

BOX ELDER COUNTY PLANNING COMMISSION MINUTES JUNE 21, 2012

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 constituting a quorum:

<i>the following Staff was present:</i>			
Chad Munns	Chairman		
Desiray Larsen	Vice Chairman	Kevin Hamilton	Director
Kevin McGaha	Member		
Michael Udy	Member	Elizabeth Ryan	Ex. Secretary
Bonnie Robinson	Member	Scott Lyons	Planner
Jay Christensen	Excused	Steve Hadfield	Co. Attorney
Laurie Munns	Member		

The following citizens were present:

Richard Woodland/Perry	Fred Ward/Willard
Gay Pettingill/Willard	Dewain & Flo Loveland/Willard
Kami Marriott/Ogden	Randy Marriott/Ogden
Cara Warren/Willard	

Chairman Chad Munns called the Planning Commission meeting to order at 7:02 p.m. The Minutes of the May 17, 2012 were made available to the Planning Commissioners prior to this meeting. A **Motion** was made by **Commissioner Desiray Larsen** to accept the Minutes as written; seconded by **Commissioner Laurie Munns** and passed unanimously.

PUBLIC HEARINGS

Chairman Chad Munns called for the public hearings on the agenda by informing those in attendance that each item would be handled separately, and that the time for the hearings was to allow the public the opportunity to voice any concerns and that the Commissioners would listen to the comments and concerns, but this was not a questions/answer time.

FRED MANNING SUBDIVISION NO.2, SS12-004; A THREE-LOT SUBDIVISION LOCATED AT APPROXIMATELY 13500 NORTH 10000 WEST IN THE TREMONTON AREA OF UNINCORPORATED BOX ELDER COUNTY.

Scott Lyons, County Planner, explained that this petitioner is requesting preliminary approval for a three-lot subdivision on property that is currently zoned as RR-5 (five acre residential lots). No comments were received and the public hearing was closed with a **Motion** by **Commissioner Laurie Munns**; seconded by **Commissioner Kevin McGaha** and was unanimous.

RANDY MARRIOTT RE-ZONE, Z12-001; (1) RE-ZONE FROM CURRENT R-1-20 (HALF ACRE RESIDENTIAL) TO SW-NC (SOUTH WILLARD, NEIGHBORHOOD COMMERCIAL), LOCATED AT 8200 SOUTH HIGHWAY 89 IN THE SOUTH WILLARD AREA OF UNINCORPORATED BOX ELDER COUNTY; (2) TEXT AMENDMENT TO THE SW-NC TO ALLOW ANIMAL CLINICS, TAXIDERMY AND BUTCHERING AS CONDITIONAL USES IN THE ZONE.

Scott Lyons, County Planner, explained that Mr. Marriott has resubmitted his re-zone petition to only include the property where the business is currently located. The property is currently zoned as R-1-20 (1/2 acre residential lots) and the request is to re-zone it to SW-NC (South Willard Neighborhood Commercial). The public hearing was opened and comments were taken. **Mr. Fred Ward** of Willard City asked for clarification regarding the location and size of the property included in the re-zone and was told that it is approximately two acres located at 8200 South Highway 89 in the South Willard area. **Cara Warren** of South Willard said that as a representative of the South Willard Citizen's Committee, they were pleased that the petitioner had resubmitted his application and this new application is now in compliance with the South Willard Community Plan that was created about eight years ago. The citizens are looking forward to working with Mr. Marriott and realize if South Willard wishes to incorporate sometime in the future they will need businesses and a tax base. The hearing was closed with a **Motion** by **Commissioner Bonnie Robinson**; seconded by **Commissioner Michael Udy** and was unanimous.

UNFINISHED BUSINESS -- NONE

NEW BUSINESS

FRED MANNING SUBDIVISION NO.2, SS12-004; A THREE-LOT SUBDIVISION LOCATED AT APPROXIMATELY 13500 NORTH 10000 WEST IN THE TREMONTON AREA OF UNINCORPORATED BOX ELDER COUNTY.

Based on the information that had been turned in to the Planning Office, it was recommended by Staff that this application be tabled until the applicant was able to meet the following conditions:

- ◆ Compliance with Article 5-1 of the BECLUM&DC
- ◆ Compliance with Article 6-1, Subdivisions, of the BECLUM&DC
- ◆ Compliance with all applicable county, state and federal laws, regulating the proposed use, including all current licenses, permits, etc.

MOTION: A Motion was made by **Commissioner Michael Udy** to Table the Fred Manning Subdivision #2 until the applicant is able to supply the additional materials for review and approval by Staff. Motion seconded by **Commissioner Kevin McGaha** and passed unanimously.

RANDY MARRIOTT RE-ZONE, Z12-001; (1) RE-ZONE FROM CURRENT R-1-20 (HALF ACRE RESIDENTIAL) TO SW-NC (SOUTH WILLARD, NEIGHBORHOOD COMMERCIAL), LOCATED AT 8200 SOUTH HIGHWAY 89 IN THE SOUTH

WILLARD AREA OF UNINCORPORATED BOX ELDER COUNTY; (2) TEXT AMENDMENT TO THE SW-NC TO ALLOW ANIMAL CLINICS, TAXIDERMY AND BUTCHERING AS CONDITIONAL USES IN THE ZONE.

Based on the information that had been presented and comments during the public hearing, it was recommended that this petition be granted approval for both the re-zone and the text amendment to the SW-NC plan. (It was noted that the County Commission would be the ultimate decision maker.) **Commissioner Chad Munns** asked how close this proposed use was to other similar uses in South Willard. There are commercial uses where Highway 89 splits and numerous fruit stands in the area. **Commissioner Kevin McGaha** asked what the petitioner's definition of a taxidermy use. **Mr. Marriott** said that it would include a butcher shop with the processing of meat, jerky, possibly meats other than the raised elk to include meat that a person may bring in to be processed and sell meat. There would be no chemicals used and the slaughtering of the animals would not be done at this site, nor would any tanning of hides. In regards to the animal clinic, the commissioners were concerned as to the type of "veterinary" facility this would be and if animals would be kept overnight (lodging or boarding) and if large or small animals.

MOTION: **Commissioner Kevin McGaha** made a **Motion** to grant approval for the zone change, but that the text amendment is Tabled come back to the Planning Commission with more defined definitions for the uses. **Commissioner Laurie Munns** seconded the **Motion** of the approval of the re-zone from R-1-20 to SW-NC and was unanimous.

Mr. Marriott said that he was concerned with having the text amendment portion of this petition Tabled as this facility is currently in operation and noted that the members of the South Willard Community Planning Committee had indicated that they were in favor of this use. He was also concerned with having a lot of restrictions placed on the uses. Again **Commissioner Kevin McGaha** said that he was just concerned with the broadness of the existing definitions and would like to see it better defined for the use in this area and also how those definitions would fit into the General Plan. *Planner, Scott Lyons* read a couple of definitions that are already in the BECLUM&DC, noting that a definition for taxidermy is not currently allowed in any zoned areas of the County and, therefore, a definition is not within the Code. After some further discussion it was noted that the County Commission would have final rule over adding definitions to the Code and also granting approval for this re-zone and text amendment. *Mr. Kevin Hamilton* noted that specific restrictions could be added to any definition and use (including no on-site slaughtering) and that another public hearing would be held at the County Commission level. **Commissioner Kevin McGaha** then withdrew his Motion on Tabling the text amendment portion of this petition. **Commissioner Desiray Larsen** then asked if the Commissioners would want to address the size of any of these uses, i.e. taxidermy, meat processing and/or animal clinic. **Kami Marriott** then approached the Commissioners to discuss the size of these operations and it was decided that each business would not be over 8000 square feet and that restrictions be placed on the meat processing and taxidermy businesses. Staff was directed to work on the definitions to be presented to the County Commission.

MOTION: A Motion was made by **Commissioner Michael Udy** to grant approval for the text amendment portion of this petition, directing Staff to work on the language of the definitions of use for including small taxidermy, butcher shop/meat processing (with no slaughtering on site), and animal clinic (not only for this area in South Willard, but for general definitions for use throughout the County); also limitations on the size of these businesses to 8000 square feet each. Those definitions and size limitations would then be presented to the County Commission for a public hearing and its approval or denial on the amendment. Motion was seconded by **Commissioner Kevin McGaha** and was unanimous.

WORKING REPORTS

A Motion was made by Commissioner Desiray Larsen to postpone the work session until another time. Motion seconded by Bonnie Robinson and was unanimous.

PUBLIC COMMENTS

A **Motion** was made to adjourn at 7:50 p.m., unanimous.

Passed and adopted in regular session this 19th day of July 2012.

Chad Munns, Chairman
Box Elder County
Planning Commission