

BOX ELDER COUNTY PLANNING COMMISSION MINUTES SEPTEMBER 21, 2023

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
Jared Holmgren	Vice-Chair
Lonnie Jensen	Member
Steven Zollinger	Member
Bonnie Robinson	Member
Jed Pugsley	Member
Jennifer Jacobsen	Member
Vance Smith	Excused

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 Jennifer Jacobsen**.

Pledge was led by **Commissioner Bonnie Robinson**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the August 17, 2023 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Jared Holmgren** to approve the minutes as written. The motion was seconded by **Commissioner Jennifer Jacobsen** and passed unanimously.

PRESENTATION

Multiple Family Housing – Micah Capener

Micah Capener explained he wants to provide additional information to the commissioners regarding multiple family housing in Box Elder County. He gave the commissioners a handout addressing items he is concerned about that were discussed in the August Planning Commission meeting.

(See Attachment No. 2 – Presentation Handout.)

UNFINISHED BUSINESS

CONDITIONAL USE PERMIT, CUP23-004, Request for a Conditional Use Permit for an Agricultural Nutrient Manufacturing Facility located at approximately 12090 North Highway 38 in the Deweyville area of Unincorporated Box Elder County. ACTION

Staff stated the applicant is requesting a Conditional Use Permit for an agricultural nutrient manufacturing facility. The proposed site is located at 12090 North Hwy 38, north of Deweyville and south of Collinston. The site was previously occupied by Rupp's recycling and the Rudd Fabrication facility. The surrounding land uses are Gravel Excavation, Commercial/Industrial, Agriculture and Rural Residential. The surrounding zones are M-G, RR-1 and RR-2.

Staff explained this request came before the Planning Commission in August; there was discussion regarding the use, and how the facility would fit into the area. The commissioners invited the applicant to the table to take a more in-depth look at the following questions and/or conditions raised at the August meeting: catch basin for spills, adequate fire suppression, signage to inform any first responders as to what is being stored in the facility, noise, lighting, wastewater or other waste products, smells, storage, explosive combinations, and what kind of state or federal license/permit are they required to carry?

Jared Summers, applicant, said the noise emitted from the electric mixer motors will be less than the noise emitted from the traffic on the street. The normal operating hours will be from 8 a.m. to 4 p.m. There will be no odor emanating from the manufacturing of the product. Raw materials will be stored for mixing in the building, but most are food grade materials. There will be fire suppression throughout the building and will be inspected by the Fire Marshal.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to approve application CUP23-004, a Conditional Use Permit for an Agricultural Nutrient Manufacturing Facility and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

CONDITIONS:

1. Any lighting shall be directed downwards and hooded as to not pollute adjacent properties with unnecessary nighttime light.
2. No parking trucks/trailers, employee vehicles, etc. within the public right-of-way.
3. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
4. Compliance with Article 2-2-100, Conditional Use Permit, 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 licenses, permits, etc.

PUBLIC HEARINGS

ORDINANCE TEXT AMENDMENT, Z23-009, Request for a text amendment adding Section 5-1-370, Multiple Family Dwellings to the Box Elder County Land Use Management & Development Code. The proposed section regulates if and where Multiple Family Dwellings are allowed in unincorporated Box Elder County. ACTION

Staff explained the proposed text amendment will add a section to Chapter 5-1 Regulations Applicable to all Zones. Staff clarified the text amendment presented to the Planning Commission 2 years ago was exclusive to unzoned areas, this amendment applies to all zoned and unzoned areas county-wide. The Land Use Management & Development Code allows the Planning Commission to initiate amendments to the text of county code. These amendments are ultimately decided upon by the County Commission with a recommendation from the Planning Commission.

Staff read the standards for reviewing zoning text amendments as they apply to this request:

- A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;** Multiple chapters of the General Plan highlight that development should happen within Cities/Towns. The proposed amendment is consistent with 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. Being that the vast majority of housing in unincorporated county is single family housing 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;** The proposed amendment to not allow multiple family dwellings in unincorporated county should not negatively 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.** As this proposed text amendment would apply countywide it is difficult to speak to the adequacy of facilities and services serving a particular property. The county does not own or operate sewer or water systems, it does not have a parks and recreation department, increased density would likely drive up the need for police and fire protection, bussing for schools, etc.

Staff said it is difficult to speak to the adequacy of facilities and services serving a particular property. Box Elder County does not own or operate any sewer or water systems and has no Parks and Recreation Department. Increased density would drive up the need for police and fire protection and additional bussing for schools.

Chairman Mellonee Wilding asked those in attendance to come forward to the microphone and state their name. Due to the many people in attendance, she asked to keep the comments brief, each person will have three minutes to speak. The Planning Commission encourages and appreciates hearing from the public, but will not take any questions during the public hearing. This is the commissioners' time to listen and the publics' time to speak.

The public hearing was then opened for comments.

John Mitchell, asked those in attendance how many have multi-generational roots in the farming communities of Box Elder County. He said there are lessons and principles being taught to our children through the farm lifestyle like hard work, sacrifice and service that will be lost to uncontrolled sprawl and development. Slow controlled growth is manageable but high density housing is not. He grew up trusting his neighbors because he had known them for years. High density housing will have rapid turnover and the feeling of community will be lost. If irrigated farm ground continues to be developed, there will be no place to grow our food. If farmers are pushed farther and farther away from less arable land, food prices will go up and the quality and amount will drop. He stated the effects of immigration are already being seen with street gangs, graffiti and crime. These will only increase. The crime statistics in the cities where there is high density housing show you don't want to live there or have your grandchildren live there. Children will not be safe walking, biking, or riding horses on the country roads where generations before have done, because of traffic and other crime that will come along. There will be increased traffic, noise, and litter, more police, fire, and EMS will be required which will make our taxes go up. Developers do not care about anything but money; they do not care about the lifestyle they grew up in or that our grandchildren will not be able to enjoy. Mr. Mitchell said we live in a desert, we don't have enough water as it is now. All of these things in the unincorporated areas are wrong.

Orson Boyce lives in Perry and has a business in Bothwell. He has a lot of agricultural clients and finds it interesting when there are new developments in an area, continued use for agriculture is picked on pretty quick. He has a friend who is a farmer and when new development came in, his friend came under attack because he would bring his cows into what is now a town, and everyone tried to sue him because the cows stink. Mr. Boyce asked if ten units are put in at one end of the street and 100 units on the other end of the street, who is supposed to improve the street? Are enough impact fees generated from those units for improvements? He suggested the county look at what needs to be done to make the impact fees really work. He said the real issue is continued or historic use of the land. If he has new neighbors next to his hay field, not everybody is going to like that he bales hay at 4 a.m. He is very concerned about randomly placing multi-family units throughout the county.

Don DeJarnatt stated he is for the amendment.

Miranda DeJarnatt said she does not want more people coming in. She is concerned about the water. She feels it is not fair to the new people coming in that won't have water and it is not fair to those who have been there forever because there is hardly any water now.

Teresa Cornwall stated she is in favor of the amendment. Bringing in more families will bring in more money but this has happened in her area and her property taxes increased exponentially. While those homes may bring in a little more money, it is going to cost the rest of them a lot more.

Stephanie Tugaw-Madsen, Brigham/Tremonton Board of Realtors, gave the commissioners a handout showing housing data on rents and the average price over the last 4 years. She then read a letter on behalf of the Board of Realtors.

(See Attachment No. 3- Board of Realtors statement & Housing Data.)

Mattie Swenson said she is one of the vulnerable they are projecting the multi-family complexes on. She and her husband live in her parents basement due to difficulties of the past year. She said they have looked at everything and cannot afford anything. The multi-family complexes in Tremonton are unaffordable at \$250,000 even with her and her husband working. With interest rates the way they are, even if the complexes can be brought in under \$150,000, it is not a possibility; bringing more into the community is not a solution.

Brodie Calder, Mortgage Finance Expert, liked what Ms. Swenson said in regards to things being stressful for those trying to make their way because of the affordability crisis. Mr. Calder gave the commissioners a handout and explained the affordability breakdown for Box Elder County. Single family homes are a major issue with affordability and are affecting over 75% of the community. Teachers, farmers and police officers are not able to obtain a new home because of the affordability crisis happening. The only thing people can afford is rent, and multi-family housing allows renting to go forward. Fair housing is one item needing to be looked at in regards to discrimination, the county would be discriminating against more than 75% of the community. Mr. Calder attended the July Planning Commission meeting and said he was highly offended at some of the characters explained in a community meeting. He hopes the commissioners can redeem themselves for some of the things said in the July meeting.

(See Attachment No. 4 – Affordability Breakdown.)

Susan Nielsen has been a resident of Box Elder County for sixty-four years. She has watched changes occur in the county and none of them are for the good. The reason there is an affordability problem in the country is because government is spending money they do not have. The more money the government takes from its citizens, the less money she has to afford the staples of life like housing, food, and clothing. Multiple family housing will increase the taxes in Box Elder County for every homeowner. She said people are coming in and buying up the ground which was once purchased to continue farming. The ground is no longer affordable for the farmers. Flooding the market with multiple family homes has not made rent prices go down and neither have the home prices. The money is being made by the developers which is not fair to the rest of us.

Katie Nielsen has a friend who pays an unaffordable \$2100 a month for rent. She verified with staff only one septic tank per ½-acre is allowed in unincorporated county. She does not see how one septic tank for a four-plex is enough. Ms. Nielsen said she works in the building industry; her income relies on building, but she does not like what she is seeing for the people of Box Elder County. She knows of a contractor who has built hundreds and hundreds of multi-plexes in Utah and Idaho. Those multi-plexes are now sitting empty because no one can afford to rent or buy them. Another issue of concern is the roads, they will need to have turning lanes. Will the citizens of Box Elder County be responsible for the roads?

Dave Madsen said he is a transplant from Brigham City to rural Box Elder County. The house he had in Brigham City was by the hospital where the street was nice and quiet. An apartment complex was built across the street and within a year or two there was vandalism, people trying to break into neighbors houses, and an increased police presence. He does not think all the people moving into multiple family housing will be similar, but it is what happened to him. Mr. Madsen said the home he bought in the county belonged to Micah Capener. He feels it is unfortunate Mr. Capener

was able to grow up in a rural country environment, and is now trying to take it away. Mr. Madsen is against building out in the county, he likes the openness, which is one reason he bought an existing house. He is able to walk his horses and loves the environment. He asked a neighboring farmer, Michael Rudd his opinion and was told his property has been in his family for years and he should be able to do what he wants. If he wants to sell it to a developer and get the highest price for his land, he should be able to do so. Mr. Madsen agrees and said he would not want our rights taken away, but he would also like to keep the agriculture mentality. People may say we are discriminating against the builders, but they are discriminating against us who want to live in the country. He moved out to the country for a reason, and would like it to stay the same. Anything he can do to keep the environment the way it is, he will definitely support.

Gage Swenson agrees with what was said by Mr. Madsen. He wants to point out Micah Capener stated no multiple family dwellings have been developed in Box Elder County in the last 4 years, but there have been a dozen apartment complexes built in Tremonton over the last 4 years. Those complexes are \$1200 a month which is not affordable. He works at Northrup Grumman and is doing the best he can, but at this point he cannot see a way to afford the cost of rent along with groceries, gas and the necessities of life. Mr. Swenson asked how the schools will handle the increase in the number of children. The Tremonton hospital is also not big enough to handle the influx of children and people from multiple family housing.

Kelly Lemon has lived in the unincorporated area of Collinston for 15 years. He said if anyone wants to see what Box Elder County will look like in 20 years, go to Davis or Weber County where it is all apartment buildings. His family moved here to get away from those areas. Mr. Lemon said two years ago he was part of a steering committee created by the County Planners. It is important to note, multiple polls were held throughout the county and all of them came back with the number one thing county residents want, is open space. High-density housing should be held in existing, incorporated communities where amenities and infrastructure are available. The people who cannot afford housing, probably cannot afford gas for the long trips into the communities to buy their necessities. Mr. Lemon verified with staff the four standards for reviewing zoning text amendments need to be met. It seems to him multiple family housing should not be done in unincorporated Box Elder County.

Ted Mayo said the devil is in the details. The developers and realtors like to paint a rosy picture, but when he hears multiple family dwellings, he sees those huge 5-level monstrosities being built all over Ogden. He would hate to see those in Box Elder County.

Wyatt Blue said there have been some good points made today. He is 21 years old and has lived in Box Elder County for 16 years. He attended Box Elder, and Bear River High Schools and knows how packed the classes are. Having multiple family housing is going to make class sizes worse. The fewer student in a class, the better the teaching. He attended a class requiring a maximum of thirty students, but there were fifty-six students in the class. There were 3 different classes with 40-50 students where no one had a desk and everyone was sitting on the floor in the back. Mr. Blue said he likes to take his pets for walks. Multiple family housing will increase traffic exponentially and he would hate any of his pets, or future family being hurt, because of the increase in traffic and population.

Arthur Miller stated he is in favor of the amendment. He agrees with the comments made by those who are also in favor. He thinks the citizens in attendance are intelligent enough to know the realtors are not worried about discrimination; this comes down to money for them. He appreciates their business as he is in that line of work; he understands the need to support our families. This amendment is about developing a community in a smart and reasonable way. In regards to the numbers and figures presented by Mr. Calder about how astronomical mortgage and rental rates are, although he appreciates the comments, he disagrees with one being separate from the other. Rental rates are directly impacted by mortgage rates and housing prices. Landlords are going to take advantage of whatever the market will allow. Rental rates will continue to go up as long as housing prices continue to go up. Those who seem to be against this amendment have a direct ability to profit substantially from selling our community out.

Debbie Diamond stated she is in favor of the amendment. She has 3 kids attending college, 2 of which have to live in the basement of their grandparents' house because rent is not affordable. The other child bought a multi-family house, they cannot afford the payment alone so they are renting a room to another couple to afford the payment. She does not believe multiple family housing is going to be helpful to Box Elder County.

David Forsberg said he has lived in apartments as well as rural farming communities. The farming community started making decisions like the ones being discussed here. He does not want to see multiple family housing happen in unincorporated county like he saw it happen there. Box Elder County is a great place to live. He is for the amendment to not allow multiple family housing. Mr. Forsberg said he appreciates the realtors and developers who want to do this, but it is only going to line the pockets of the developers. Rent is not going down, people are still suffering. Most people who own their homes take care of them and keep them up. Some of the multiple family homes only have their lawns mowed and nothing more.

Melanie Elliot is for the ordinance text amendment. Her family moved here from Ogden and has lived in Riverside for 13 years. She said her oldest son was changing because he wanted to be like the other kids in Ogden. She is grateful for the neighbors and friends in Riverside for the help they have been to her son. Her son has good friends and she knows it is because of the hard work the farmers teach their kids.

Camylla Butler has lived in Box Elder County 81 years. Her grandson lives in an apartment he rents for over \$2000 a month. If his 4 year old trots along the stairs, he is fined \$25 every time the child is noisy. She also thinks people should be taxed on the amount paid for our houses, instead of what the county thinks our homes are worth.

Katherine Summers said she is very proud she was on the planning board that put in place the 5-acre allotments in Bothwell. The 5-acre allotment brought in wonderful neighbors and gives everyone space. As she heard the new rules read, it sounds to her like the planning commission can come in and change the 5-acre zoning. She hopes she heard it wrong. She is very much against multiple family housing because her family farms. Ms. Summers stated she gets offers in the mail for their land every week. All the developers want is money. They do not offer anywhere near what she would have to pay if she bought a neighbor's property. What the developers are trying to do to the landowners by forcing them off their land for development is like highway robbery.

Laura Calder is a resident of unincorporated Box Elder County. She stated the reason housing is not affordable is because there is not enough housing. This is an economic supply and demand issue. As long as Utah is a great place to live, people are going to come here. The population is growing, but there is not enough housing for everyone. By taking away multiple family housing, options are being taken away. This ordinance is not stopping development, it is stopping multiple family housing. Ms. Calder owns a lot of farmland and stated she could develop all of her property into single family homes, but if she were to build multiple family housing in small clusters, it would leave the rest of the land open. She believes everyone should have an equal opportunity to housing and property rights. Property rights are essential to our freedom and liberties we enjoy in our country. George Washington said "Freedom and property rights are inseparable, you cannot have one without the other." Ms. Calder said she is here tonight because she feels the amendment is an infringement on her property rights. Both the U.S. and Utah Constitutions state, "nor shall property be taken for public use, without just compensation." She explained eminent domain is where government can take property but must pay the property owner for the property. Regulatory Taking is when government does not physically occupy the property, but adopts ordinances and regulations restricting use of the property, depriving them of some, or all rights. Some of the rights she would be deprived of, and would expect compensation for, are highest and best use, and enjoyment of property. She does not see this text amendment resolving the problem. There are other ideas and avenues that actually resolve the problem. Ms. Calder said she has heard of discrimination and stereotyping of people, not only in this meeting but other meetings. She also has heard this amendment is about personal agendas, which is nothing a government board should be having in these decisions.

Shane Jacobsen lives in unincorporated county and enjoys farm country. He has seen triple story apartment buildings with very little parking going up in Cache County. It is just a matter of time until they start creeping out into other counties. He enjoys purchasing vegetables, hay and grass from local farmers. Every year we are dependent on the local farmers to provide these goods. Family will ask us to get corn for them because the corn here is the best. Mr. Jacobsen's family owns apartments on campus and charges \$800 a month including covered parking and snow removal. These apartments are built in the properly zoned areas where they make sense. He is for the amendment and wants to keep farmlands in unincorporated county. He believes Box Elder County's roots come from the farming heritage background of the farmers who have been here for centuries. The farmers are teetering because the food industry is a hard business. The youth of these generations are having a hard time running these farms. It will not take much convincing to sell their land. The triple story apartment buildings are there to make the developers money, it is not for the benefit of the people who purchase them.

Lynn Summers is one of the farmers these people say they appreciate. He appreciates those compliments. He loves living his lifestyle. Allowing these dwellings to come in will change his lifestyle and the lifestyle of others. Allowing these dwellings will change the county and the county will turn into an Ogden, or a Davis or Cache County. Mr. Summers does not want to see this happen. He really wants to keep farming.

Braeden Capener thinks there is a misconception with what multiple family housing is about. Multiple family housing has always been allowed, this does not change anything. He said everyone

seems to have visions of 5-story buildings in Riverside, but that is totally impossible and they cannot be built. What we are really talking about is onesie-twosie 4-plexes. These 4-plexes have been built in Riverside and have not changed anybody's life, or ruined the community. He grew up in Riverside and there were no major negative effects from small, rural, multiple family housing. If everyone is worried about farmland and open space, then they should be pro multiple family housing. Building 4 houses in a small area rather than building on large, 1-acre lots, takes up a lot less farmland in rural and residential areas. Both areas need to carry the weight to be able to have more housing. Prices are not going to get better by banning multiple family housing; it is only going to get worse. Mr. Capener said everyone has private property rights. Sometimes people love telling other people what to do with their private property. This is a property rights issue which should not be approved. He does not agree with requesting this by text amendment where adjacent property owners do not need to be notified.

Chuck Elliot is for the amendment. We do not need any multiple family dwellings in unincorporated Box Elder County. To say things will not change is ridiculous. He grew up in Liberty and the area was great for a lot of years. More and more people moved in and reduced the amount of land to build a home. People having been there for years were forced out because taxes went out of sight and because there was no infrastructure. There is no infrastructure in unincorporated Box Elder County to support multiple family housing. Mr. Elliot stated when there are a lot more people, there will be a need for more schools and more law enforcement and our taxes will go up. Developers do not care, they throw up these buildings, make their money and then run away.

Stephanie Tugaw-Madsen said this zoning change is misunderstood. There is multiple family housing already permitted now. What this amendment does is make it so any multiple family housing has to be rental units instead of owned units. She wants people to understand there is a moratorium on wells in the county. No one can even get a well right now. There is only one private water company in the whole county issuing water taps. Most of the ground in unincorporated county is on septic tanks and needs to be approved by the Bear River Health Department. Ms. Madsen stated most of the units will be 4 units or smaller because of the septic tank situation. Realtors do not want the 100-unit complexes either and there are restrictions on the height of the buildings also. Her personal opinion is to leave the code the same as it is now.

Kelly Lemon stated unless the county figures out a way to protect the open spaces in perpetuity, the realtors and developers will find a way to develop those open spaces. If multiple family dwellings are allowed in unincorporated county, the open spaces have already been condensed and will continue to be condensed more and more. He would vote to continue to maintain as much open space as possible by not allowing multiple family housing in the unincorporated areas of Box Elder County.

Dennis Holland referenced Brody Calder's comments about unaffordable housing and thinks he is correct, but it is because of the administration in Washington D.C. Inflation is all over America. He said we all want affordable housing. This type of housing does not make sense when having to buy \$4 gasoline to go get groceries or go to the hospital. Diesel fuel for the few school buses we have is \$5. If multiple family housing was close to Tremonton, people could walk or ride their bikes for groceries. He is not opposed to 4-plexes as long as they are within a town, or can be

annexed into a town where city water, sewer, fire and police departments can take care of them. Mr. Holland is concerned with setting a precedent stating if he has 15 acres of land along a county road, he could build 10 of the multiple family units with 150 ft. frontage which would house 160 people, half of those being children. Mr. Holland does not have any children but his taxes were raised double in the last year, \$1000+ goes to the school district. The 160 people living in the complexes would not pay school tax. He is not opposed to affordable housing but does not want the farmers to have to buy the bus, pay for the fuel and the driver to haul those kids to town.

Max Madsen said a lot of respectable points have been made. He is in the category of those who are fighting the affordable housing crisis. He does not think it is any fault of the county, it is just how the market is today. We are fighting a big group of buyers that are in high demand. We want to buy something but there is not enough to buy, causing the prices to go up. Wages are not matching inflation which makes it difficult for young people like himself. Mr. Madsen said his age group seems to tell each other housing is not affordable, and they shouldn't even try. He wants to say we should try, it can be affordable. It is not a matter of working harder because wages are not keeping up with inflation but it still can be done. Mr. Madsen feels this amendment is misunderstood; it is not deciding if we can or cannot have multiple family housing, it is restricting property owners and in turn, making more rental units. He said it has been spelled out pretty clear that when prices are high there is short inventory. When there are 10 people who want to buy 2 townhomes, they will fight to get the highest price, this is what is raising the prices. For it to be affordable, there needs to be 10 townhomes for 10 buyers who offer what they can.

Staff stated they have received phone calls from Mark Chapman, Ann Mitchell, and Laura Thorpe who agree with the proposed text amendment to not allow multiple family dwellings in unincorporated Box Elder County.

Staff read emails received from citizens Emily Jensen, Max Mills, Travis Cook, Robin Jensen, Eleanor Jensen, Dennis Holland and Maleah Christensen both for and opposed to the proposed text amendment.

(See Attachment No. 5 – Emails.)

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Ordinance Text Amendment, Z23-009. The motion was seconded by Commissioner Jennifer Jacobsen and passed unanimously.

ACTION

Commissioner Mellonee Wilding thanked everyone for attending the public hearing. She does not want anyone to go away feeling unheard and made some clarifications. The commissioners cannot change any zoning, they do not set the taxes, and have no say over the schools. Although these are valid concerns, the commissioners are unable to address those issues. Commissioner Wilding stated this amendment is not about being for or against multiple family housing; it is about where it makes sense to put multiple family housing and how it works with the Box Elder County Plan. There is an absolute need, but it is a matter of where it makes sense to support that kind of density.

Commissioner Jed Pugsley clarified the moratorium from the Governor's Office was for large well usage. If a new agricultural well is being created or a huge well for multiple housing units, there is a moratorium currently on those. There is no moratorium on small domestic wells. If he were to apply for a small domestic well for his house and a small amount of livestock units, there is no moratorium on those in the state of Utah.

Commissioner Jared Holmgren said this housing crisis has been ongoing for 3-4 years. If there have not been any multiple family dwellings built in unincorporated county in that amount of time, nobody is really concerned about the housing crisis. They are more worried about building great big houses and making all that money. Since that market is drying up they want to go for a different revenue.

Commissioner Jed Pugsley pointed out the lack of county services. He is an EMT and a firefighter in rural Box Elder County. There are not enough people to staff the department so residents of the greater Snowville area can wait up to forty minutes for a fire truck or ambulance to arrive from Tremonton City. West of Thatcher there is no garbage pickup in the county and burning refuse is illegal in Utah. He said this is a larger issue than whether services are available versus what services can actually handle. There are no services available west of Tremonton.

Commissioner Bonnie Robinson was involved in the development of the Box Elder County General Plan. At that time, the public spoke about how critical maintaining open space and agriculture is to our county. She said development is coming but development needs to be localized in or very near cities. Box Elder County was designed to be a rural county with limited services. Those of us who live in unincorporated county really appreciate that kind of lifestyle. The idea of keeping multiple family housing closer to, or preferably within a city makes more sense. Commissioner Robinson heard the comment about farming late at night and bothering neighbors. She said farmers can apply to put their land in ag protection. This is something the county offers to protect farmers from frivolous lawsuits from residents of the developments moving in next to the farms.

Commissioner Steven Zollinger said all of unincorporated Box Elder County has single family dwellings so the proposed amendment is harmonious with the overall character of existing development as stated in our review standards. The county is not in the business of having a lot of apartments, they are more suited to be in the cities and towns. There are also no sewer or water hookups available in unincorporated county.

Commissioner Jennifer Jacobsen stated multiple family housing is not allowed in unincorporated Cache County, so this is not something new. She agrees with the statements already made in regards to the proposal being harmonious with the General Plan and services that can be rendered for those developments.

Commissioner Jed Pugsley clarified the difference between an accessory dwelling unit and a duplex is utilities. A duplex can split the utilities between the two units whereas an internal ADU cannot split the utilities. ADUs also require an owner to live in one of the units.

Commissioner Mellonee Wilding reminded the commissioners the proposal must meet the four standards for reviewing text amendments. 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, storm water drainage systems, water supplies, and waste water and refuse collection.

Commissioner Lonnie Jensen is concerned about multiple family housing being opened up in the rural part of the county. If a landowner has 40 acres, building 4 duplexes on those 40 acres equals 160 homes out in the country. It would be better to annex those homes into a city.

Commissioner Bonnie Robinson is appreciative of the people who attended tonight and were able to voice their opinion. Sometimes the planning commission has to make hard decisions without the benefit of public opinion. These decisions can affect our neighbors, our friends, and family. She knows it may have been hard to listen to opposing opinions but our country is built on being able to have our say, but with that, we do not always get what we want. Commissioner Robinson reiterated the planning commission is tasked with following the four reviewing standards for text amendments. She said the commissioners have tried hard to listen to public opinion that development should happen by cities and towns; it just makes more sense and is also in keeping with the County's General Plan. There are no existing multiple family dwellings in unincorporated county so the proposal is harmonious with existing development. Commissioner Robinson said we have just heard public input on what multiple family housing might look like in our county and how it may adversely affect adjacent properties. Also, unincorporated county is not able to provide the facilities and services needed for multiple family housing.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application Z23-009, a request for a text amendment adding Section 5-1-470, Multiple Family Dwellings to the Box Elder County Land Use Management & Development Code and adopting the conditions and findings of staff and because the text amendment meets the objectives the Planning Commission is tasked with meeting. The motion was seconded by **Commissioner Jennifer Jacobsen** and passed unanimously.

(See Attachment No. 6 – Proposed Text Amendment.)

ORDINANCE TEXT AMENDMENT, Z23-014, Request for a text amendment to Sections 5-1-360, Annexation Policy, 1-3-040, Definitions, and 3-2-070, Regulations for Specific Uses of the Box Elder County Land Use Management & Development Code. ACTION

Staff stated the county is proposing a text amendment to amend the following Sections: 5-1-360, Annexation Policy, 1-3-040, Definitions, and 3-2-070, Regulations for Specific Uses. Specifically this text amendment will update to include all applications for the annexation policy and remove Home Businesses from our Land Use Code. Home businesses was removed once before, but failed to be removed from Chapter 3-2 and in the definitions. Staff was under the impression they were

removing all the applications that came before them but due to a ruling from the Utah Supreme Court, legislative applications and regular land use applications are not the same.

Staff read the standards for reviewing zoning text amendments as they apply to this request:

- A. Whether the proposed amendment is consistent with goals, objectives and policies of the County's General Plan;** Multiple chapters of the General Plan highlight that development should happen within Cities/Towns. The proposed amendment is consistent with 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. 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;** The goal of the proposed amendment is to have better development near Cities/Towns (development that will fit in with the City/Town as it will be annexed in the future). 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.

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 the Ordinance Text Amendment, Z23-014. The motion was seconded by **Commissioner Bonnie Robinson** and passed unanimously.

ACTION

Staff clarified home occupations are still allowed, home businesses are being removed.

MOTION: A Motion was made by **Commissioner Jed Pugsley** to forward a recommendation of approval to the County Commission for application Z23-014 a request for a text amendment to Sections 5-1-360 Annexation Policy, 1-3-040, Definitions, and 3-2-070 Regulations for Specific Uses of the Box Elder County Land Use & Development Code and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Jennifer Jacobsen** and passed unanimously.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with Article 2-2-080, Zoning Map and Text Amendments, of the Box Elder County Land Use Management & Development Code.
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

(See Attachment No. 7 – Proposed Annexation Policy.)

NEW BUSINESS

BACKROAD LANDSCAPING, SP23-003, Request for Site Plan approval of a landscaping business located at approximately 10090 North 6800 West in the Tremonton area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting site plan approval for a landscaping business. The proposed use is mainly for the storage of landscape installation equipment on the property. The request initially came in as a home occupation, but home occupations indicate no part of the business may be stored or maintained outdoors. This required the applicant to go through the site plan review process. The site is on approximately 1.51 acres located at 10090 North 6800 West in an unzoned area of Box Elder County, south of Tremonton City. The surrounding land use is Rural Residential and the surrounding zoning is Unzoned.

Staff read Section 2-2-090 outlining the standards for approving permitted uses as they apply to this request:

- A. The proposed use shall be allowed as a permitted use in the applicable zone. *Yes*
- B. The proposed use shall conform to development standards of the applicable zone. *Whether the proposed use/design conforms to development standards as all County departments have reviewed and approved the use/design.*
- C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set forth in this Code. *This is still under review.*
- D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances. *This is still under review.*
- E. If the proposed use is located on a lot or parcel which has been subdivided without County approval a subdivision plat shall be approved and recorded as a condition of approval. *N/A*

Staff explained there are no utilities or future buildings being proposed and access to the property is via 6800 West. All applicable departments have approved the proposed site plan.

MOTION: A Motion was made by Commissioner Jared Holmgren to approve the SP23-003, a request for site plan approval of a landscaping business in Unincorporated Box Elder County and adopting the conditions and findings of staff. The motion was seconded by Commissioner Steven Zollinger and unanimously carried.

CONDITIONS:

1. Compliance with Section 2-2-090, Permitted Use Review, of the Box Elder County Land Use Management & Development Code.
2. Compliance with Section 2-2-120, Site Plan Review, of the Box Elder County Land Use Management & Development Code.
3. Compliance with reviews from the Road Supervisor and Building Official.
4. Any future lighting must be downward directed and be hooded (100% shielded) in order to prevent light pollution onto neighboring properties.

5. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
6. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

CONDITIONAL USE PERMIT, CUP23-007, Request for a Conditional Use Permit for an Accessory Dwelling Unit located at approximately 3210 West Cobble Crest Road in the Deweyville area of Unincorporated Box Elder County. ACTION

Staff said the applicant is requesting a Conditional Use Permit for an Accessory Dwelling Unit. They seek to build an approximate 960 square foot dwelling unit as part of a proposed outbuilding. Their existing home is approximately 3750 square feet. No other accessory dwelling unit, internal or external, exists on the property. The surrounding land use is Rural Residential and the surrounding zoning is RR-1.

Staff read the standards for reviewing conditional uses as follows:

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.
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, gases, 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.
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.
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.

Staff said all applicable county departments have reviewed the proposal and recommends approval.

MOTION: A Motion was made by Commissioner Steven Zollinger to approve CUP23-007, a request for a Conditional Use Permit for an Accessory Dwelling Unit located in the Deweyville area of Unincorporated Box Elder County and adopting the conditions and findings of staff. The motion was seconded by Commissioner Jed Pugsley and unanimously carried.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder Land Use Management & Development Code.
2. Compliance with Article 2-2-100, Conditional Use Permit, 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 licenses, permits, etc.

WORKING REPORTS

Accessory Dwelling Unit Water Will Serve Letter

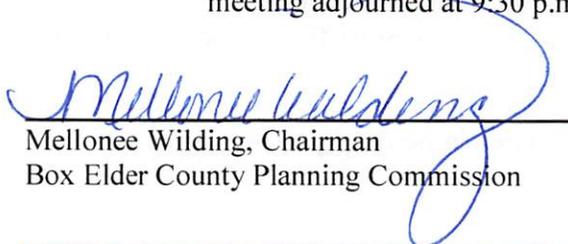
Staff said a concern was brought up in the August meeting about South Willard Water's policy conflicting with allowing an ADU to connect to the same meter as the primary dwelling. This has been this way since external ADUs were originally adopted in 2014. The Bear River Water Conservancy District changed their policy to allow for connections in those unique ADU situations soon thereafter. Staff said they cannot force their hand to change their policy. If a conflict arises, the homeowner could approach the planning department and request a text amendment or go to their water company and request a policy change.

PUBLIC COMMENTS

Dennis Holland thanked the commissioners for volunteering. He appreciates their service and the work they do. As he canvassed the area to gather people's thoughts about multiple family dwellings, he was surprised at how few people knew about this public meeting. Commissioner Mellonee Wilding and staff informed him meetings are published on the Utah Public Notice website, the Planning Commission's Facebook page, and the Box Elder County website.

ADJOURN

MOTION: A Motion was made by Commissioner Bonnie Robinson to adjourn commission meeting. The motion was seconded by Commissioner Jennifer Jacobsen and meeting adjourned at 9:30 p.m.


Mellonee Wilding, Chairman
Box Elder County Planning Commission

PLANNING COMMISSION MEETING

Thursday, September 21, 2023

NAME	ADDRESS	AGENDA ITEM
Tim Beach	985 W 7300 S	County Reg Change
Natalie Beach	985 W 7300 S	Count-reg change
TEA MAYO	974 W 7300 S	Planning Mtg
DIRK SCHLEFF	984 W 7300 S	Planning meeting
Amanda Kocik	1175 Dentwood Dr. #1	Planning Mtg
Monica Cleveland	4590 W 13000 N Garland	Article 3
STEFANIE TUGAW-MADSEN	7650 N Hwy 38 Homerville	Art. 3
Micah Capener	55 S. 950 E Tremont	presentation.
BRADON CAPENER	485 N 450 W TREMONT	TEXT AMENDMENT
Ann Marie Conrad	12660 W 8040 N Penrose	Text Amendment
Jordan Conrad	11769 W 10400 N Thatcher	Text Amendment
Mallory Madson	16775 N 6000 W Garland	Zoning
Dave Madson	16775 N 6000 W Garland	Zoning
Kelly Lemmon	13984 N 3100 W Collinston	High Density housing
Cody RHODES	15845 N 5200 W REVERSIDE	Planning Mtg.
Jon Mitchell	18929 N 6000 W GARLAND	Hi-Density Housing
Camylla Butler	17560 N 6000 W Garland	Hi Density Housing
Deborah Dimond	17580 W 6000 W Garland	High Dens Housing
Melanie Elliott	176137 N 6000 W	High Dens. Housing

Garland Housing

Att #1

PLANNING COMMISSION MEETING

Thursday September 21

NAME	ADDRESS	AGENDA ITEM
Chuck Elliott	16137 N 6000W Garland	High Density Housing
Wyatt Blue	1106W 600S Brigham	High Density Housing
Hannah Blue	1106W 600S Brigham City	High Density Housing
Teresa Cornwall	5695 W 15600 N Riverside	multi family housing
David Forsberg	15370W 5475W Riverside	" " "
Camille Forsberg	15295N. 5400W. Riverside	" " "
Karleen Ramsdell	15415 N. 5250W	" " "
Reo T. Ramsdell	" " "Riverside	" " "
Don DeJannatt	5345W 16800N Garland	" " "
Mianda DeJannatt	5345W 16800N Garland	" " "
Shane Jacobson	16095 N 6000W Garland	" "
ARTHUR "coj" MILLER	16115 No. 6000w GARLAND	" "
Colton Holder	6430 W 8000 W. Tremonton	CUP Earthstraw
DENNIS Holland	5810 W 16800 N Garland	Multi Family
Mattie Swenson	11915 N 10900 W Tremonton	Multi Family
Katie Nielsen	10600 W 11600 N Tremonton	Multi Family
Mitch Nielsen	10600 W 11600 N TREMONTON	" "
Gage Swenson	11815 N 10800 W Tremonton	Multi Family
Susan Nielsen	11815 N 10800 W Tremonton	Multi-Family
Lee Summers	9660W 11250N-Tremonton	Multi-Family

MULTI FAMILY

BOX ELDER COUNTY



1

ROADS & INFRASTRUCTURE

Improve fiscal health of the county by increasing the tax base and efficiently using public and private resources –

Most all of our county roads are substantially underutilized based on their capability. The county has to pay to maintain them now matter how many people use them. More people means more money from tax revenue to pay for the expense.

Currently many of the water companies are in deep financial trouble because they are not adding new people to the line and there are not enough people on the lines to pay to replace them and they are starting to fail. A fourplex is more efficient to manage than 4 homes.

4

REASONS FOR THE PROPOSED MORATORIUM AND TEXT AMENDMENT:

1. Buses and schools.
2. Infrastructure (roads, water systems, etc).
3. If a sewer system is required by the health dept the county doesn't want to oversee it.

2

SEWER SYSTEM IN THE COUNTY

- Noone has proposed this for multi family.
- Banning multi family does not solve this problem as single family, commercial, and industrial are still allowed.

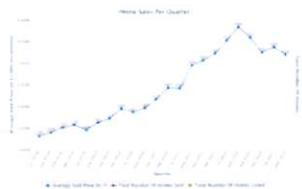
5

BUSES AND SCHOOLS

Example:
Ban a 4 plex.
But 4 single family homes can still build. (more spread out and more costly to maintain)
Banning multi family does not solve or change the problem with buses and Schools.
The school district just changed the bussing and school times to accommodate drivers.

3

NEED PLACES TO LIVE AS HOUSE PRICES HAVE DOUBLED



6

Att #2



7

MORE EFFICIENT

Tremonton City has calculated based on usage that the multi family uses .645 of an equivalent single family detached unit.

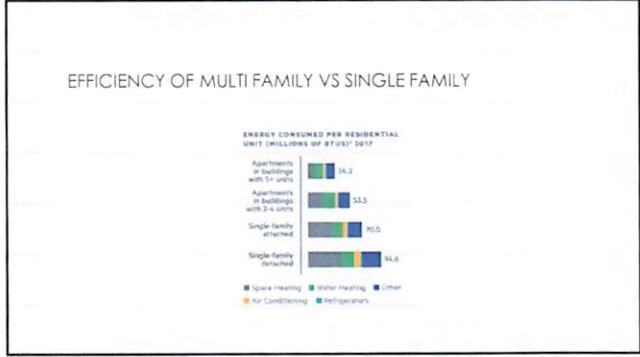
Which means they use 35% less water than the single family detached equivalent unit.

10

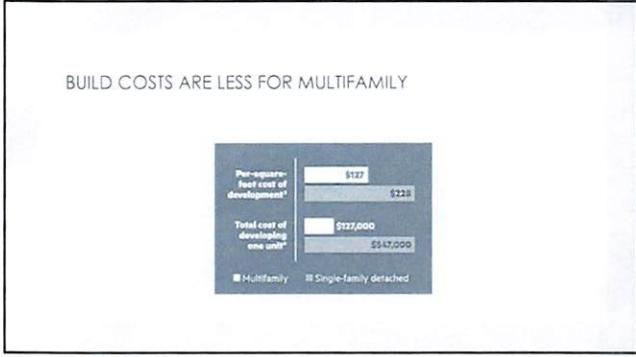
BOX ELDER COUNTY HOME PRICES

Cheapest home for sale in the county that includes land:
 Price \$249,900 – 2 bed 1 bath – 910 sq ft – no garage – no basement
 30 year USDA Rural Housing loan (most popular).
 Principal & Interest - \$1730.37 (7.3%)
 Mortgage Ins - \$72.57
 Taxes - \$120.83
 Insurance - \$83.33
 Total House Payment = \$2007.11 (not including water, sewer, garbage, maintenance.)

8



11



9

- ### BARRIERS TO ENTRY ALREADY IN PLACE
- Find Land that allows for multi family.
 - Find Water (Most all water companies do not have connections available and haven't for years).
 - Hire Architect and Engineer to design the building.
 - Hire engineer to design the septic system and have it approved by Health Dept.
 - Hire surveyor to survey and prepare subdivision and get it approved with county.
 - Deposit funds necessary for any improvements needed to the public system.

12

SINGLE FAMILY VS MULTI FAMILY

Options 1 and 2 on the list of proposed amendments take the rights of others away and do not solve any of the problems as I understand them.

The language in option 3 "body politic" would disallow multiple people from owning separate townhomes under the same roof.

13

IDEAS

If the county is worried about the impact to county services, you should have the discussion about impact fees and complete a study.

1. Impact fees are designed to mitigate costs that new development can pay for their section of the roads and police.
2. Find ways to solve problems without a blanket ban through conversation with those involved.

16

NUMBERS - MORATORIUM

How Many Multifamily units have been built in Box Elder County in the last 4 years?

14

FIELD TRIP

I would encourage you all to take a planning commission field trip and look at multi-family units and study what the capabilities and problems are.

Please talk with the people who need housing and with the landowners who will be affected as most all of them have no idea this is happening.

17

PAST

How long has it been since this was brought up to the planning commission?

2 Years ago it was brought up to ban multi family almost exactly the same way - it was denied. No multi family has been built since then.

15

Questions?

Subtitle goes here

18

Dear Box Elder Planning Commission,

We hope this email finds you well. The Brigham Tremonton Association of Realtors would like to express our sincere appreciation for the hard and thankless work you do in serving our community. Your time and dedication is part of what ensures we maintain the quality of life and preserve the unique and beautiful place that is Box Elder County.

We, as the Brigham-Tremonton Board of Realtors act as a united voice in the preservation of the public's right to own, transfer and enjoy the use of real property. The choices being considered erode personal property rights and further exacerbate the lack of affordable housing in Box Elder County by taking away the option of multi-family housing. Flexibility for multi-family dwellings are critical options both for private property rights and as a tool to combat the affordable housing crisis.

We, as representatives of the real estate community, are able to do our jobs because we believe in private property rights, fair housing, and the American dream. A diverse housing market, one that includes every type of housing, is crucial to the health and wellbeing of any community, but especially one that relies so heavily on agriculture. We urge you take these things into consideration when addressing multi-family dwellings.

Property rights are a cornerstone of our society, and it is essential that we protect and uphold them. Property owners should have the freedom to make decisions about their properties free from government overreach, including whether to develop multi-family dwellings. Any proposed regulations should respect these rights while also considering the broader needs of the community.

The Fair Housing Act protects all people from discrimination when they are renting or buying a home, and it is a pillar of our organization and our community. We are blessed by the diversity of interests and incomes in our community. It is crucial that we ensure that every individual has an equal opportunity to secure safe and decent housing. We encourage the Commission to adopt policies that promote diversity, inclusivity, and non-discrimination within our housing market. It is our responsibility to create an environment where every resident, regardless of their background, can access housing without facing prejudice or bias.

The options being considered today affect the most vulnerable among us. Housing has become unattainable for many people in today's real estate and rental markets, including our children who are just starting out in life. Options 1 and 2 limit the number of separate households to one and two respectively. Option 3 forces any multi-family units to be rentals. Amid the housing crisis that is currently being experienced in the State of Utah, local governments should strive to find ways to increase multi-family housing opportunities thus creating more affordable housing, not limit multi-family housing that leads to more expensive housing.

Home ownership is the key factor that drives wealth within our communities. Homeowners take greater responsibility in their communities civically and culturally. Kids do better in school when they have longevity in their place of residence. We encourage smart growth policies to ensure all residents are able to afford the quality of life they want to enjoy.

Striking a fair balance between public interest and private property rights is paramount. We believe that through collaboration and careful planning, it is possible to achieve the common goal of improving housing options for our residents while respecting property owners' rights. We ask the Box Elder Planning Commission to approach the issue of multi-family dwellings with a keen sense of responsibility, taking into consideration property rights, fair housing, and safeguarding against unnecessary takings. Our community thrives when these principles are upheld and when equal and fair housing opportunities are provided to all its members.

Att #3

We believe property owners should have the option of multi-family housing subject to the approval of the Health Department. We ask that Box Elder Planning Commission take no action on the options being considered and work collaboratively to find an option that will not further diminish affordable housing in Box Elder County.

Thank you for your attention to these important matters, and we look forward to working together for the betterment of Box Elder County.

Brigham-Tremonton Board of Realtors

Rental Costs in Box Elder County

# of beds	Low	Average	High
1	\$750	\$799	\$1,094
2	\$927	\$1,172	\$1,424
3	\$1,433	\$1,663	\$2,179
4	\$2,018	\$2,115	\$2,381

The table has been compiled from Box Elder County data within the past 12 months and includes the following cities where data was available: South Willard, Willard, Perry, Brigham City, Tremonton, Mantua, Corrine, and Bear River City. There is some obvious variability between the rent rates for apartments versus houses, location, and condition (as expected). Additionally, each city was given equal weight in the average, though more populous areas have more comparative data than others. Compiled September 19, 2023.

"The research and data included in this report is aggregated from a variety of sources and many are third parties that are not affiliated with Rentometer, Inc. The information is believed to be accurate, but Rentometer, Inc. does not provide a warranty of any kind, either expressed or implied."

Current Rental listings in KSL

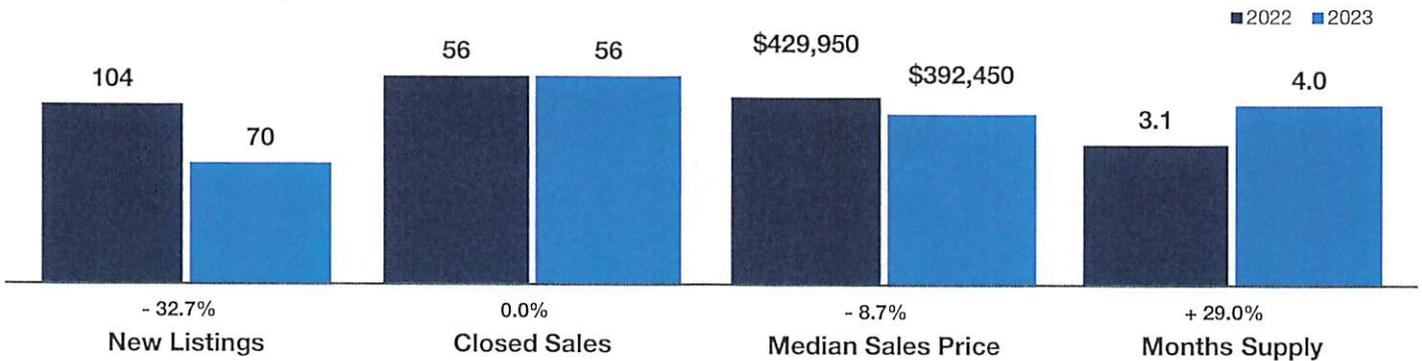
Beds	Baths	Sq Ft	Rent	City
1	1	650	\$745	Brigham City apt
1	1	200	\$780	Harper Ward one room
1	1		\$795	Brigham City apt
1	1	900	\$800	Willard - mother-in-law apt
2	1	850	\$950	Tremonton basement apt
2	1	850	\$1,000	Tremonton basement apt with shared yard
3	2	850	\$1,100	Fielding single wide trailer
4	2	1,600	\$1,101	Brigham City home with income restriction
2	1	950	\$1,195	Brigham City triplex
3	1	1,144	\$1,200	Tremonton home
2	1	1,200	\$1,200	Tremonton town home
2	1.5	1,207	\$1,295	Perry town home
1	1	1,200	\$1,375	Willard apt includes utilities
3	3	1,476	\$1,545	Tremonton town home
3	2.5	1,487	\$1,700	Brigham City town home
3	2	1,682	\$1,850	Corinne home
4	2	1,680	\$1,925	Tremonton rent to own
4	1.5	1,858	\$2,100	Perry home

Box Elder County

Key Metrics	July			Year to Date		
	2022	2023	Percent Change	Thru 7-2022	Thru 7-2023	Percent Change
New Listings	104	70	- 32.7%	582	533	- 8.4%
Pending Sales	50	60	+ 20.0%	419	403	- 3.8%
Closed Sales	56	56	0.0%	432	373	- 13.7%
Median Sales Price*	\$429,950	\$392,450	- 8.7%	\$433,000	\$403,600	- 6.8%
Average Sales Price*	\$468,095	\$412,958	- 11.8%	\$467,265	\$423,388	- 9.4%
Percent of Original List Price Received*	99.5%	97.6%	- 1.9%	100.6%	96.1%	- 4.5%
Days on Market Until Sale	28	54	+ 92.9%	26	67	+ 157.7%
Inventory of Homes for Sale	200	199	- 0.5%	--	--	--
Months Supply of Inventory	3.1	4.0	+ 29.0%	--	--	--

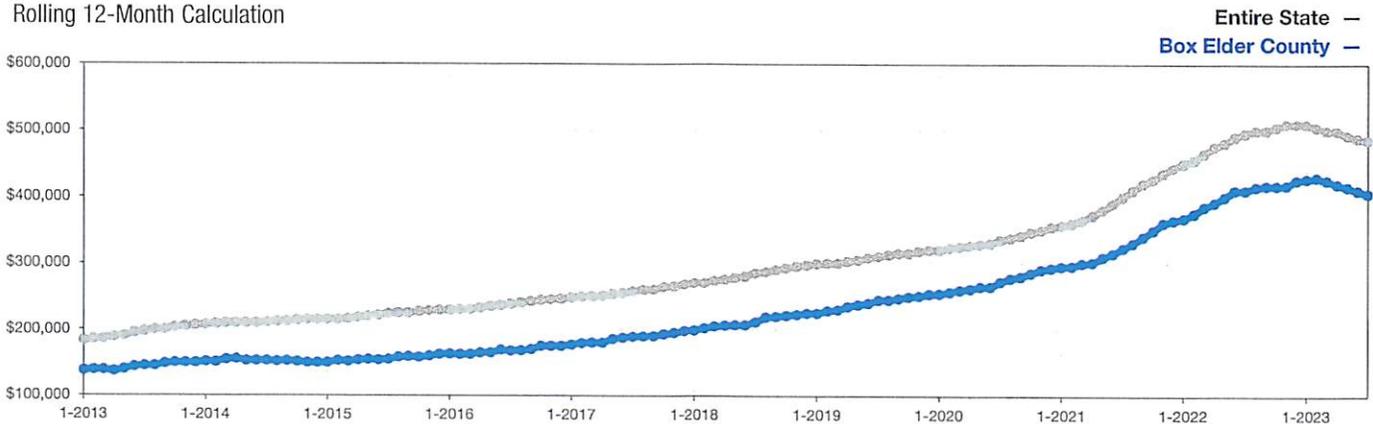
* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size.

July



Median Sales Price

Rolling 12-Month Calculation



A rolling 12-month calculation represents the current month and the 11 months prior in a single data point. If no activity occurred during a month, the line extends to the next available data point.

Local Market Update for August 2022

A RESEARCH TOOL PROVIDED BY THE UTAH ASSOCIATION OF REALTORS®

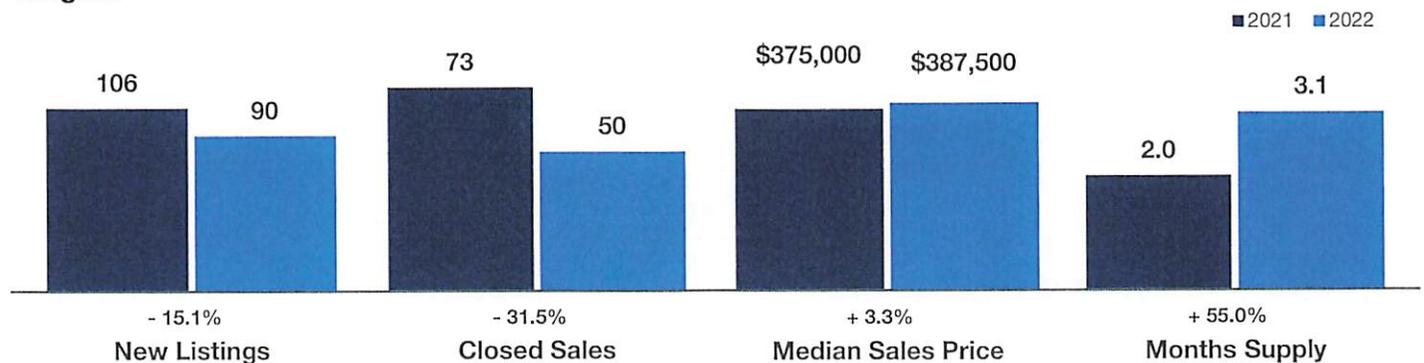


Box Elder County

Key Metrics	August			Year to Date		
	2021	2022	Percent Change	Thru 8-2021	Thru 8-2022	Percent Change
New Listings	106	90	- 15.1%	571	663	+ 16.1%
Pending Sales	79	46	- 41.8%	492	459	- 6.7%
Closed Sales	73	50	- 31.5%	475	475	0.0%
Median Sales Price*	\$375,000	\$387,500	+ 3.3%	\$345,000	\$430,000	+ 24.6%
Average Sales Price*	\$397,304	\$450,553	+ 13.4%	\$376,271	\$465,556	+ 23.7%
Percent of Original List Price Received*	104.0%	98.0%	- 5.8%	103.1%	100.4%	- 2.6%
Days on Market Until Sale	22	29	+ 31.8%	17	25	+ 47.1%
Inventory of Homes for Sale	120	187	+ 55.8%	--	--	--
Months Supply of Inventory	2.0	3.1	+ 55.0%	--	--	--

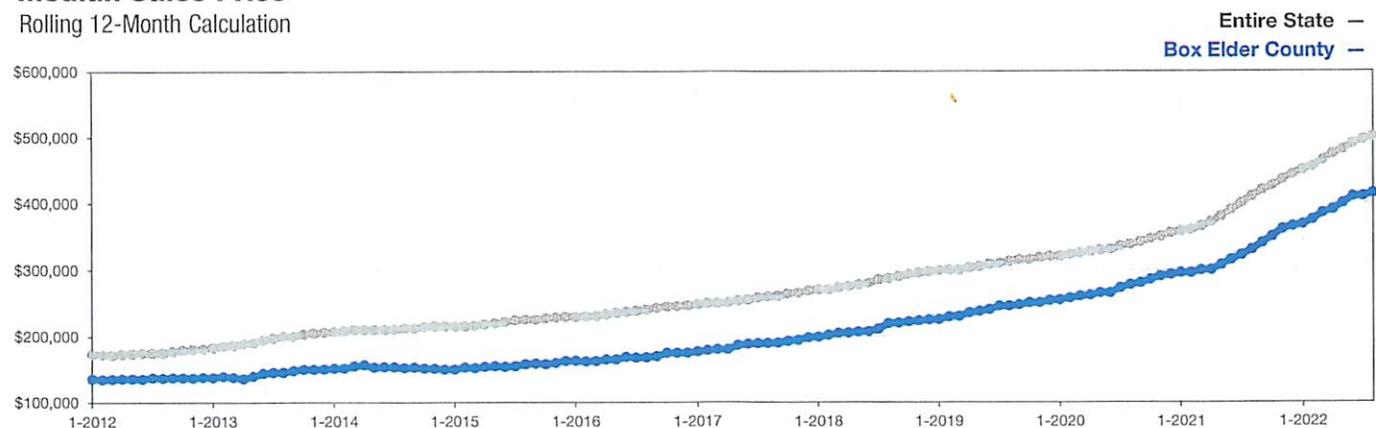
* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size.

August



Median Sales Price

Rolling 12-Month Calculation



A rolling 12-month calculation represents the current month and the 11 months prior in a single data point. If no activity occurred during a month, the line extends to the next available data point.

Local Market Update for August 2021

A RESEARCH TOOL PROVIDED BY THE UTAH ASSOCIATION OF REALTORS®

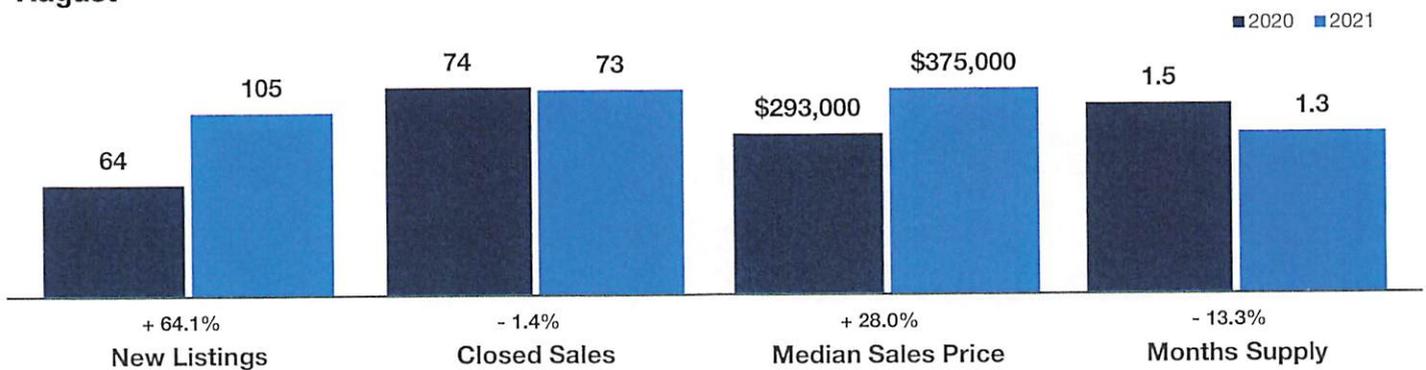


Box Elder County

Key Metrics	August			Year to Date		
	2020	2021	Percent Change	Thru 8-2020	Thru 8-2021	Percent Change
New Listings	64	105	+ 64.1%	598	572	- 4.3%
Pending Sales	75	77	+ 2.7%	549	492	- 10.4%
Closed Sales	74	73	- 1.4%	525	477	- 9.1%
Median Sales Price*	\$293,000	\$375,000	+ 28.0%	\$280,000	\$345,000	+ 23.2%
Average Sales Price*	\$312,325	\$394,660	+ 26.4%	\$297,126	\$376,881	+ 26.8%
Percent of Original List Price Received*	100.6%	104.5%	+ 3.9%	99.2%	103.1%	+ 3.9%
Days on Market Until Sale	38	21	- 44.7%	39	16	- 59.0%
Inventory of Homes for Sale	98	77	- 21.4%	--	--	--
Months Supply of Inventory	1.5	1.3	- 13.3%	--	--	--

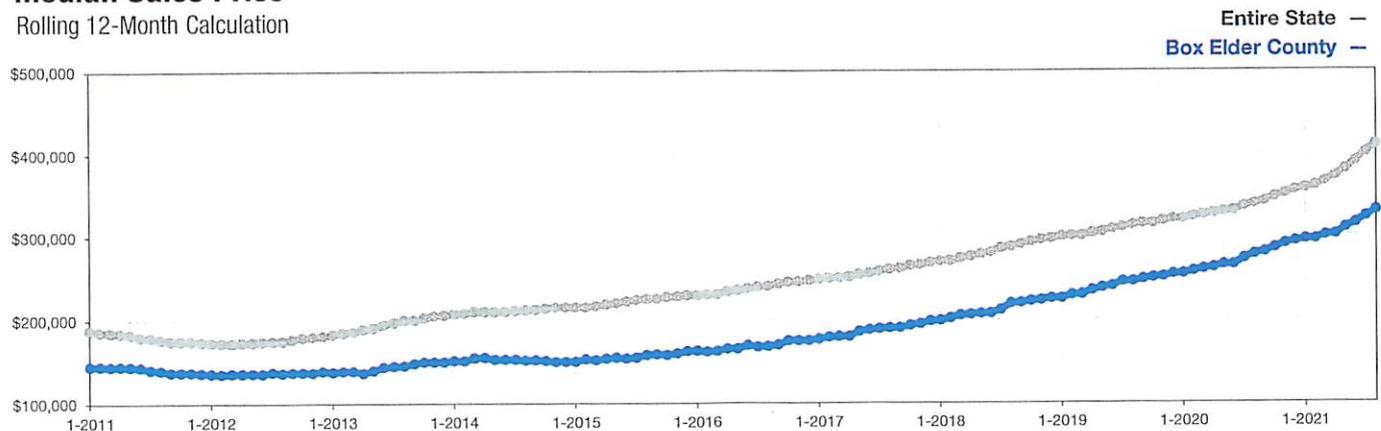
* Does not account for seller concessions. | Activity for one month can sometimes look extreme due to small sample size.

August



Median Sales Price

Rolling 12-Month Calculation



A rolling 12-month calculation represents the current month and the 11 months prior in a single data point. If no activity occurred during a month, the line extends to the next available data point.

AFFORDABILITY BREAKDOWN BOX ELDER COUNTY	ADOPTED PLAN	CURRENT SITUATION	Percentage Increase
	2021	2023	
Population Over 18 Years Old	40079	43359	8.18%
Median Income	\$67,486.00	\$71,327.00	5.69%
Median Sales Price	\$250,500.00	\$408,000.00	62.87%
Median Gross Rent	\$854.00	\$1,287.00	50.70%
Mortgage Interest Rates	3.09%	7.30%	136.25%
Median Mortgage Payment	\$1,151.82	\$2,933.13	154.65%
Annual Income Needed to Support Median Sales Price Mortgage	\$41,436.00	\$105,592.00	154.83%
Estimate Population Able to Obtain a Median Price Mortgage	34,949	11,854	-66.08%
Percentage of Population Able to Obtain a Median Price Mortgage	87.20%	27.34%	-68.65%
Annual Income Needed to Support Median Rent	\$30,744.00	\$46,332.00	50.70%
Estimate Population Able to Afford Median Rent	36151	36192	0.11%
Percentage of Population Able to Afford Median Rent	90.20%	83.47%	-7.46%

References:

<https://www.census.gov/quickfacts/boxeldercountyutah>

<https://ease.uwm.com/Lending/PriceQuote/RateSheet/Download/1073741812?type=1>

Att #4



Scott Lyons

5-1-370 I do not want multiple family dwellings! Dennis Holland

1 message

Dennis Holland
To: Scott Lyons

Sun, Sep 17, 2023 at 3:08 PM



Multifamily dwellings

1 message

Eleanor Jensen

Wed, Sep 20, 2023 at 9:06 PM

To:

This is to let you know that I AM IN FAVOR of 5-1-370 to NOT allow multiple family dwellings in unincorporated areas of the county.

Thank you, Eleanor C. Jensen



Scott Lyons

Support for Proposed Multi Family Dwelling Amendment

1 message

Emily

Thu, Sep 21, 2023 at 5:20 PM

To:

My name is Emily Jenson and I live at 5355 West 16800 North, Garland.

I would like to express my support for Amendment 5-1-370. Multiple Family Dwellings. I am IN FAVOR of this amendment.

Allowing multi-dwelling units in unincorporated Box Elder County would have a negative impact on our community. This land needs to be preserved as farm land. Unincorporated areas in Box Elder County are not set up to be able to handle the needs for multiple families such as sewer and water. Water is a big concern in rural areas and adding multiple families will NOT help this situation. The roads are not set up to support additional traffic. Multiple family dwellings need to be built in or in close proximity to the cities that can support them. I do not want Box Elder County to end up like other areas of the state where these types of restrictions were never put in place but should have been. Our farm land needs to be preserved and protected. Multi family dwelling units DO NOT belong in rural areas.

Please do the right thing for our rural areas and restrict multiple family dwellings.



Scott Lyons

5-1-370 Multiple Family Dwellings

1 message

Maleah Christensen

Mon, Sep 18, 2023 at 9:51 AM

I live in Riverside/Garland Utah

I am in FAVOR of the proposed amendment

*We have had multiple issues with the water source where I live, I can't imagine adding in more dense housing where water is scare and they'd need to figure out a well to supply water to the houses as there is no more water available.

*There is no sewer system in the county and they'd need to figure out what to do with all the water waste. I don't want to be downstream from them.

*There is so much rundown/vacant properties within city limits, why couldn't they redevelop that to make the cities nicer, then to move into farmland.

Thanks for listening to my points as I am unable to attend on Thursday night.
Maleah Christensen



Concerns Regarding Proposed Zoning Code Restrictions

1 message

Max Mills

Thu, Sep 21, 2023 at 4:40 PM

Hello Scott,

I trust this message finds you well. My name is Max Mills, and I am writing to express my perspective on the current proposal under discussion, which pertains to the implementation of certain requirements in the unzoned areas of Box Elder County.

As a resident of Box Elder County with significant land holdings in the unzoned portions, this matter has a direct and personal impact on me. I am firmly opposed to the idea of restricting our rights in these areas. The absence of zoning regulations has historically provided landowners like myself with the flexibility necessary to manage our properties in ways that align with our goals and benefit our local community.

It is essential to recognize that the unzoned areas have been chosen by many of us precisely because of the freedom they afford, whether for farming or other endeavors that contribute to our community's well-being. Restricting multifamily housing in these areas would hinder our ability to address the pressing housing shortage that our community currently faces. It is a well-established fact that communities must grow to thrive, and limiting multifamily housing options would impede this growth.

I genuinely appreciate your time and consideration in this matter. I respectfully urge you to reconsider the proposed restrictions on multifamily housing in unzoned areas, as they could have adverse consequences for our community's growth and development.

Thank you for your attention to this important issue.

Best Regards,



Max Mills
President-COO
RM Mills Construction LLC



Proposed Amendment on Land Use

1 message

Robin Jensen

Wed, Sep 20, 2023 at 9:25 PM

I am in favor of limiting Multiple Family Dwelling to Single family Dwellings in the Unincorporated County..
5-1-370.
thank you.
Robin Jensen



Family of 4 IN FAVOR of proposed amendment 5-1-370

1 message

Travis Cook

Thu, Sep 21, 2023 at 9:28 AM

To:

Hello,

I am writing to express my family's support for the proposed rule to limit multifamily housing projects in unincorporated areas of the county. We believe that this rule is necessary to protect our community's fiscal stability and quality of life.

Multifamily housing projects typically generate less in property tax revenue than single-family homes. This is because multifamily units are typically smaller and less expensive than single-family homes. As a result, multifamily housing projects can place a strain on county resources, such as schools, roads, and parks. Increases in multifamily units outside of incorporated areas will also likely result in increased tax burdens on families such as mine who are already feeling strained by the recent property tax increases.

In addition, multifamily housing projects can lead to increased traffic congestion and noise pollution. Many of the roads, water systems, and electrical systems in rural areas of Box Elder county are already in poor condition and are not capable of handling increased traffic and bandwidth. This can be a particular concern in unincorporated areas of the county, where infrastructure is not designed to support a high density of population.

We urge you to adopt the proposed rule to limit multifamily housing projects in unincorporated areas of the county. This rule is necessary to protect our community's fiscal stability and quality of life.

Sincerely,

Travis Cook
Brooke Cook
Cammie Cook
Charlie Cook

MULTIPLE FAMILY DWELLINGS

Proposed amendment to the Box Elder County Land Use Management & Development Code:

Option 1

Multiple Family Dwellings as defined in Chapter 1-3 (excluding Internal Accessory Dwelling Units as defined in Chapter 5-6) are not allowed in unincorporated Box Elder County.

Option 2

Multiple Family Dwellings as defined in Chapter 1-3 (excluding Duplexes in zones where they are currently allowed and Internal Accessory Dwelling Units as defined in Chapter 5-6) are not allowed in unincorporated Box Elder County.

Option 3

Multiple Family Dwellings as defined in Chapter 1-3 are allowed in zones where they are currently allowed so long as they receive Health Department approval and do not require the formation of a body politic for the septic/sewer infrastructure.

Proposed Text Amendment:

5-1-360 Annexation Policy

The Box Elder County Commission, Planning Commission, or Community Development Office shall not take action on any proposed Land Use Application **or Legislative Application** within unincorporated Box Elder County (except building permits that are not using municipal utilities) if the Land Use Application **or Legislative Application** is:

- a. Located within any municipal annexation policy plan as defined in Utah Code 10-2- 401.5, or
- b. Located within ½ mile of any municipality incorporated boundary, if a municipality does not have an annexation policy plan boundary, or
- c. If a development, improvement, or building lot will be using any utility provided by a municipality.

If the proposed Land Use Application **or Legislative Application** meets any of the above criteria, the developer shall provide the applicable municipality(s) with a Notice of Intent to File a Petition (Utah Code 10- 2-403 (2) (a) (i)) and thereafter work with the County Clerk to meet all the noticing requirements contained in Utah Code. Upon the County Clerk providing the applicable municipality with the certification of complying with the Notice of Intent to File a Petition, the developer shall petition the municipality for annexation. If the municipality(s) rejects the petition for annexation, the developer shall provide signed documentation to the Community Development office from the municipality(s) showing the municipality's rejection of an annexation petition. After such documentation is received, the Land Use Application **or Legislative Application** may move forward.

Any Land Use Application **or Legislative Application** using a municipality's utilities cannot have a higher density than that allowed by the municipality providing the utilities.

All applications shall be subject to the time limits set forth in Section 2-2-040(K), Substantial Action Required and Section 2-2-040(L), Expiration of Application of the Box Elder County Land Use Management & Development Code.

1-3-040 Definitions

~~Home Business: A business that manufactures or provides a service for agricultural and residential uses with fewer than 10 employees and that is incidental and secondary to the use of the structure or dwelling for residential purposes and does not change the current character of the dwelling or neighborhood.~~

Legislative Application: An application for enacting, amending, or repealing a land use regulation.

3-2-070 Regulations for Specific Uses

		MU 160	MU 80	MU 40	A 20	A 1/2	RR 10	RR 5	RR 2	RR 1
3-2-070-8	Home occupation	C	C	C	C	C	C	C	C	C
3-2-070-9	Home Business	C								
3-2-070-10 <u>9</u>	Household pets	P	P	P	P	P	P	P	P	P
3-2-070-11 <u>10</u>	Small Power Generation	P	P	P	P	P	P	P	P	P
3-2-070-12 <u>11</u>	Large Power Generation	C	C	C	C	-	C	-	-	-
3-2-070-13 <u>12</u>	Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	C	C	C	-	C	C	C	-
3-2-070-14 <u>13</u>	Public stable, riding academy or riding ring, horse show barn or other equestrian facilities under single management	P	P	P	P	-	P	P	P	-
3-2-070-15 <u>14</u>	Public or quasi-public facilities, essential service facilities, airports, schools, churches, dams and reservoirs, cemeteries, railroad and substations	C	C	C	C	C	C	C	C	C
3-2-070-16 <u>15</u>	Wireless telecommunication towers, radio and television transmitting stations or towers (including repeating towers)	C	C	C	C	C	C	C	C	C