

BOX ELDER COUNTY PLANNING COMMISSION MINUTES JANUARY 16, 2025

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

Roll Call

Mellonee Wilding
Jed Pugsley
Lonnie Jensen
Bonnie Robinson
Jared Holmgren
Jennifer Jacobsen
Vance Smith

Chairman
Excused
Member
Member
Member
Member
Alternate/Member

the following Staff was present:

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

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

The Invocation was offered by Commissioner Jared Holmgren.
Pledge was led by Commissioner Vance Smith.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the December 19, 2024 meeting were made available to the Planning Commission prior to this meeting and upon review a **Motion** was made by Commissioner Vance Smith to approve the minutes as written. The motion was seconded by Commissioner Jared Holmgren and passed unanimously.

UNFINISHED BUSINESS

ORDINANCE TEXT AMENDMENT, Z24-020, Resident request for a text amendment to Section 5-1-360, Annexation Policy of the Box Elder County Land Use Management & Development Code. Proposal to modify the area where the annexation policy applies.
ACTION

Staff stated this request came before the Planning Commission on December 19, 2024. A group of residents from the Harper Ward area applied for an amendment to the county annexation policy. The goal of the proposal was to encourage more coordination between cities and the county, especially in those growth areas adjacent to the municipal boundaries. A public hearing was held where input was received from the residents and from multiple cities. Staff explained the next item

on the agenda was submitted by staff and addresses exemptions to the same annexation policy. From a timing standpoint, these two aligned at the same time. Following last month's public hearing the commission directed staff to find language addressing the concerns of staff regarding exemptions, and the concerns of the residents, and try to meet the original intent of the annexation policy.

Applicant David Griffith reminded the Planning Commission of the 80% of Harper Ward residents who signed a petition to have Harper Ward remain rural. The signers of the petition are favorable to the suggestion of a parcel being within a half-mile of a city boundary for annexation upon land use applications. The residents are also favorable to the suggestion to create a Harper Ward Community Plan. However, residents are concerned after learning the Bear River Water Conservancy District Board is considering transferring the Harper Ward water line to Brigham City. Clause C of the annexation policy states if a development improvement or building lot will be using any utility provided by a municipality, any land use application is forced to petition the city for annexation. Acquiring the Harper Ward water line may aid Brigham City's annexation efforts, and has the appearance of a conflict of interest as the mayor of Brigham City is also the chairman of the Bear River Water Conservancy District Board. Mr. Griffith asked the Planning Commission to recommend to the County Commission postponing any Harper Ward annexation approvals until a community plan is completed and residents have had time to consider their options regarding the water line. Mr. Griffith thanked the Commission for their time and consideration and appreciates their support in this matter.

Commissioner Bonnie Robinson shares the concern of a municipality providing one utility might trigger an annexation. She would like to consider the idea if there is only one utility involved, it does not trigger an annexation request.

Commissioner Mellonee Wilding asked if a city is asked to provide water, could they provide water on contingency of annexation. Staff clarified cities generally require annexation in order to provide a utility.

The commissioners discussed the implications of requiring two utilities before triggering annexation. A land use change would have to have been applied for to trigger the annexation policy.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of denial to the County Commission for application #Z24-020 based on there is a comparable text amendment the applicant is in agreement with and willing to support. The motion was seconded by **Commissioner Vance Smith** and unanimously carried.

ORDINANCE TEXT AMENDMENT, Z24-019, County request for a text amendment to Section 5-1-360, Annexation Policy of the Box Elder County Land Use Management & Development Code. Proposal for exemptions to the policy. ACTION

Staff explained this item also came before the planning commission at the December 19, 2024 meeting. The item was tabled and the Planning Commission directed staff to provide language

balancing the various perspectives received from the public hearing, input from various cities, and discussions from the meeting. Staff finalized and emailed the language to the Planning Commission for review. Additional changes and clarifications from the County Attorney's office were recommended including changing 'legislative application' to 'zoning map amendments' which applies to specific pieces of property. Other recommendations from the attorney's office removes spelling out the annexation process. The landowner is instead directed to the annexation process in state code.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to forward a recommendation of approval to the County Commission for application #Z24-019 a text amendment to Section 5-1-360, Annexation Policy, including recommendations from the County Attorney to change legislative application to zoning map amendment, changing item b. to state using two or more utilities provided by a municipality, and changing item #2 directing the landowner to the annexation process in state code, and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Jenifer Jacobsen** and unanimously carried.

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.

PUBLIC HEARINGS

Chairman Mellonee Wilding explained public hearings provide an opportunity for the public to voice their concerns or approval on an item and asked to please keep comments concise. In the meeting there is also unfinished business, public hearings, and new business. The unfinished business and new business provides opportunity for the commissioners to take action on an item. It is not a time for public comment or input. Although the commissioners may ask questions of the applicant during these times.

ZONING MAP AMENDMENT, Z24-021, Request for a zone change of 72.18 acres from RR-5 (Rural Residential 5-acre) to RR-2 (Rural Residential 2-acre) located at approximately 10255 West 13600 North in the Bothwell area of unincorporated Box Elder County. ACTION

Staff stated the applicant is requesting a zone change of 72.18 acres. The surrounding land use is Agricultural and Rural Residential; the surrounding zoning is RR-5. As this is a legislative application, decisions shall be based on the "reasonably debatable" standard as follows:

- The decision-making authority shall determine what action, in its judgment, will reasonably promote the public interest, conserve the values of other properties, avoid incompatible development, encourage appropriate use and development, and promote the general welfare.

- In making such determination, the decision-making authority may consider the following:
 1. Testimony presented at a public hearing or meeting; and
 2. personal knowledge of various conditions and activities bearing on the issue at hand, including, but not limited to, the location of businesses, schools, roads and traffic conditions; growth in population and housing; the capacity of utilities; the zoning of surrounding property; and the effect that a particular proposal may have on such conditions and activities, the values of other properties, and upon the general orderly development of the County.
- The decision-making body should state on the record the basis for its decision.

Staff read the standards for reviewing zoning map 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; The County’s General Plan: This plan suggests that “future land use decisions should enhance our towns and cities, focusing most of the growth there and that decisions should support our farmers and ranchers in their agricultural stewardship.” Bothwell Community Plan: Future Land Use indicates that “as part of the agricultural heritage area, large lot zoning should remain to encourage continued agricultural activity. A GIS lot size analysis should be performed to evaluate additional zoning options.”

B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; The area is mainly agricultural with some residential homes (west and east) along 13600 North. The Planning Commission needs to decide if an RR-2 zone could be considered harmonious.

C. The extent to which the proposed amendment may adversely affect adjacent property; and This is unknown. The public hearing process may bring forth additional information.

D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection. It is unknown what the extent of the adequacy of facilities is in this area but water may be a limiting factor.

The public hearing was then opened for comments.

Calvin Bingham expressed concerns about the impact of the proposed change on drainage and flooding, sharing personal experiences and the opinions of a contractor who suggested requiring them to put in a tile line all the way to the big canal. Mr. Bingham read a letter from Jill Christensen who helped establish the current RR-5 zoning. The property owner knew the parcel was zoned RR-5 upon purchase.

Douglas Call shared similar concerns about drainage and flooding, emphasizing the need for proper drainage systems to handle increased water flow. He is against the proposed rezone.

Krys Oyler raised concerns about the impact of development on noise and runoff, and the potential for flooding in the area. He feels development will not fit well in the area. He farms at night and with a housing development, the homeowners would not put up with night farming.

Richard Nicholson spoke of the unique characteristics of Bothwell and the importance of maintaining the five-acre minimum lot size to preserve the community's rural character. He feels the majority of the residents of Bothwell want to preserve five-acre zoning.

Jacob Thurgood presented a petition signed by 250 residents opposing the proposed zoning change citing concerns about preserving the community's rural character, lack of infrastructure, and environmental impact. He thanked the Planning Commission for their attention and consideration. *(See Attachment No. 2 – Petition.)*

Sandra Hood shared personal experiences with flooding of 10800 West and the potential for increased water flow if the zoning change is approved. She is against the proposed zone change.

Joe Summers opposes the proposed zoning change. He stated the developer knew the property was zoned five-acres when he purchased it. He emphasized how hard the community has fought to preserve the RR-5 zoning and the potential negative impact of changing it. He thanked the Planning Commission for their service and the dedication to the role they play in the county.

Jim Morrison called attention to the Box Elder County General Plan and the community's consensus on maintaining the five-acre minimum lot size. Large lot zoning should remain to encourage agricultural activity.

Jonathan Mauchley supports the petition and opposes the zoning change. He moved to Bothwell for the five-acre minimum. He emphasized the importance of maintaining the community's rural character.

Buster Marble raised concerns about the impact of the proposed zoning change on drainage and flooding. He expressed the need for proper water management of secondary water.

Kathryn Summers shared personal experiences and the efforts of the community to preserve the five-acre minimum lot size. She commented on the beauty of the Bothwell area and asked the Commissioners to preserve the five-acre zoning.

Jeff Ivers compared the proposed zoning change to the negative impact of urban development. He emphasized the importance of maintaining the community's rural character. Mr. Ivers strongly opposes two-acre zoning.

Victoria Dickinson supports the petition opposing the zoning change. She commented on the community's self-sufficiency by neighbor helping neighbor. She is also concerned with flooding. She knows several individuals who created the Bothwell Community plan. She thinks it would dishonor their memory, service, and commitment to the community plan by changing the zoning.

Lori Hall is not a farmer but prefers five-acre zoning which allows her the space and freedom to do what she wants on her property. Bothwell has a lifestyle she wants to see preserved.

Eileen Firth urged the Commissioners to follow the desires of the community over those of developers.

Shaunie Mackie is one of the younger generation to inhabit Bothwell who understands and respects the privilege of living in Bothwell. She said developers do not share that same respect.

Robert Nelson agrees with all that has been said opposing the zone change.

Shane Newman is a 53-year resident of Bothwell. He noted the generational fight to maintain the rural character of the area. He has a hard time with a developer coming in knowing the zoning and then trying to change it after the fact.

Staff read into the record letters from Ashley Rhodes, Chris and Arlene Thurgood, Kim Detwiler, and Layne and Tiffani Summers.

(See Attachment No. 3 – Letters.)

Nick Newman is a fourth-generation farmer. He mentioned some of the challenges farmers face including water restrictions. He feels it is unfair developers can come in and use much more water than the farmers.

Mattie Swenson is concerned with the impact two-acre zoning will have on the community's values and safety.

Jim Flint noted not all residents can manage such large parcels as five-acre lots. Smaller lots can be easier to maintain. He provided examples of various smaller property sizes in the area. Mr. Flint emphasized the challenges of managing large parcels, especially for those without the necessary resources.

Brenda Sagers is an 81-year-old resident of Bothwell. She understands the area has some two-acre parcels but farming two acres is impractical. She opposes the reduction to two acres.

BJ Reeder owns and lives on one of the two-acre lots. He takes comfort in knowing there will not be 3 or 4 houses popping up in his backyard. He moved from Nibley Utah where five-acre lots were reduced to half-acre lots, and the small town feel was gone. Maintaining five-acre lots will preserve the rural character of Bothwell.

Katherine Nielsen wanted to tear down her existing home and rebuild but she would have to rezone the property to do so. She empathizes with the investor but stated he knew what he was taking on.

Steve Dickson a newer community member, expressed support for the current zoning based on the compelling reasons presented.

Lee Summers shared his family's history in the area and the importance of maintaining the rural character for future generations.

Hearing no further comments, a motion was made by Commissioner Bonnie Robinson to close the public hearing on Zoning Map Amendment Z24-021. The motion was seconded by Commissioner Jared Holmgren and passed unanimously.

ACTION

Staff explained the Planning Commission will need to determine if the proposed map amendment meets the approval standards of county code.

Commissioner Bonnie Robinson thinks there is no difference between farming a two-acre lot and a five-acre lot. They are both too small to use farm equipment efficiently. However, we want to protect agriculture in the county. She reminded those in attendance about placing their farmland in an Agricultural Protection Area.

Commissioner Jennifer Jacobsen pointed out this request does not fit with the Bothwell Community Plan and is not harmonious with the surrounding area. She thanked everyone for coming and supporting their community.

MOTION: A Motion was made by Commissioner Bonnie Robinson to forward a recommendation of denial to the County Commission for application Z24-021 a request for a zone change 72.18 acres from RR-5 (Rural Residential 5-acre) to RR-2 (Rural Residential 2-acre) located in the Bothwell area of Unincorporated Box Elder County, based on overwhelming public opposition and not being harmonious with surrounding area. The motion was seconded by Commissioner Jennifer Jacobsen and passed unanimously.

ORDINANCE TEXT AMENDMENT, Z25-001, Request for a text amendment to Chapter 6-3 Agricultural Subdivisions in the Box Elder County Land Use Management & Development Code. ACTION

Staff explained the proposed changes are based on discussions with the ombudsman's office. The proposal streamlines the process for agricultural subdivisions by removing the current process and replacing it with the suggestions from the ombudsman's office. Agricultural subdivisions are not considered subdivisions and are excluded from the subdivision code. There is no plat required, the landowner just marks the deed that the division is for agricultural purposes. The ombudsman's office provided staff with specific language to be used.

(See Attachment No. 4 – Proposed Text Amendment.)

Commissioner Jared Holmgren suggested changing the minimum acreage requirement in Section 6-3-070 from five (5) acres to ten (10) acres.

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

Hearing no comments a motion was made by **Commissioner Jared Holmgren** to close the public hearing on the Ordinance Text Amendment, Z25-001. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

ACTION

Staff explained read the standards for reviewing ordinance 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;** The proposed amendment is consistent with the goals, objectives, and policies of the County's General Plan.
- B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;** This text amendment would apply to all areas of unincorporated Box Elder County.
- C. The extent to which the proposed amendment may adversely affect adjacent property; and** The proposed amendment should not adversely affect adjacent property. The public hearing process may shed additional light on this subject.
- D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.** The proposed text amendment should not have an effect on the adequacy of facilities.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to forward a recommendation of approval to the County Commission for application Z25-001, a request for a text amendment to Chapter 6-3 Agricultural Subdivisions striking #2 and #3 from Section 6-3-050, and adjusting the minimum acreage requirement in Section 6-3-070 from five (5) acres to ten (10) acres, and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Vance Smith** 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.

NEW BUSINESS

AUTO SALES, SP24-006, Request for site plan approval of an auto dealership located at approximately 15450 N 5250 W in the Riverside area of Unincorporated Box Elder County.

ACTION

Staff said the applicant is requesting site plan approval for 0.63 acres for auto sales in the Riverside area. The surrounding land use in Agricultural, surrounding zoning is Unzoned.

Staff read the standards for reviewing 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.** The review process is currently underway, once finished the development will conform.
- C. The proposed use shall conform to all applicable regulations of general applicability and regulations for specific uses set forth in this Code.** The review process is currently underway, once finished the development will conform.
- D. The proposed use shall conform to any other applicable requirements of Box Elder County Ordinances.** The review process is currently underway, once finished the development will conform.
- 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

All applicable county departments have reviewed and approved the request. Staff recommends approval and adding the limit of selling two (2) cars at a time.

MOTION: A Motion was made by **Commissioner Jared Holmgren** to approve application SP24-006, a request for site plan approval of an auto dealership located in the Riverside area of Unincorporated Box Elder County adding the compliance of selling a 2 car limit and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Lonnie Jensen** and unanimously carried.

CONDITIONS:

1. Compliance with all comments from Staff.
2. Compliance with Section 2-2-090 of the Box Elder County Land Use Management & Development Code.
3. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
4. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

SURPLUS PROPERTY, SPD24-001 Request for the sale of surplus property parcel 03-082-0067. ACTION

Staff said a Brigham City resident approached the county regarding the surplus sale of a small 0.05 acre parcel located adjacent to her property. The property defaulted to the county via tax deed. The County Commission directed staff to take the request through the surplus property disposal process. The recommendation from the Planning Commission is based three factors. 1. How does the County General Plan apply to this request? 2. How does the land use code apply to this surplus property disposal? 3. Staff can submit a recommendation to the County Commission on behalf of the Planning Commission within 15 days of the Planning Commission's action.

MOTION: A Motion was made by Commissioner Bonnie Robison to forward a recommendation of approval to the County Commission that the County General Plan, the County Land Use Code, and any other applicable ordinances they are aware of are not applicable to this proposal. The motion was seconded by Commissioner Jared Holmgren and unanimously carried.

WORKING REPORTS - NONE

PUBLIC COMMENTS

Reed Young thanked the Planning Commission for their service and amending the language of the annexation ordinance. It has been made clear to him, Brigham City will do everything in its means to exploit the county's ordinance in order to gain as many annexation petitions as possible. The city believes they could force annexation on the entirety of their plan. It is Mr. Young's opinion forceful annexation flies completely in the face of personal liberty and property rights.

Julie Thurgood Johnson is currently trying to build a home in the Harper Ward area. She expressed her frustration with Brigham City and the overreach of government agencies. Brigham City recently changed an ordinance where they take the water rights if your property is annexed into the city. Bonneville Shoreline Trails is trying to go from Nephi Utah to Idaho through her neighbor's property. The Bear River Canal Company took 50 feet of her property where they should only have 25 feet. Ms. Johnson reiterated she is tired of government overreach.

Greg Woodward agrees with Ms. Johnson's frustrations.


Jo Brown does not want to be annexed into Brigham City and echoes Ms. Johnson's comments.

Derek Oyler works for Brigham City Corporation. He wants it on record there are still two major issues the city has with the current ordinance. He explained the city is dealing with developers being conducive with the city's general plan within the annexation area. There has been discussion on development roads and types of infrastructure to be put in. Any county ordinance in place stating developers need to develop to the standards of the city cannot be enforced by Box Elder County, they can only be enforced by the city. Mr. Oyler said whether there is one utility provided or more does not matter. What does matter is that the city develops right the first time so the city doesn't have to go back in and use taxpayer money to redevelop the right way.

DJ Bott, mayor of Brigham City, said the city does not want to annex Harper Ward. What is happening is big businesses are looking at areas to gobble up land to make bigger areas to bring in their businesses. Brigham City is totally supportive of Harper Ward wanting to stay agricultural. But Brigham is dealing with multi-million dollar companies wanting to expand not only in the Harper Ward area but areas like Corinne also. These businesses can buy up agricultural land for their businesses and need Brigham City services and infrastructure, so they apply for annexation into Brigham. Brigham City is not out to annex Harper Ward, the city is actually trying to protect them from the big companies by creating industrial areas out in the country.

ADJOURN

MOTION: A Motion was made by Commissioner Bonnie Robinson to adjourn commission meeting. The motion was seconded by Commissioner Jared Holmgren and meeting adjourned at 10:02 p.m.



Mellonee Wilding, Chairman
Box Elder County Planning Commission
Jed Pugsley, Vice Chair

PLANNING COMMISSION MEETING
Thursday January 16, 2025

NAME	ADDRESS	AGENDA ITEM
Douglas Lall	12335 N 10800 w Tremay	Zone
Steve Norman	Corinne, Utah	All
Chance Baxter	Corinne, Utah	All
Jacob Thurgood	Bothwell ut	Zone
Richard Nicholas	Bothwell, ut	
Ronald G Hood	Bothwell ut	Zone
Sandra Hood	Bothwell	Zone
JIM FLINT	538 W. MAIN	ZONE
Shane Bartholomew	672 N. 200 W, Willard, UT	Zone
Lynn Summers	Thatcher	Zone
Jonie Summers	Thatcher	zone
✓ Katherine Summers	Bothwell	zone
Lee Summers	Bothwell	Zone
✓ Joseph Summers	Bothwell	RFS ZONE
✓ Jonathan Mauchley	Bothwell	ZONE
Heather Young	2947 NO. Hwy 38 Bingham ut.	Harper Ward zone
Kristin Balls		Harperward
Jacob Balls	Harperward	Harperward zoning
Charley Young	Harperward	Harperward
MATTHEW ADAMS	BOTHWELL	ZONE
Mat Taylor	3695 N. Hwy 38 BC	Zoning
Vicky Taylor	3695 N. Hwy 38	Harper Ward
Dawna Roskelley	3695 N. Hwy 38 3733 N. Hwy 38	Harper Ward

January 16, 2025

Please print your name below

<u>Name</u>	<u>Address</u>	<u>Agenda item</u>
Brandon East	8210 W 10400 N Tremonton	Zone
Kim Detwiler	11480 N 9200 W Bothwell	Bothwell Zoning
Brenda N. Sagers	11516 N 9200 W Bothwell	Bothwell zoning
Krys Dyer	664 N 2300 W Tremonton	Bothwell 20.
Shawn Nichols	506 N 2300 W Tremonton	Bothwell zoning
Brett Marble	13240 N 10800 W Bothwell	Bothwell zoning
Buster Marble	13240 N 10800 W	" "
Cody Kunzler	8615 N 6800 W	" "
Mick Newman	11460 N canal Bank RD	Bothwell
Connie Getz	10720 W 11600 N Bothwell, UT	Bothwell Zoning
Shane Getz	10720 W 11600 N Bothwell, UT	Bothwell Zoning
Shawn Thornley	3365 N Hwy 38 Harper Ward	Harper text amend
Shelle Thornley	3365 N Hwy 38 Harper Ward	Harper ward text amend.
Tammy Berry	13080 N Hwy 13 Garland, Utah	Public Interest.
David Griffith	3485 N Hwy 38, BC.	5a, b
Tennie Griffith	3485 N Mw38	5a, b
Mike Timothy	2978 N Hwy 38	5a, b
Rocky Nielsen	3436 N Hwy 38, BC	5a, b
Adele Nielsen	3436 N Hwy 38 BC	5a, b
Randi Smith	Garland	-
CURT WHITEFORD	Garland	Zoning
STEVE NIELSEN	DEWBY VILLAGE	ZONING
Rick Whiteford	RIVERSIDE	"
	Riverside	Zoning

January 16, 2025

PLANNING COMMISSION MEETING

NAME	ADDRESS	AGENDA ITEM
Monte Munns	2245 N. Hwy 38	H.W. Zoning
Lori Larson Hall	10195 W. 11600 N.	Bothwell Zoning
Bambi Thompson	12230 N. 10000 W.	Bothwell Zoning
Kris Thompson	12230 N. 10000 W.	Bothwell Zoning
Ralph Orton	3450 N. Highway 38	H.W. Zoning
Paul Munns	2271 N Hwy 38	H.W. Zoning
Mattie Swenson	11910 N 10900 W	Bothwell Zoning
Mozelle Orton	3450 N. Hwy 38	Harper Ward Zoning
Ken Firth	10015 W Hwy 102 Bothwell	Bothwell Zoning
Victoria Dickinson	12024 N 10000 W Bothwell	Bothwell Zoning
Stere Dickinson	12024 N 10000 W. Bothwell	Bothwell Zoning
Jeff Ivers	12144 N. 10000 W. Bothwell	Bothwell re-zone
Lois Ivers	12144 N. 10000 W. Bothwell	Bothwell re-zone
Shane Newman	10345 W 12000 N Bothwell	Bothwell Re-ZONE
Cong Bodily	10975 W 12800 N Bothwell	Bothwell Re-zone
Katie Bodily	10975 W 12800 N Bothwell	Bothwell Re-zone
Arlene Thurgood	11041 W 12800 N Bothwell	Bothwell ReZone
Jo BROWN	3690 N Hwy 38 BRIGHAM	Harper ward!
Brad Brown	3690 N Hwy 38	Harper Ward
Ed Southward	10425 N 8400 W	General

Name	Address	Agenda Item
Julie Thurgood-Johnson	3227 N. Zachary Ln. Bc.	Harper
BJ REEDER	49775 W 13600 N	
Kevin E John Firth	BOTHWELL, UT 11490 N 10000 W	Bothwell Zoning Bothwell Zoning
Eileen Firth	11490 N 10000 W Tremonton	Bothwell Zoning
Shawnee Mackey	11490 N 10000 W Bothwell 404337	Bothwell zoning
Ligie Newman	11460 N Canal Bank Rd. BOTHWELL, UT 84237	Bothwell Zoning
Calvin R. Bingham	10796 W. 12000 N., Tremonton, UT	Bothwell Zoning
Katherine Nielsen	10600 W. 11600 N, Bothwell	Zoning
Mitch Nielsen	10600 W. 11600 N, Bothwell	Zoning
Jim Navarra	9540 W Point Lockport Dr. Bothwell	Zoning
Jeff Sanders	9390 W. Point Lockport DR Bothwell	Zoning
Paul Macken	12068 N 10000 W Bothwell	Zoning
Carrie Ward	3410 N. Hwy 38	ZONING
PR	3380 N Hwy 38	

Petition to the Box Elder County Planning Commission and Council

Regarding Proposed Changes to Lot Size Ordinance in Bothwell, Utah

Dear Members of the Box Elder County Planning Commission and Council,

We, the undersigned residents and stakeholders of Bothwell, Utah, respectfully submit this petition to express our collective opposition to any proposed changes to the current ordinance mandating that lot sizes in our community be a minimum of five (5) acres.

Our community values and depends on the existing ordinance for the following reasons:

1. Preservation of Rural Character:

Bothwell is a close-knit rural community, and the five-acre lot size minimum has been instrumental in maintaining our open spaces, agricultural heritage, and the overall rural aesthetic that makes Bothwell unique. Reducing lot sizes would fundamentally alter the character of our community.

2. Infrastructure and Services:

Larger lot sizes reduce the strain on infrastructure, such as roads, water systems, and emergency services. Smaller lot sizes could lead to overburdened resources, requiring costly upgrades or compromising the quality of services for current residents.

3. Environmental Impact:

Maintaining larger lots ensures better management of natural resources and minimizes the risks of overdevelopment, including groundwater depletion, soil erosion, and habitat disruption for local wildlife.

4. Community Consensus:

Att #2

The existing ordinance reflects the will and vision of Bothwell residents to preserve a high quality of life for current and future generations. Changing the ordinance would disregard the community's long-standing preferences and priorities.

We urge the Planning Commission and Council to respect the voice of the Bothwell community and retain the five-acre minimum lot size requirement.

This ordinance is not just a regulation—it is a safeguard for our way of life, our environment, and our shared values as a community. We ask that you prioritize the desires of Bothwell's residents in your deliberations.

Thank you for your attention and consideration.

Name	City	State	Postal Cod	Country	Signed On
Jacob Thurgood	Bothwell	UT	84337	United States	1/9/2025
Katherine Nielsen	Bothwell	UT	84337	United States	1/9/2025
Arlene Thurgood	Bothwell	UT	84337	United States	1/9/2025
Ashley Rhoades	Bothwell	UT	84337	United States	1/9/2025
Katie Bodily	Bothwell	UT	84337	United States	1/9/2025
Kristian Rankin	Bothwell	UT	84189	United States	1/9/2025
Robyn Esplin	Bothwell	UT	84337	United States	1/9/2025
Cory Bodily	Bothwell	UT	84337	United States	1/9/2025
Shad Holdaway	Bothwell	UT	84337	United States	1/9/2025
Calvin Rankin	Bothwell	UT	84189	United States	1/9/2025
Kambree Bodily	Bothwell	UT	84129	United States	1/9/2025
Brett Marble	Bothwell	UT	84337	United States	1/9/2025
Joe Kropf	Bothwell	UT	84337	United States	1/9/2025
Jordon Anderson	Bothwell	UT	84337	United States	1/9/2025
Bettie Marble	Bothwell	UT	84337	United States	1/9/2025
Chris Thurgood	Bothwell	UT	84337	United States	1/9/2025
Dylan Anderson	Tremonton	UT	84337	United States	1/9/2025
shaunie Mackey	Bothwell	UT	84337	United States	1/9/2025
Dillon Marble	Bothwell	UT	84337	United States	1/9/2025
Cody Carter	Bothwell	UT	84337	United States	1/9/2025
Linda Parke	Bothwell	UT	84337	United States	1/10/2025
Kim Anderson	Bothwell	UT	84337	United States	1/10/2025
Brittany Thompson	Bothwell	UT	84337	United States	1/10/2025
Mickey Williams	Bothwell	UT	84337	United States	1/10/2025
Mick Newman	Bothwell	UT	84337	United States	1/10/2025
Rachel Williams	Bothwell	UT	84337	United States	1/10/2025
Casey Naef	Bothwell	UT	84337	United States	1/10/2025
Talon Marble	Bothwell	UT	84337	United States	1/10/2025
James Morrison	Bothwell	UT	84337	United States	1/10/2025
Wylee Williams	Bothwell	UT	84337	United States	1/10/2025
kendll Williams	Bothwell	UT	84337	United States	1/10/2025
Jill Christensen	Bothwell	UT	84337	United States	1/10/2025
Rex Westmoreland	Bellevue	NE	68005	United States	1/10/2025
Skyler Marsh	Tremonton	UT	84337	United States	1/10/2025
Emily Hancock	Bothwell	UT	84337	United States	1/10/2025
Shari Yeates	Bothwell	UT	84337	United States	1/10/2025
Hunter Esplin	Bothwell	UT	84337	United States	1/10/2025
Layne Summers	Bothwell	UT	84337	United States	1/10/2025
Landon Thompson	Bothwell	UT	84337	United States	1/10/2025
Colton Thompson	Sheridan	WY	82801	United States	1/10/2025
Tiffani Summers	Bothwell	UT	84337	United States	1/10/2025
Mattie Swenson	Bothwell	UT	84337	United States	1/10/2025
Colter Coombs	Bothwell	UT	84337	United States	1/10/2025

B Marble	Bothwell	UT	84337 United States	1/10/2025
Mark Mackey	Bothwell	UT	84337 United States	1/10/2025
Kassie Manley	Bothwell	UT	84337 United States	1/10/2025
Kadence Nessen	Salt Lake City	UT	84129 United States	1/10/2025
Tiffany Earl	Collinston	UT	84306 United States	1/10/2025
Lezlie Ashby	Bothwell	UT	84337 United States	1/10/2025
Justin Nielson	Bothwell	UT	84337 United States	1/10/2025
Janet Williams	Bothwell	UT	84337 United States	1/10/2025
Chad Coombs	Bothwell	UT	84337 United States	1/10/2025
Buster Marble	Bothwell	UT	84337 United States	1/10/2025
Natasha Anderson	Bothwell	UT	84337 United States	1/10/2025
Gracie Anderson	Tremonton	UT	84337 United States	1/10/2025
Melissa Hansen	Bothwell	UT	84337 United States	1/10/2025
Wanda Coombs	Bothwell	UT	84337 United States	1/10/2025
Ridge Anderson	Bothwell	UT	84337 United States	1/10/2025
Riley Marble	Bothwell	UT	84337 United States	1/10/2025
Brandy Millsap	Salt Lake City	UT	84123 United States	1/10/2025
Trevor Rhoades	Bothwell	UT	84337 United States	1/10/2025
Ryan Scott	Bothwell	UT	84337 United States	1/10/2025
Ashtyn Brown	Bothwell	UT	84337 United States	1/10/2025
David R. Anderson	Bothwell	UT	84337 United States	1/10/2025
Amber Kropf	Bothwell	UT	84337 United States	1/10/2025
Wesley Firth	Bothwell	UT	84337 United States	1/10/2025
Jared W. Summers	Bothwell	UT	84337 United States	1/10/2025
Judy Newman	Bothwell	UT	84337 United States	1/10/2025
Eileen Firth	Bothwell	UT	84337 United States	1/10/2025
Nicole Jones	Thatcher	UT	84337 United States	1/10/2025
Teanna Thompson	Bothwell	UT	84337 United States	1/10/2025
Kevin Firth	Bothwell	UT	84337 United States	1/10/2025
Tyson Thompson	Bothwell	UT	84337 United States	1/10/2025
Calvin Bingham	Bothwell	UT	84337 United States	1/10/2025
Ryker Kerbs	Bothwell	UT	84337 United States	1/10/2025
Ashley Kerbs	Bothwell	UT	84337 United States	1/10/2025
Tymer Yeates	Bothwell	UT	84337 United States	1/10/2025
Jeff Sanders	Bothwell	UT	84337 United States	1/10/2025
Nan Croney	Bothwell	UT	84337 United States	1/10/2025
Sandie Morlock	Bothwell	UT	84337 United States	1/10/2025
Amy Jo Thurgood	Bothwell	UT	84337 United States	1/10/2025
Larry Ellis	Bothwell	UT	84337 United States	1/10/2025
Brian Noal Morlock (Chugger)	Bothwell	UT	84337 United States	1/10/2025
LouAnn Oyler	Bothwell	UT	84337 United States	1/10/2025
BJ Reeder	Bothwell	UT	84337 United States	1/10/2025
Jessica Arvig	Tremonton	UT	84337 United States	1/10/2025
Ryan Nay	Bothwell	UT	84337 United States	1/10/2025

Barbara Ellis	Bothwell	UT	84337 United States	1/10/2025
Cheyenne Hansen	Bothwell	UT	84337 United States	1/10/2025
Josey Sorensen	Bothwell	UT	84337 United States	1/10/2025
Paul Waldron	Bothwell	UT	84337 United States	1/10/2025
Robert Hall	Bothwell	UT	84337 United States	1/10/2025
Carissa Bowen	Tremonton	UT	84337 United States	1/10/2025
Ken Firth	Tremonton	UT	84337 United States	1/10/2025
Megan Reeder	Bothwell	UT	84337 United States	1/10/2025
Roslyn Lord	Bothwell	UT	84337 United States	1/10/2025
Steve Skinner	Bothwell	UT	84337 United States	1/10/2025
Tate Firth	Bothwell	UT	84337 United States	1/10/2025
Carson Masuisui	Bothwell	UT	84337 United States	1/10/2025
Shanna Masuisui	Farr West	UT	84404 United States	1/10/2025
Brinley Fraser	Tremonton	UT	84347 United States	1/10/2025
Logan Fraser	West Valley City	UT	84119 United States	1/10/2025
Toby Hoffman	Garland	UT	84312 United States	1/10/2025
Jocilynn Drake	Bothwell	UT	84337 United States	1/10/2025
Corinne Sorensen	Bothwell	UT	84337 United States	1/10/2025
Byron and Alison Nelson	Bothwell	UT	84337 United States	1/10/2025
Jeff Ivers	Bothwell	UT	84337 United States	1/10/2025
David Polson	11670 n. 9200 w. Bothwell	UT	84337 United States	1/10/2025
Lindy Jenson	Bothwell	UT	84337 United States	1/10/2025
Kaycee Summers	Bothwell	UT	84337 United States	1/10/2025
Jessica Rose	Salt Lake City	UT	84115 United States	1/10/2025
Amy Jo Summers	Bothwell	UT	84337 United States	1/10/2025
Weston Getz	Bothwell	UT	84337 United States	1/10/2025
Shayne Cragun	Bothwell	UT	84337 United States	1/10/2025
JUSTIN BODILY	Tremonton	UT	84337 United States	1/10/2025
Shea Jensen	Bothwell	UT	84337 United States	1/10/2025
Bart Summers	Bothwell	UT	84337 United States	1/10/2025
Brody Barnes	Bothwell	UT	84337 United States	1/10/2025
Jenny Nay	Bothwell	UT	84337 United States	1/10/2025
Marchelle Nielson	Bothwell	UT	84337 United States	1/10/2025
Sofie Williams	Bothwell	UT	84337 United States	1/10/2025
Caleb Holdaway	Bothwell	UT	84337 United States	1/10/2025
Jonathan Bingham	Bothwell	UT	84337 United States	1/10/2025
Janice Firth	Tremonton	UT	84337 United States	1/10/2025
Shawn nicholas	Tremonton	UT	84337 United States	1/10/2025
Meagan Branch	Tremonton	UT	84337 United States	1/10/2025
Trustan Anderson	Brigham City	UT	84302 United States	1/10/2025
Mackelle Allen	Bothwell	UT	84337 United States	1/10/2025
Matt Cumbie	Bothwell	UT	84337 United States	1/10/2025
Brian Jones	Tremonton	UT	84337 United States	1/10/2025
Angie Staheli	Bothwell	UT	84337 United States	1/10/2025

Thomas Summers	Bothwell	UT	84337 United States	1/10/2025
Clint Staheli	Bothwell	UT	84337 United States	1/10/2025
madison giles	Boise	ID	83706 United States	1/10/2025
Bracken Stokes	Bothwell	UT	84337 United States	1/10/2025
Clay Summers	Bothwell	UT	84337 United States	1/10/2025
Bailee Mackey	Tremonton	UT	84337 United States	1/10/2025
Lexi Johnson	Bothwell	UT	84337 United States	1/10/2025
Rebecca Linke	Bothwell	UT	84337 United States	1/10/2025
Robert Linke	Bothwell	UT	84337 United States	1/10/2025
Debra Newman	Tremonton	UT	84337 United States	1/10/2025
Bailey Hansen	Salt Lake City	UT	84129 United States	1/10/2025
Trisa Hudman	Salt Lake City	UT	84118 United States	1/10/2025
Keyvin Womack	Tremonton	UT	84337 United States	1/10/2025
Kaycee Madsen	Tremonton	UT	84337 United States	1/10/2025
Sheltin Nielson	Tremonton	UT	84337 United States	1/10/2025
Nicholas Summers	Bothwell	UT	84337 United States	1/10/2025
Rachel Greer	Tremonton	UT	84337 United States	1/10/2025
Harley Greer	Salt Lake City	UT	84107 United States	1/10/2025
Michele Edwards	Bothwell	UT	84337 United States	1/10/2025
Matthew Adams	Bothwell	UT	84337 United States	1/10/2025
Kurt Buffington	Tremonton	UT	84337 United States	1/10/2025
Barbara Nelson	Bothwell	UT	84337 United States	1/10/2025
Rachael Adams	Bothwell	UT	84337 United States	1/10/2025
CodiAnne Judkins	Garland	UT	84312 United States	1/10/2025
Tymer J Yeates	Bothwell	UT	84337 United States	1/10/2025
Kelsi Palacios	Sacramento	CA	94203 United States	1/10/2025
McKayla Shannon	Corinne	UT	84307 United States	1/10/2025
Keri Morris	Tremonton	UT	84337 United States	1/10/2025
Jamie S. Bryson	Lexington	KY	38444 United States	1/10/2025
Drew Anderson	Bothwell	UT	84337 United States	1/10/2025
Keagan Manley	Bothwell	UT	84337 United States	1/10/2025
Kurt Parke	Bothwell	UT	84337 United States	1/10/2025
Todd Newman	Bothwell	UT	84337 United States	1/10/2025
Lexie Williams	Tremonton	UT	84337 United States	1/10/2025
Amy Evans	Bothwell	UT	84337 United States	1/10/2025
Sally Harms	Clearfield	UT	84015 United States	1/10/2025
Levi Summers	Bothwell	UT	84337 United States	1/10/2025
Christine Parke	Bothwell	UT	84337 United States	1/10/2025
Brittnee Christensen	Garland	UT	84312 United States	1/10/2025
Christina Cragun	Tremonton	UT	84337 United States	1/10/2025
Cody Kunzler	South Jordan	UT	84095 United States	1/10/2025
Cami Evans	Bothwell	UT	84337 United States	1/10/2025
Jordan Pugsley	Bothwell	UT	84337 United States	1/10/2025
Tamara Hed	Bothwell	UT	84337 United States	1/10/2025

Wendy Wardle	Bothwell	UT	84337 United States	1/10/2025
Brittney Montgomery	Clearfield	UT	84015 United States	1/10/2025
Danilyn Rampton	Tremonton	UT	84337 United States	1/10/2025
Ryn Severe	Tremonton	UT	84337 United States	1/10/2025
Dakoda Cooke	Tremonton	UT	84337 United States	1/10/2025
Sandra Hood	Bothwell	UT	84337 United States	1/10/2025
Robin Earl	Tremonton	UT	84337 United States	1/10/2025
Ronnie Croney	Bothwell	UT	84337 United States	1/10/2025
Dan Johnson	Bothwell	UT	84337 United States	1/10/2025
Sherie Goade	Bothwell	UT	84337 United States	1/10/2025
Krystina Buffington	Bothwell	UT	84337 United States	1/10/2025
Britney Francis	Tremonton	UT	84337 United States	1/10/2025
Marci Summers	Bothwell	UT	84337 United States	1/10/2025
Carrie Carter	Bothwell	UT	84337 United States	1/10/2025
Michael Cragun	Bothwell	UT	84337 United States	1/10/2025
Jen Cragun	Bothwell	UT	84337 United States	1/10/2025
LeAnne Boyle	Salt Lake City	UT	84116 United States	1/10/2025
Susan Nielsen	Bothwell	UT	84337 United States	1/11/2025
Katie Nelson	Bothwell	UT	84337 United States	1/11/2025
Tatum Nelson	Tremonton	UT	84312 United States	1/11/2025
Brad parke	Bothwell	UT	84337 United States	1/11/2025
Elke Carter	Bothwell	UT	84337 United States	1/11/2025
Sherry Firth	Bothwell	UT	84337 United States	1/11/2025
Andi Aoki	Brigham City	UT	84302 United States	1/11/2025
Hayleigh Clawson	Tremonton	UT	84337 United States	1/11/2025
Brenda N Sagers	Bothwell	UT	84337 United States	1/11/2025
Mitchell Nielsen	Bothwell	UT	84337 United States	1/11/2025
Lexi Griffiths	Bothwell	UT	84337 United States	1/12/2025
David Detwiler	Bothwell	UT	84337 United States	1/12/2025
Donna Anderson	Bothwell	UT	84337 United States	1/12/2025
Karlee Summers	Bothwell	UT	84337 United States	1/12/2025
Kellianne Breitenbeker	Bothwell	UT	84337 United States	1/12/2025
Mike Evans	Bothwell	UT	84337 United States	1/12/2025
Macy Newman	Wellsville	UT	84339 United States	1/12/2025
Marlene Mackey	Evanston	WY	82930 United States	1/12/2025
Lexi Gunter	Bothwell	UT	84337 United States	1/12/2025
Jacob Gunter	Bothwell	UT	84337 United States	1/12/2025
Michael DeVries	Bothwell	UT	84337 United States	1/12/2025
Shane Newman	Bothwell	UT	84337 United States	1/13/2025
Jeffrey Nielsen	Bothwell	UT	84337 United States	1/13/2025
Rusty Newman	Salt Lake City	UT	84123 United States	1/13/2025
Suzie Kuipers	Bothwell	UT	84337 United States	1/13/2025
kynlee jensen	Bothwell	UT	84337 United States	1/13/2025
Leslie Morrison	Bothwell	UT	84108 United States	1/13/2025

Aspyn Ostrup	Clearfield	UT	84015 United States	1/13/2025
McKinzie Robins	Corinne	UT	84307 United States	1/13/2025
Marianne Rankin	Bothwell	UT	84337 United States	1/14/2025
Lori Hall	Bothwell	UT	84337 United States	1/14/2025
Beckie Harris	Bothwell	UT	84337 United States	1/14/2025
Heather Strong	Bothwell	UT	84337 United States	1/14/2025
Shane Strong	Bothwell	UT	84337 United States	1/14/2025
Victoria Dickinson	Bothwell	UT	84337 United States	1/14/2025
Deanna Mauchley	Bothwell	UT	84337 United States	1/15/2025
Shelby Marsh	Garland	UT	84312 United States	1/9/2025
Michelle Bingham	Garland	UT	84312 United States	1/9/2025
Charcy Firth	Logan	UT	84321 United States	1/9/2025
Aaleeha Cruz	Hyrum	UT	84319 United States	1/14/2025
elsie sheffer	Smithfield	UT	84335 United States	1/14/2025
Cheyenne Gohlinghorst	Logan	UT	84321 United States	1/14/2025
<i>Katherine Summers</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337 " "</i>	<i>1-16-2025</i>
<i>Lee T Summers</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337 " "</i>	<i>1-16-2025</i>
<i>Connie Getz</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337</i>	<i>1-16-2025</i>
<i>Shane Getz</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337</i>	<i>1-16-2025</i>
<i>Richard Nichols</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337</i>	<i>1-16-25</i>
<i>Jody Wood</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337</i>	<i>1-16-2025</i>
<i>Donald Wood</i>	<i>Bothwell</i>	<i>UT</i>	<i>84337</i>	<i>1-16-25</i>
<i>Wendy Wood - Bothwell</i>				<i>1-16-25</i>



Fwd: Upcoming Rezoning Discussion

1 message

Sent from my iPhone

Begin forwarded message:

From: Ashley Hunt

Date: January 13, 2025 at 5:07:03 PM MST

To: planning@boxeldercountyut.gov, bbingham@boxeldercountyut.gov

Subject: Upcoming Rezoning Discussion

To whom it may concern,

I would like to urge each of you to take into consideration the petition that has been signed by hundreds of residence asking that the 5 acre lot zoning stay in place in Bothwell, Utah.

Bothwell is a special place with a special community and culture. A big part of that is upheld by holding lot sizes to a minimum of 5 acres. Bothwell is a farming community and would like to stay that way. Holding the 5 acre minimum will help to maintain this culture and way of life that residence of Bothwell hold dear.

On another note, Bothwell does not have the infrastructure to support explosive growth. The water supply is a constant challenge and residence are continually asked to cut back in order to save water. Overcrowding in the school system is also a concern. With the bond for the school district being voted down recently, there needs to be planning in place for managing the exponential growth in the area without adding more.

Thank you for taking time to consider our thoughts!

Ashley Rhoades
Bothwell Resident



Rezone

1 message

Arlene Thurgood

Mon, Jan 13, 2025 at 10:16 PM

There has been a request for a re-zone of the minimum acreage requirement in the community of Bothwell in Box Elder County.
We are writing to you to petition you to deny this request to lower the requirement below 5 acres. We as a community prefer the acreage limit to minimize the efforts to diminish our way of life in this rural community by increasing the number of houses in the area.
Please listen to the people you represent and deny this re-zone effort.

Chris & Arlene Thurgood



Bothwell petition to change zoning

1 message

Jacob Thurgood >

Wed, Jan 15, 2025 at 4:21 PM

Mr Lyons,

Hi, my name is Jacob Thurgood. I'm a resident of Bothwell and just wanted to send a quick note voicing my opposition to changing the zoning in Bothwell on the property located at approx 10255 w 13600 n. We moved to Bothwell to be near extended family but I believe for us as well as the extended family, that the rural zoning and minimum of 5 acre lots was a big part of what attracted us to Bothwell. My parents have lived there for over 20years and I know they have always loved the zoning for that area.

I also want to let you know that I have put together a petition that has been signed by about 240 people and at least 160 of them are verified residents of Bothwell. I think it's safe to say that if not everyone then the overwhelming majority of the citizens in Bothwell oppose these changes and would hope for the planning commission and county council to take this feedback into consideration when voting on these issues.

Thanks for your time and service.

Jake Thurgood
Bothwell



Fwd: Zone Change Request for Bothwell Ut Jan 2025

1 message

Tyler Vincent ----- Forwarded message -----

Thu, Jan 16, 2025 at 1:26 PM

From: **Jill Christensen (via Google Docs)**
Date: Tue, Jan 14, 2025 at 10:55 AM
Subject: Zone Change Request for Bothwell Ut Jan 2025
To:

Jill Christensen attached a document



Jill Christensen has attached the following document:



Snapshot of the item below:

Dear Box Elder County Commissioner,

January 14 2025

I am writing in response to the zone change request recently submitted regarding the Bothwell area.

Over 20 years ago in response to the tremendous growth occurring in Box Elder County, the County Commissioners at that time advised us as a community to establish a zoning guideline to protect our area from housing developments. We formed a committee, of which I was a part, and after several meetings with the Box Elder Planning Committee and the Box Elder County Commissioners, we as a community agreed to implement the current RR5 Agricultural Zone.

This zone accomplished three goals.

1. Enabled farmers to sell their farmland if or when needed to finance their retirement.
2. Keeps the Bothwell Community an agricultural community.
3. Allows for the 5 acre parcels to qualify for the greenbelt.

This current zoning has served our community well and has accomplished the intended goals desired by the members of this community.

If the current request for changing the current zoning is allowed, it will immediately undo the careful planning and tireless efforts that went into protecting our community from housing developments.

The property owner asking for the zone change was well aware of the current zoning regulation when he purchased the property within the RR5 zone.

The County Commissioners at the time the RR5 zone was established assured us as a community that no zoning changes would be allowed without the consent of the majority of landowners in Bothwell.

I ask that you honor the agreement made with us, the members of the Bothwell Community, and the previous County Commissioners. How is it possible to trust our elected representatives if those representatives disregard former agreements?

One landowner does not represent the majority of the people living in Bothwell. Please do not allow this zoning change, keep the RR5 zoning as it currently is.

Thank you,

Jill Christensen

Google LLC, [1600 Amphitheatre Parkway, Mountain View, CA 94043, USA](#)
You have received this email because jillmchristensen@gmail.com shared a document with you from Google Docs.





bothwell 5

1 message

Kimberly Detwiler

Thu, Jan 16, 2025 at 7:05 AM

Good Morning,

I am just writing to say thank you for serving. I would also like to express my fear that one person's request could change the 5 acre rule in Bothwell. We bought our property and built our home and have lived here for 20+ years all while knowing that the properties around us would stay 5 acres because that is what the zoning is for this area. Please, please do not allow it to be changed.

Thank you,
Kim Detwiler
Bothwell resident



Zoning in Bothwell

1 message

Layne Summers

Thu, Jan 16, 2025 at 5:37 PM

Marcus Wager County Planner

First of all we would like to thank you for your time and your service. We wish that we could be at your meeting tonight in person but we regret that we can not. If we were there we would share with you our opposition to changing the RR5 zone. We worked really hard in 2005 to make the wishes of our community known. At that time they put together a committee from the members of the community (one of which was my mother Katherine Summers) and Garth Day who was the county planner at the time. After many meetings, the recommendation to the Planning Commission was to clean-up the zoning and make it RR5 throughout the Bothwell pocket. I believe this is still the desire of, and the best thing for our community.

Those coming in and buying ground knowing the zoning that exists and then trying to change it to make a bunch of money do not have the best interest of our community.

We oppose the zoning change that is being proposed in Bothwell.

Thank you,
Layne & Tiffani Summers

[Bothwell, UT 84337](#)



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Proposed Text Amendment:
Chapter 6-3 – Agricultural Subdivisions

Sections.

6-3-010	Purpose
6-3-020	Interpretation
6-3-030	Definitions
6-3-040	Authority
6-3-050	Agricultural Subdivisions Plat Not Required
6-3-060	Agricultural Subdivisions with a Single Family Dwelling
6-3-070	Additional Requirements

6-3-010. Purpose.

The purpose of this Chapter, and any rules, regulations, standards and specifications hereafter adopted pursuant hereto or in conjunction herewith are:

- A. To promote and protect the public health, safety and general welfare.
- B. To align the Box Elder County Land Use Management and Development Code with Utah Code and streamline the Agricultural Subdivision process for both landowners and the County.

6-3-020. Interpretation.

The interpretation of this Chapter shall be consistent with the provisions of Section **17-27a-103(73)(C)(i)&(vi)** and Section 17-27a-605 of the Utah Code, and as said provisions may be subsequently amended or revised by the State of Utah. Accordingly, any conflicts between this Chapter and **17-27a-103(73)(C)(i)&(vi) and** Section 17-27a-605 of the Utah Code, and as said provisions may be subsequently amended, shall be resolved in accordance with Section 17-27a-605 of the Utah Code.

6-3-030. Definitions.

~~As used in this Chapter, the following terms shall have the following meanings:~~ **Certain words and phrases in this Chapter are defined in Chapter 1-3 of this Code.**

~~“Land in agricultural use” means:~~

- ~~A. land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:
 - 1. forages and sod crops;
 - 2. grains and feed crops;
 - 3. livestock defined as:
 - a. a domestic animal;~~

- ~~b. a fish;~~
- ~~c. a fur-bearing animal;~~
- ~~d. a honeybee; or~~
- ~~e. poultry;~~
- ~~4. trees and fruits; or~~
- ~~5. vegetables, nursery, floral, and ornamental stock; or~~
- ~~B. land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.~~

6-3-040. Authority.

For purposes of this Chapter, the person(s) acting as the Land Use Authority is the Zoning Administrator as defined in Chapter 1-3 of this Code.

6-3-050. ~~Agricultural Subdivisions~~ **Plat Not Required.**

~~Notwithstanding the provisions of Chapter 6-1 of this Code, a plat is not required to subdivide unincorporated land into 10 or fewer parcels of agricultural land if:~~

1. ~~In accordance with State Code, Section 17-27a-103(73)(C)(i), a property owner may divide land if it is a bona fide division or partition of agricultural land for agricultural purposes. The deed must state in writing that the division or partition of land is for agricultural purposes.~~
2. ~~In accordance with State Code, Section 17-27a-103(73)(C)(vi), a property owner may divide land if it is a bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division:~~
 - a. ~~is in anticipation of future land use approvals on the parcel or parcels;~~
 - b. ~~does not confer any land use approval; and~~
 - c. ~~has not been approved by the land use authority.~~
3. ~~Any parcel created from the requirements in this Section shall comply with the underlying zoning regulations. In unzoned areas the minimum parcel size shall be ½ acre, unless the Bear River Health Department requires a larger size parcel.~~

~~A. The proposed agricultural subdivision:~~

- ~~a. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;~~
- ~~b. Has been approved by the culinary water authority and the sanitary sewer authority;~~
- ~~c. Is located in a zoned area; and~~
- ~~d. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.~~

~~B. The parcel(s):~~

- ~~a. Qualifies as land in agricultural use; and~~
- ~~b. Is not used and will not be used for any nonagricultural purpose; and~~

~~C. The new owner of record completes, signs, and records with the county recorder a notice:~~

- ~~a. Describing the parcel by legal description; and~~
- ~~b. Stating that the parcel is created for agricultural purposes and will remain so until a future zoning change permits other uses.~~

- ~~D. Following the review and approval of a complete application, the Zoning Administrator shall provide a certificate in writing that:~~
- ~~a. The county has provided notice as required by ordinance; and~~
 - ~~b. The proposed agricultural subdivision:
 - ~~i. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;~~
 - ~~ii. Has been approved by the culinary water authority and the sanitary sewer authority;~~
 - ~~iii. Is located in a zoned area; and~~
 - ~~iv. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.~~~~
- ~~E. The certificate of written approval outlined in Subsection 6-2-050(D) must be attached to the document recorded in the County Recorder's office that divides the property by a metes and bounds description in order to be considered a legal agricultural subdivision as allowed in this Chapter.~~

4. If a parcel created under Subsection 6-2-050 is used for a nonagricultural purpose, the county shall require the parcel to comply with the requirements of Section 17-27a-603 of the Utah Code and Chapter 6-1 of this Code.

6-3-060. Agricultural Subdivision with a Single Family Dwelling.

Notwithstanding Chapter 6-1 of this Code, as well as Sections 17-27a-603 and 17-27a-604 of Utah Code and subject to 17-27a-605(1) of Utah Code, a plat is not required to subdivide an unincorporated parcel of land if:

- A. The parcel contains an existing legal single family dwelling unit;
- B. The subdivision results in two parcels, one of which is agricultural land;
- C. The parcel of agricultural land:
 - a. Qualifies as land in agricultural use; and
 - b. Is not used, and will not be used, for a nonagricultural purpose;
- D. Both the parcel with an existing legal single family dwelling unit and the parcel of agricultural land meet the minimum area, width, frontage, and setback requirements of the applicable zoning designation in the applicable land use ordinance; and
- E. The owner of record completes, signs, and records with the county recorder a notice:
 - a. Describing the parcel of agricultural land by legal description; and
 - b. Stating that the parcel of agricultural land is created as land in agricultural use and will remain as land in agricultural use until a future zoning change permits another use.
- F. Following the review and approval of a complete application, the Zoning Administrator shall provide a certificate in writing that:
 - a. The county has provided notice as required by ordinance; and
 - b. The proposed agricultural subdivision:
 - i. Is not traversed by the mapped lines of a proposed street as shown in the general plan unless the county has approved the location and dedication of any public street, county utility easement, any other easement, or any other land for public purposes as the county's ordinance requires;
 - ii. Has been approved by the culinary water authority and the sanitary sewer authority;
 - iii. Is located in a zoned area; and

- iv. Conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance.
- G. The certificate of written approval outlined in Subsection 6-23-060(F) must be attached to the document recorded in the County Recorder's office that divides the property by a metes and bounds description in order to be considered a legal agricultural subdivision as allowed in this Chapter.

If a parcel of agricultural land divided from another parcel under Subsection 6-23-060 is later used for a nonagricultural purpose, the plat exemption provided in Subsection 6-23-060 no longer applies, and the county shall require the owner of the parcel to:

- A. Retroactively comply with the subdivision plat requirements of Section 17-27a-603 of Utah Code and Chapter 6-1 of this Code; and
- B. Comply with all applicable land use ordinance requirements.

6-3-070. Additional Requirements.

Minimum Acreage

- A. A parcel must be a minimum of five (5) acres in size to qualify as an agricultural parcel.

Access Required

- A. Proof of access to each agricultural parcel created under this Chapter must be provided to the Zoning Administrator prior to the issuance of a certificate of approval. Access must be a minimum of 30 feet in width, in accordance with a private road section in the public works standards. Proof of access can be an existing or newly created easement. Access is not required to be improved.

Section 1-3-040. Definitions:

Land in agricultural use:

- A. land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:
 - 1. forages and sod crops;
 - 2. grains and feed crops;
 - 3. livestock defined as:
 - a. a domestic animal;
 - b. a fish;
 - c. a fur-bearing animal;
 - d. a honeybee; or
 - e. poultry;
 - 4. trees and fruits; or
 - 5. vegetables, nursery, floral, and ornamental stock; or
- B. land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government.