submitted, including applicant statements, the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

e. In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

Planning Commissioners with experience in agricultural production may have a better understanding of this.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed Agriculture Protection Area.

D. Analyzes and evaluates any objections to the proposal; and

No objections have been received by staff.

E. Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.

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

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-05 on multiple parcels in the West Corinne area in unincorporated Box Elder County.

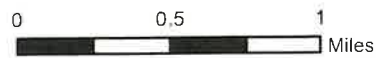
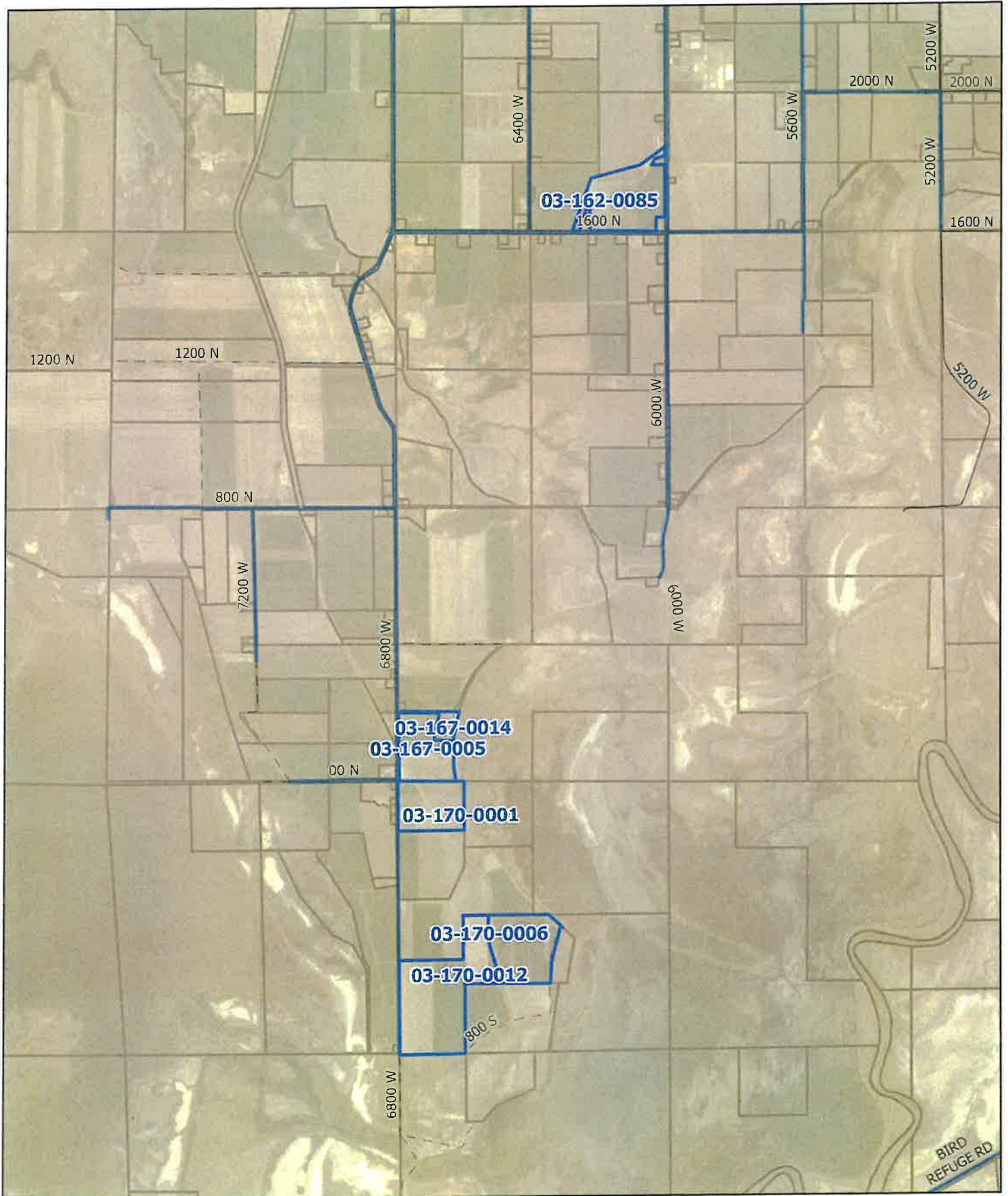
Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-05 on multiple parcels in the West Corinne area in unincorporated Box Elder County, with the following modifications...”

Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-05 on multiple parcels in the West Corinne area in unincorporated Box Elder County, based on the following findings:”

1. List findings for rejection...

Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

CL Marble Farms Ag Protection Area



Ag Protection Parcels	County B	N
Tax Parcels	Private	

This is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated. It is not intended to constitute any part of a deed or other instrument. No liability is assumed for errors or omissions.

**PLANNING COMMISSION
 STAFF REPORT**

**Meeting Date: May 15, 2025
 Agenda Item #: 7c**

APPLICATION TYPE:
 Agricultural Protection Area

APPLICANT(S):
 Thornley and friends

PROJECT #:
 AP25-06

ADDRESS:
 Harper Ward area

PARCEL #:
 Multiple Parcels listed in the Background Section

CURRENT ZONE:
 RR-5

TYPE OF ACTION:
 Legislative

REPORT BY:
 Scott Lyons,
 Comm. Dev. Director

BACKGROUND

The applicants are requesting to establish an Agriculture Protection Area on various parcels in the Harper Ward area. More info and images of each parcel can be found at the end of this report. In summary, the parcels are as follows:

Parcels	Acres	Use	Area & Zoning
1	7.46	Raising crops and grazing	Harper Ward RR-5
2	4.29	Grazing and hay	Harper Ward RR-5
3	27.83	Grazing and hay	Harper Ward RR-5
4	58.17	Grazing and hay	Harper Ward RR-5
5	6.71	Grazing and hay	Harper Ward RR-5
6	5.52	Grazing and hay	Harper Ward RR-5
7	14.61	Crop production, heirloom vegetables	Harper Ward RR-5
8	5.5	Pasture	Harper Ward RR-5
9	14.29	Pasture	Harper Ward RR-5
10	11.1	Hay, grazing	Harper Ward RR-5

11	14.32	Hay and cattle pasture	Harper Ward RR-5
12	5.42	Hay and cattle pasture	Harper Ward RR-5
13	6.15	Hay and cattle pasture	Harper Ward RR-5
14	6.15	Grazing	Harper Ward RR-5
15	5	Grazing	Harper Ward RR-5
16	8.53	Hay, grain	Harper Ward RR-5
17	213.92	Grazing	Harper Ward RR-5

ANALYSIS

State Code:

Utah State Code 17-41 regulates the establishment of Agriculture Protection Areas. According to this code, the Planning Commission shall submit a written report to the County Commission regarding the proposal.

Approval Standards Review:

Utah State Code 17-41-303 outlines the following standards for review for the creation of Agriculture Protection Areas.

A. The effect of the creation of the proposed area on the planning policies and objectives of the county;

At this time, the County has nothing in place promoting or restricting the creation of Agriculture Protection Areas. One aspect of Agriculture Protection Areas that affects county planning is that the county cannot change the zoning of or a zoning regulation affecting land within a protection area without written approval from all landowners within the protection area that is affected by the change.

B. Analyzes and evaluates the proposal by applying the criteria contained in Section 17-41-305;
a. Whether or not the land is currently being used for agriculture production;

State code defines agricultural production as:

Agricultural production means production for commercial purposes of crops, livestock, and livestock products. Agricultural production includes the processing or retail marketing of any crops, livestock, and livestock products when more than 50% of the processed or merchandised products are produced by the farm operator.

b. Whether or not the land is zoned for agricultural use;

As shown in the table above, zoning for the proposed parcels is RR-5. This zone allows for agriculture as a land use.

c. Whether or not the land is viable for agricultural production;

Per the applications submitted, including applicant statements, the land is viable for agricultural production.

d. The extent and nature of existing or proposed farm improvements; and

All parcels have some sort of pasture area, outbuilding, or crop on the property, with some of the parcels having a home on the property as well.

e. In the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

Planning Commissioners with experience in agricultural production may have a better understanding of this.

C. Recommends any modifications to the land to be included in the proposed agricultural protection area;

The Planning Commission must determine if all parcels should be included in the proposed Agriculture Protection Area.

D. Analyzes and evaluates any objections to the proposal; and

No objections have been received by staff.

E. Includes a recommendation to the applicable legislative body either to accept, accept and modify, or reject the proposal.

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

FINDINGS:

Based on the analysis of the Agricultural Protection Area application request for the creation of an Agricultural Protection Area and a survey of the surrounding area, staff concludes the following:

1. The Utah State Code allows for the creation of an Agriculture Protection Area subject to the above review and approval by the County Commission with a recommendation from the Planning Commission.
2. Any future zoning or zoning regulation changes affecting this land would require written approval from all landowners within an agriculture protection area.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff gives the Planning Commission the following three options in the model motions section below:**

MODEL MOTIONS

Approval – “I move the Planning Commission forward a recommendation to the County Commission to accept the proposal to create Agriculture Protection Area APA25-06 on multiple parcels in the Harper Ward area in unincorporated Box Elder County.

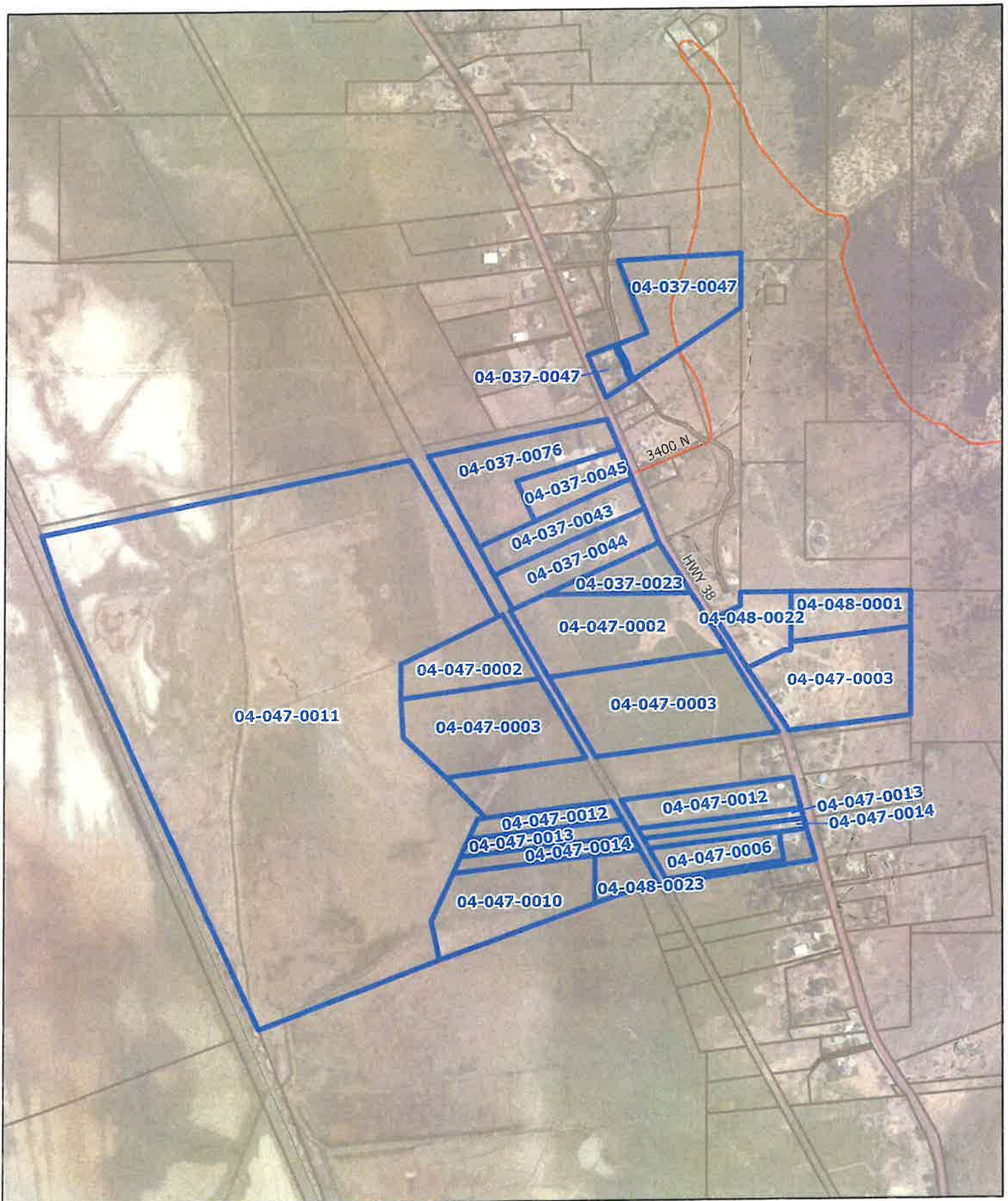
Modify – “I move the Planning Commission forward a recommendation to the County Commission to accept and modify the proposal to create Agriculture Protection Area APA25-06 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, with the following modifications...

Denial – “I move the Planning Commission forward recommendation to the County Commission to reject the proposal to create Agriculture Protection Area APA25-06 on multiple parcels in the Harper Ward area in unincorporated Box Elder County, based on the following findings:”

1. List findings for rejection...

Please feel free to contact Scott Lyons at 435-734-3316 if you have any questions.

Thornley & Friends Ag Protection - Harper Ward





PLANNING COMMISSION STAFF REPORT

Meeting Date: May 15, 2025

Agenda Item #: 7d

Application Type:

Site Plan/CUP -
Machining/Cabinet Shop

APPLICANT(S):

Aaron Hill

PROJECT #:

SP25-004 & CUP25-002

ZONE:

M-G

PARCEL #:

05-100-0065

TYPE OF ACTION:

Administrative

REPORT BY:

Marcus Wager,
Sr. County Planner

BACKGROUND

The applicant is requesting approval for a Site Plan and Conditional Use Permit for a machining/cabinet shop in an existing building on 1.50 acres located in the Thatcher area.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Residential	R-1-20
South	Residential	R-1-20
East	Agriculture	RR-5
West	Agriculture	R-1-20

ANALYSIS

County Code:

Land Use Ordinance Standards Review:

Box Elder County Land Use Management & Development Code Section 3-4-070-13.1 allows furniture manufacturing as a commercial use in the M-G zone as a conditional use subject to Site Plan approval. Section 2-2-100(E)(3)(b) outlines the following standards for approval for conditional uses.

Mitigation of reasonably anticipated detrimental effects arising from the conditional use including, but not limited to:

1. Decreased street service levels and/or traffic patterns including the need for street modifications such as dedicated turn lanes, traffic control devices, safety, street widening, curb, gutter and sidewalks, location of ingress/egress, lot surfacing and design of off-street parking and circulation, loading docks, as well as compliance with off-street parking standards.

It appears that the ingress and egress for this property is shown off site (South of the parcel) and labeled as "existing gravel access driveway". However, this property is owned by a different property owner and we don't have any owner authorization for using this property.

2. Negative impacts on the adequacy of utility systems, service delivery, and capacities, including the need for such items as relocating, upgrading, providing additional capacity, or preserving existing systems.

3. Negative impacts on connectivity and safety for pedestrians and bicyclists.

4. Detrimental effects by the use due to its nature, including noise that exceeds sound levels normally found in residential areas, odors beyond what is normally considered acceptable within the district including such effects as environmental impacts, dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gasses, heat, light, electromagnetic disturbances, glare, and radiation. Detrimental effects by the use may include hours of operation and the potential to create an attractive nuisance.

As there is residential zoning adjacent to this property as well as homes, the Planning Commission may want to discuss issues of noise, hours of operation, or any other items listed in this section.

5. Environmental impacts that increase the risk of contamination of or damage to adjacent properties and injury or sickness to people such as waste disposal, fire safety, geologic hazards such as fault lines, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.

6. Modifications to signs and exterior lighting to assure proper integration of the use.

The applicant will need to comply with Chapter 5-9: Outdoor Lighting Standards.

7. Incompatible designs in terms of use, scale, intensity, height, mass, setbacks, construction, solar access, landscaping, fencing, screening, and architectural design and exterior detailing/finishes and colors within the neighborhood in which the conditional use will be located.

8. Reduction in the tax base and property values.

9. Reduction in the current level of economy in governmental expenditures.

10. Insufficient emergency fire service and emergency vehicle access as determined by the County Fire Marshall.

11. Reduction in usable open space

12. Inadequate maintenance of the property and structures in perpetuity including performance measures, compliance reviews, and monitoring.

Setbacks:

The existing building has a legal non-conforming status for the rear setback for the M-G zone, otherwise, all other setbacks meet the requirements for the M-G zone.

Access:

Access to the property is obtained via 11600 West, an existing County Road. The updated plans will need to show the ingress and egress coming from this existing County Road.



County Department Review:

The review process is currently underway; some departments are currently still reviewing the application.

FINDINGS:

Based on the analysis of the Site Plan & CUP application, staff concludes the following:

1. The Box Elder Land Use Management and Development Code does allow for commercial uses in the M-G zone which are approved by the Planning Commission through a Site Plan & Conditional Use review.
2. The Site Plan will conform to all requirements within the Box Elder Land Use Management and Development Code after all comments from staff have been satisfied.
3. The Planning Commission should discuss the Conditional Use Permit items and list any concerns.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **staff recommends the Planning Commission APPROVE the site plan** subject to the following conditions:

1. Compliance with all comments from Staff.
2. Compliance with Chapter 5-9 and Section 2-2-100 of the Box Elder County Land Use Management & Development Code.
3. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
4. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.
5. Any other conditions the Planning Commission may come up with at the public meeting.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SP25-004 & CUP25-002, for a machining/cabinet shop, and adopting the conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

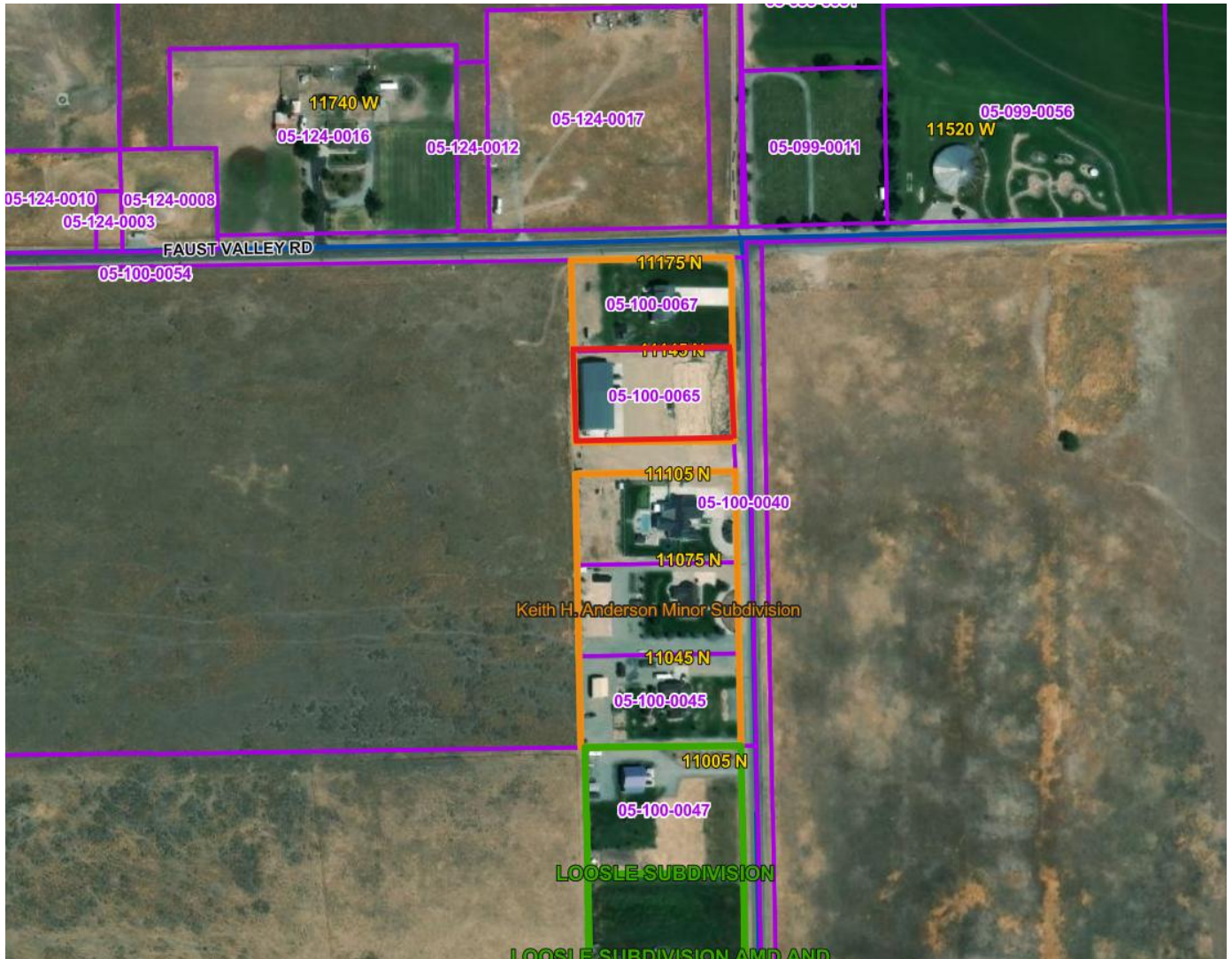
Table – “I move the Planning Commission table the review of application number SP25-004 & CUP25-002, for a machining/cabinet shop, to (give date), based on the following findings:”

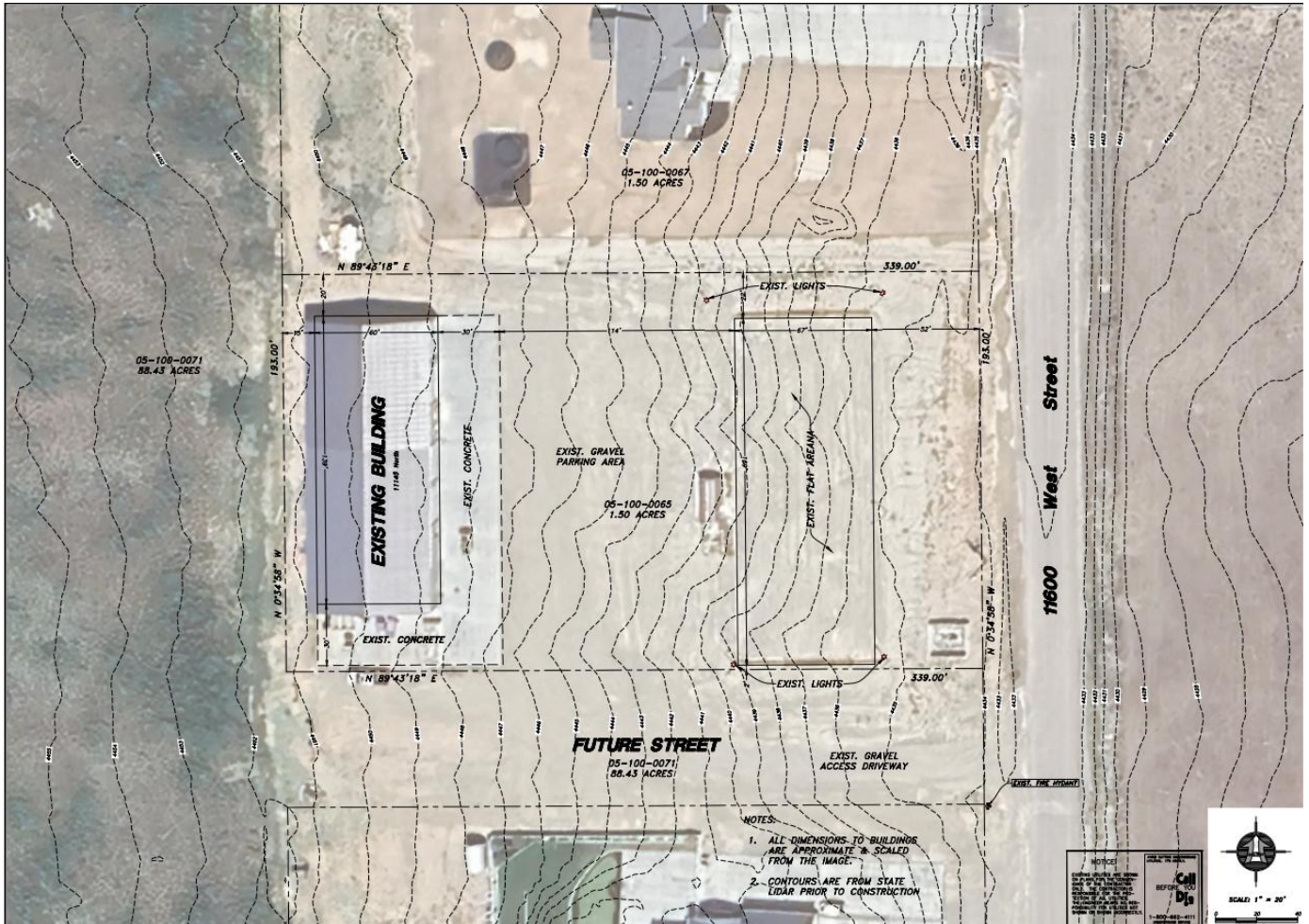
1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Denial – “I move the Planning Commission deny application number SP25-004 & CUP25-002, for a machining/cabinet shop, based on the following findings:”

1. List findings for denial...

Please feel free to contact Marcus Wager at 435-734-3308 if you have any questions.





PLANNING COMMISSION
STAFF REPORT

Meeting Date: May 15, 2025
Agenda Item #: 7e

Application Type:
 Preliminary Subdivision

APPLICANT(S):
 James Knight

PROJECT #:
 SS25-007

ADDRESS:
 5070 W 14400 N, Garland Area

ZONE:
 Unzoned

PARCEL #:
 06-048-0104, 0105

REPORT BY:
 Destin Christiansen,

BACKGROUND

The applicants are requesting preliminary approval of Phase 1 of the Angus Valley Estates Subdivision preliminary plat located in the Garland area of unincorporated Box Elder County. The proposed phase for the subdivision is for 9 new lots, averaging 1.94 acres in size each. The proposed lots combined are appx. 17.5 acres in size.

ANALYSIS

Land Use Ordinance Standards Review:

Land Use Management & Development Code 6-1-130 requires the subdivision of property receive preliminary approval from the Box Elder County Planning Commission.

Surrounding Land Use and Zoning:

<u>Direction</u>	<u>Land Use</u>	<u>Zoning</u>
North	Ag/Rural Residential	Unzoned
South	Ag/Rural Residential	Unzoned
East	Ag/Malad River	Unzoned
West	Agriculture	Unzoned

Access:

Access will come off of 14400 North for the subdivision as well as new, additional road stubs dedicated for future development.

Utilities:

The County has received all utility will-serve letters for power, gas, and water for Phase 1 and they are satisfactory for this subdivision. We have also received a feasibility letter from the Bear River Health Department for Phase 1. A geotechnical report has been requested but not yet received.

Setbacks:

All setbacks for the unzoned area can be met. Setbacks will be reviewed and enforced during the building permit process.

County Department Reviews:

This application is a preliminary subdivision plat application. All applicable County departments are currently reviewing this subdivision – Comments can be provided at the Planning Commission meeting.

Findings:

Based on the analysis of the proposed subdivision plat and a survey of surrounding area, staff concludes the following:

1. With conditions outlined in the recommendation section of the staff report, the preliminary subdivision plat will comply with the preliminary subdivision regulations of Box Elder County, after all of the comments are satisfied.

RECOMMENDATION

Based on the information presented in this report, application materials submitted and the site review, **if the Planning Commission APPROVES the preliminary plat**, staff recommends the following conditions:

1. Compliance with all County Staff reviews and comments.
2. Submission to the Box Elder Community Development Office of a geotechnical report for the subject property.
3. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
4. Compliance with Chapter 6-1, Subdivisions, of the Box Elder County Land Use Management & Development Code.
5. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

MODEL MOTIONS

Approval – “I move the Planning Commission approve application number SS25-007, a preliminary plat for the Angus Valley Estates Subdivision, Phase 1, located in unincorporated Box Elder County, and adopting the exhibits, conditions and findings of the staff report, and as modified by the conditions below:

1. List any additional conditions....

Table – “I move the Planning Commission table application number SS25-007, a preliminary plat for the Angus Valley Estates Subdivision, Phase 1, located in unincorporated Box Elder County, to (give date), based on the following findings:”

1. List reasons for tabling the item, and what is to be accomplished prior to the next meeting date...

Denial – “I move the Planning Commission deny application number SS25-007, a preliminary plat for the Angus Valley Estates Subdivision, Phase 1, located in unincorporated Box Elder County based on the following findings:”

1. List findings for denial...

Please feel free to contact Destin Christiansen at 435-695-2547 with any questions.



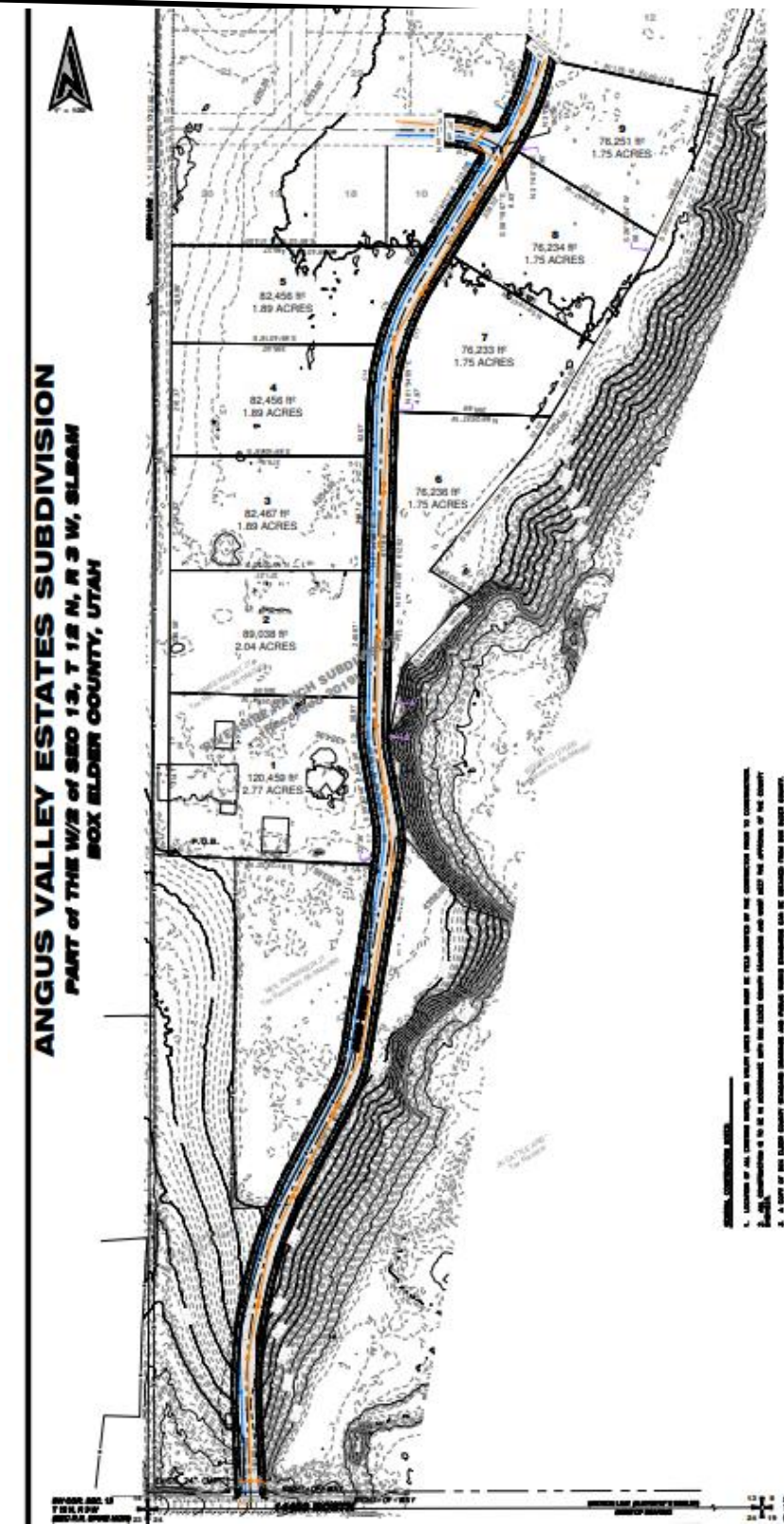


EXHIBIT A

5-1-400. Agriculture Protection Areas

A. Requirements.

1. Utah State Code 17-41-303 and 305 require the following criteria be applied in evaluating a proposal for the creation of an Agriculture Protection Area:
 - a. the effect of the creation of the proposed area on the planning policies and objectives of the county;
 - b. whether or not the land is currently being used for agriculture production;
 - c. whether or not the land is zoned for agricultural use;
 - d. whether or not the land is viable for agricultural production;
 - e. the extent and nature of existing or proposed farm improvements; and
 - f. in the case of an agriculture protection area, anticipated trends in agricultural and technological conditions applicable to the use of the land in question.

2. To fulfill the purpose of (a) and (c) above, if an application for an Agriculture Protection Area is in an unzoned area, or a zone that is not for agricultural use; then the property must receive zoning approval to an agricultural zone or a zone consistent with the Box Elder County General Plan before, or concurrently with, the approval of the Agriculture Protection Area.