



BOX ELDER COUNTY, UTAH COMMUNITY DEVELOPMENT DEPARTMENT

Phone: 435-734-2634 FAX 435-734-2728

APPLICATION

(Taken by appointment only 435-734-3316)

(WHITE)

(Revised 6-10-2010)

ZONING MAP/ORDINANCE-GENERAL PLAN (Text) AMENDMENT Application No. _____		Filing Fee Received by _____
Date Filed _____	Planner's Initials _____	Current Zone _____
<i>(PLEASE call Tamara Wright 435-734-3316 for an appointment to turn in your application)</i>		

- Name of Applicant _____
- Applicant Address _____ City _____ State _____ Zip _____
- Applicant's Phone # _____ E-Mail _____
- Name of Property Owner (if other than applicant) _____
Phone # (Property owner) _____ E-Mail _____
- Mailing Address _____ City _____ State _____ Zip _____
If property has more than one owner, attach information on each additional owner on a separate sheet. Applications submitted without a notarized signature of each additional property owner will not be processed.
- Purpose of Amendment/Re-zone* _____

- Location of Property requested for re-zoning* _____
Parcel No(s) _____ # of Acres _____
- Name of person authorized by owner(s) to represent the owner(s) during process (if applicable).

Mailing Address _____ City _____ State _____ Zip _____
E-Mail Address _____

NOTICE:

All documents and information listed in the attached checklist for the approval requested must be submitted with this application or the application is incomplete. Please attach legal description of property.

The Planning Commission normally meets on the third Thursday of each month. Applicants will be notified of changes in meetings and meeting times. The Planning Staff will not officially accept a submittal until the conditions and necessary parts of each application procedure are completed. The Planning Commission will not review any submittal that was made less than 20 business days (3rd Thursday of previous month) prior to the scheduled meeting. Submittals are placed on a tentative agenda until necessary staff review has been completed.

I affirm that I have read and understand this application and that all representations made and material submitted with this application are true and correct to the best of my knowledge. The signature given below is certification that the owners of record have knowledge of and consent to the filing of this application and supporting data.

Applicant's Signature _____ Date _____

(Owner's signature must be authorized if not submitting application in person)

***MUST state reason for requesting a re-zone request or amendment to the existing Code or General Plan.**

2-2-080. Zoning Map and Text Amendments.

- A. Purpose.** This section sets forth procedures for amending the provisions of this Code and the zoning map.
- B. Authority.** The County Commission may from time to time amend the text of this Code and the zoning map as provided in this section. Amendments may include changes in the number, shape, boundaries, or area of any zone, zone regulations, or any other provision of this Code. The provisions set forth herein shall not apply to temporary zoning regulations which may be enacted without public hearing in accordance with Section 2-2-190 of this Chapter.
- C. Initiation.** Proposed amendments to the text of this Code and the zoning map may be initiated by the County Commission, Planning Commission, authorized County Staff, or a property owner affected by a proposed amendment as provided in this section. An agent of a property owner shall provide an affidavit of authorization.
- D. Procedure.** Zoning text and map amendments shall be considered and processed as provided in this subsection.
1. An 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 and the applicant's agent, if any;
 - b. The names of all owners of the subject property;
 - c. The requested amendment and reasons supporting the request; and
 - d. If the proposed amendment requires a change in the zoning map, the application shall include:
 - 1) An accurate property map showing present and proposed zoning classifications; and all abutting properties showing present zoning classifications.
 - 2) An accurate legal description and an approximate common address of the area proposed to be rezoned.
 - e. If the proposed amendment requires a change in the text of this Code, the application shall include chapter and section references and a draft of the proposed text.
 2. After an application is determined to be complete, the Zoning Administrator may prepare a staff report evaluating the application.
 3. The Planning Commission shall review the application and shall thereafter submit its recommendation for approval, approval with modifications, or denial thereof to the County Commission.
 4. Following receipt of a recommendation from the Planning Commission, the County Commission may hold a public hearing on the application as provided in Section 2-2-050 of this Chapter and in the *Utah Open and Public Meetings Act*. Following a public hearing and after due consideration the County Commission may approve, approve with modifications, or deny the proposed amendment.
- E. Approval Standards.** A decision to amend the text of this Code or the zoning map is a matter within the legislative discretion of the County Commission as described in Section 2-2-060(A) of this Chapter. In making an amendment, the following factors should be considered:
1. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;
 2. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
 3. The extent to which the proposed amendment may adversely affect adjacent property; and
 4. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, stormwater drainage systems, water supplies, and waste water and refuse collection.
- F. Appeal.** Any person adversely affected by a final decision of the County Commission to amend the text of this Code or the zoning map may appeal that decision to the district court as provided in *Utah Code Ann. §17-27a-801*, as amended.
- G. Effect of Approval.** Approval of an application to amend the provisions of this Code or the zoning map shall not be deemed an approval of any conditional use permit, site plan, subdivision, or other permit. Approval of such permits shall be obtained in accordance with applicable provisions of this Code and other applicable Box Elder County ordinances.
- H. Effect of Disapproval.** County Commission denial of an application to amend the provisions of this Code or the zoning map shall preclude the filing of another application covering substantially the same subject or property, or any portion thereof, for six (6) months from the date of the disapproval, except as follows:
1. Another application may be sooner considered if:
 - a. The Planning Commission determines a substantial change in circumstances has occurred to merit consideration of the application; or

- b. The application is for a change to a different zone.
- 2. The County Commission or Planning Commission may propose any text or zoning map amendment at any time.

The (2007) Box Elder Land Use Management & Development Code can be found on the County's Web Page at www.boxeldercounty.org



Box Elder County Planning Department Fees shall be as follows:

- Site Plan Review Application Fee \$375.00 + costs
- Conditional Use Permit Application Fee \$375.00 + costs
- Application for Appeal to Board of Adjustment \$375.00
- Small Subdivision (2 lots) without Improvements
Application Fee \$375.00 + \$100.00 per lot/unit
- Subdivision: Concept Review Application Fee \$375.00 + \$10.00 per lot/unit
- Subdivision: Preliminary Approval Application Fee \$ 50.00 per lot/unit
- Subdivision: Final Approval Application Fee \$150.00 per lot/unit + costs
- General Plan Amendment \$450.00 + costs
- Zoning Map/Ordinance Amendment Application Fee \$450.00 + costs
- Minor Lot Line Adjustments \$175.00
- Administrative CUP (Home Occupation) \$ 25.00
- Land Use Development and Management Code \$ 0.25 per page
- General Plan \$ 0.25 per page
- 8 ½” x 11” Black and White Copies \$ 0.25 per page
- 8 ½” x 11” Color Copies \$ 2.00 per page

Costs = The (\$) amount beyond the application fee needed to cover the actual costs incurred by the County to review an application and inspect required improvements. The applicant will be notified of these costs in writing.

(Adopted 9-18-07)