

BOX ELDER COUNTY PLANNING COMMISSION MINUTES AUGUST 15, 2024

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	<i>the following Staff was present:</i>	
Jed Pugsley	Vice-Chair	Scott Lyons	Comm Dev Director
Lonnie Jensen	Member	Marcus Wager	County Planner
Bonnie Robinson	Member	Destin Christiansen	County Planner
Jared Holmgren	Member	Stephen Hadfield	County Attorney
Jennifer Jacobsen	Member	Boyd Bingham	Excused
Vance Smith	Alternate/Member	Diane Fuhriman	Executive Secretary

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

The Invocation was offered by **Commissioner Bonnie Robinson**.
Pledge was led by **Commissioner Lonnie Jensen**.

The following citizens were present & signed the attendance sheet

See Attachment No. 1 – Attendance Sheet.

The Minutes of the June 20, 2024 meeting were made available to the Planning Commissioners prior to this meeting and upon review a **Motion** was made by **Commissioner Bonnie Robinson** to approve the minutes as written. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

UNFINISHED BUSINESS

8400 W AMEND AND EXTEND SUBDIVISION, SS24-015, Request for preliminary plat approval of a new 5-Lot subdivision located at approximately 10100 North 8400 West in the Tremonton area of Unincorporated Box Elder County. ACTION.

Staff explained the proposed subdivision is for five new lots and also extends the property line on Lot 3 of the existing 8400 West Subdivision. This item came before the Planning Commission in June and was tabled due to unfinished county department reviews and the need for a geotechnical report. The geotechnical report has since been submitted along with an updated plat at the end of July. Staff submitted the updated plat to the applicable county departments for review. The County Surveyor and the GIS Department still had the same concerns as their first review. The County Engineer's concerns were more limited, but not all items have been completed.

Jeff Nelsen, Engineer, said he is not sure everyone has the fully updated plat. Some of the comments regarding the storm water retention and detention were updated and show on the revised plat.

Commissioner Mellonee Wilding stated the Planning Commission needs to base their decision with information and reviews from the updated plat. She feels the request need to be left as tabled.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to leave application SS24-015, a preliminary plat for the 8400 West Subdivision, tabled for up to the original 6 months from the meeting in June. The motion was seconded by **Commissioner Vance Smith** and unanimously carried.

CONDITIONS:

1. Compliance with review and approval by the County Surveyor, Engineer, Fire Marshal, Planning & Zoning, Roads Department, and Building Official.
2. Compliance with Article 5, Regulations of General Applicability, of the Box Elder County Land Use Management & Development Code.
3. Compliance with Chapter 6-1, Subdivisions, 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.

PUBLIC HEARINGS

ZONING MAP AMENDMENT, Z21-008, Request for a zone change of 114.55 acres from MU-40 (Multiple Use - 40 acre lots) and RR-1 (Rural Residential - 1 acre lots) to RR-1 (Rural Residential - 1 acre lots), located at approximately 55500 West HWY 30 in the Park Valley area of Unincorporated Box Elder County. ACTION.

Staff stated the applicant is requesting to rezone 114.55 acres located at Green Rock Canyon Road and SR-30 in the Park Valley area. The surrounding land use is Agricultural and the surrounding zones are MU-40 and RR-1. The current RR-1 and MU-40 zones were adopted August 23, 1982.

Staff said this item came before the Planning Commission in May of 2021. A recommendation of denial was passed based upon the lack of infrastructure, police, fire, water and the potential impact on Park Valley schools. The applicant failed to proceed to the County Commission within a reasonable period of time and the application expired. He is now starting the process again.

Staff explained there are 4 approval standards for reviewing zoning map amendments. a) whether the proposed amendment is consistent with 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; c) the extent to which the proposed amendment may adversely affect adjacent property; 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 public hearing was then opened for comments.

Bruce Pugsley, Applicant, stated he wants to rezone the property for family reasons. The property won't be used for development, just for his children to build homes on. He said the county wants to re-open the gravel pit for use on county roads. Pressure equipment has already been moved in. He is at a loss as to what to do and does not want to stop the county after giving the county a verbal okay. Mr. Pugsley said when he made this request in 2021 the whole purpose was mistaken by those who were opposed to it. He reiterated the purpose is not for development but for family and added the ones opposed to the zone change already have their property in RR-1.

Kellie Kunzler, Park Valley, said her property is the Kunzler Family Ranch LLC bordering Mr. Pugsley's property on the west. The surrounding property is zoned RR-1 and she feels Mr. Pugsley has the same right as anyone else to have his property zoned RR-1.

Staff read into the record comments from two individuals who could not attend the public hearing. John A Kunzler stated "I am not in favor of the rezoning in the Park Valley area. My understanding of the RR-1 is 1-acre lots. This would have the capability of being Dove Creek Subdivision again. My family has irrigation ditches through the property making it difficult to handle in a subdivision. Culinary house wells would affect my downstream water rights. I do not believe the rezoning would be a benefit to the Park Valley community. Thank you for looking into this matter." The other comment was from Alan C. Kunzler who stated, there is no need for 100+ one acre lots in the Park Valley area. There is concern this could turn into another Dove Creek Estates. There is the unknown of once the land is passed on to children, anything could happen with it as far as sale and/or development. There is already 20 acres zoned for one acre lots. Mr. Kunzler added he is okay with moving any of the 1-acre lots already zoned, to anywhere on that land he is wanting redone.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on Zoning Map Amendment Z21-008. The motion was seconded by **Commissioner Vance Smith** and passed unanimously.

ACTION

Chairman Mellonee Wilding stated the plans the property owner has for the property is something the commission cannot take into consideration, they have to consider the potential of what those 100 acres could be if the property is zoned RR-1.

Staff explained the application could be modified and brought before the Planning Commission at a later date.

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to table application Z21-008, a zoning map amendment from the MU-40 (Multiple Use 40 acre) and RR-1 to the RR-1 (Rural Residential 1 acre) zone for up to 6 months allowing the applicant time to work with the County Planners and modify the request. The motion was seconded by **Commissioner Vance Smith** and passed unanimously.

ORDINANCE TEXT AMENDMENT, Z24-009, Request for a text amendment to Section 3-2-010(B), Purpose - Agricultural, of the Box Elder County Land Use Management & Development Code. ACTION.

Staff explained a request has been made to amend Chapter 3-2, Multiple Use, Agricultural, and Rural Residential, of county code. The amendment would remove the ability for the A ½ zone to be used in the future. The verbiage for the A ½ zone would be left to regulate the existing parcels zoned A ½.

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

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

B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; This text amendment would apply to all areas of unincorporated Box Elder County.

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

Staff said the Planning Commission will need to determine if this application meets the standards in Section 2-2-080.

The public hearing was then opened for comments.

Hearing no comments, a motion was made by **Commissioner Jed Pugsley** to close the public hearing on the Ordinance Text Amendment Z24-009. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

ACTION

MOTION: A Motion was made by **Commissioner Jed Pugsley** to forward a recommendation of approval to the County Commission for application Z24-009 a request for a text amendment to Section 3-2-010(B), Purpose - Agricultural, of the Box Elder County Land Use Management & 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 Section 2-2-080, Zoning Map and Text Amendments, of the Box Elder County Land Use Management & Development Code.
3. Compliance with all applicable County, State, and Federal laws regulating the proposed use, including all current licenses, permits, etc.

(See Attachment No. 2 – Proposed Text Amendment.)

ORDINANCE TEXT AMENDMENT, Z24-010, Request for a text amendment to Section 2-1-050, Land Use Authority, of the Box Elder County Land Use Management & Development Code. ACTION.

Staff stated the proposed amendment would address yearly meeting attendance requirements for Box Elder County Planning Commissioners. The text amendment also addresses some general cleanup of the section. These amendments are decided upon by the County Commission with a recommendation from the Planning Commission.

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

A. Whether the proposed amendment is consistent with goals, objectives and policies of the County’s General Plan; The County’s General Plan states that future land use decisions will consider the following: promoting development patterns consistent with, and sensitive to, resident preferences; and balancing private property rights with public interests.

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 only apply to the requirements for the county’s volunteer Planning Commissioners. The Planning Commission needs to decide if this amendment would be harmonious.

C. The extent to which the proposed amendment may adversely affect adjacent property; The proposed amendment should not adversely affect adjacent property.

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 is county-wide and should not have an effect on the adequacy of facilities.

The public hearing was then opened for comments.

Hearing no comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Ordinance Text Amendment, Z24-010. The motion was seconded by **Commissioner Vance Smith** and passed unanimously.

ACTION

Staff summarized the content of the amendment as requiring commissioners to attend at least 8 meeting per year and general clean-up of the chapter.

MOTION: A Motion was made by **Commissioner Jed Pugsley** to forward a recommendation of approval to the County Commission for application Z24-010 a request for a text amendment to Section 2-1-050, Land Use Authority of the Box Elder County Land Use Management & Development Code and adopting the conditions and findings of staff. The motion was seconded by **Commissioner Jared Holmgren** and passed unanimously.

CONDITIONS:

1. Compliance with Article 5 of the Box Elder County Land Use Management & Development Code.
2. Compliance with 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. 3 – Proposed Amendment.)

ZONING MAP AMENDMENT, Z24-011, Request for a zone change of 2 acres from RR-20 (Rural Residential – 20,000 sq. ft.) to C-N (Neighborhood Commercial), located at approximately 6100 West 4000 North in the Corinne area of Unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting part of parcel 04-071-0008, located in the West Corinne area, be rezoned from RR-20 (Rural Residential 20,000 sq. ft.) to the C-N (Neighborhood Commercial) zone. The surrounding land uses are Agricultural and Rural Residential, the surrounding zones are RR-20.

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 states that the West Corinne area is primarily agricultural with large lot single family and that the vision for the area suggests continuing the agricultural heritage, while allowing for some flexible lot sizes through rural residential clustering, and expanding the industrial/warehousing uses in the area.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property; The area is a combination of mainly agricultural uses and some residential homes. The Planning Commission needs to decide if a commercial zone could be considered harmonious.

C. The extent to which the proposed amendment may adversely affect adjacent property; The proposed amendment shouldn’t affect the values of adjacent property. The public hearing process may bring forth additional information.

D. The adequacy of facilities and services intended to serve the subject property, including, but not limited to, roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection. It is likely that the facilities and services already exist, the developer would have to verify this and bring them into the project.

Staff listed some of the allowed uses in the C-N zone such as bus terminals, private garages, drive-in restaurants, family clothing, farm and garden supply equipment, gasoline service stations, groceries, mail order houses, merchandise vending machine operators, retail activities, shopping complexes for retail trade, automatic car wash, auto repair, beauty/barber shops, plumbing heating and air conditioning services, private clubs, sports activities, professional health care offices and clinics, medical/dental offices, and reception centers which is at the center of this request.

The public hearing was then opened for comments.

Tyson Ross has property directly north of the parcel being discussed. He stated there are no other houses on the property adjacent to it. Where everything usually happens at night with event centers he is concerned with vandalism, burning haystacks and trespassing for additional parking. Mr. Ross said he is not opposed to what the applicants want to do with their property as long as it does not affect his property.

Mike Kilts stated he is a partner with Dan Norman in this endeavor. He would like to have surveillance installed in the front area and said he will keep the property cleaned up.

Dan Norman, applicant, acknowledged the concerns expressed regarding the events center. He stated he is a responsible business owner and does not want any safety issues. Parking will not be a problem as it is an 8-acre parcel. If more ground is needed for parking, we will make it happen. We want to provide a service to the community. Noise, vandalism and other concerns can be mitigated through contracts with those using the property. Security and vandalism will be taken into consideration, security cameras are already installed. Mr. Norman said he is not excited about growth as a property owner and farmer either, but he knows growth is coming and there is not a lot he can do about it.

Charles Holmgren and his brother own property 600 ft. east of the Norman's property. He has similar concerns as Mr. Ross with parking and vandalism. If everything works as it should, he is fine with it, but if not, it could become quite a burden on his family farm.

Jeremy Cox, also owns property in the area and does not want to tell others what to do with their property. He knows growth is coming and feels if the applicant is responsible with security and monitoring the parking and he does not end up with escaping brides on his property, he should be good.

Hearing no further comments, a motion was made by **Commissioner Bonnie Robinson** to close the public hearing on the Zoning Map Amendment, Z24-011. The motion was seconded by **Commissioner Lonnie Jensen** and passed unanimously.

ACTION

Staff explained the Planning Commission will need to decide if the proposed zoning map amendment meets the Approval Standards found in Section 2-2-080(E) of the Box Elder County Land Use Management and Development Code.

Commissioner Jennifer Jacobsen thinks the request for commercial zoning is not harmonious with the surrounding zones of agricultural and residential. Also, the road would not provide good access for a commercial property.

Commissioner Bonnie Robinson agreed there are concerns with the road being a gravel road. She thinks the road would not be sustainable for all the uses allowed in the C-N zone. She feels it is a bit of a stretch to consider the allowed uses in the C-N zone as being harmonious with the surrounding zones.

Commissioner Mellonee Wilding feels the job of the Planning Commission is to protect the interests of the county. If the request was to rezone 2 acres off a large parcel with a paved road, and the dirt road was a private road the applicant maintained, she would be much more accommodating. The maintenance of this road would be funded by county tax payers which makes her uncomfortable to approve the request.

Commissioner Vance Smith said he does not see proof of adequate facilities for any of the allowed uses in the C-N zone, and while the commission can block those uses at the conditional use stage, he feels no precedence has been set to move forward with commercial zoning in the area. As much as he tries not to look forward to the next step, and just stick with the guidelines the commission has to adhere to, he feels this site is not the best for the C-N zone.

MOTION: A Motion was made by **Commissioner Jennifer Jacobsen** to forward a recommendation of denial to the County Commission for application Z24-011, a zoning map amendment from RR-20 (Rural Residential 20,000 sq. ft.) to the C-N (Neighborhood Commercial) zone based on not being harmonious with the overall character of the area and inadequacy of roadways. The motion was seconded by **Commissioner Jed Pugsley** and passed unanimously.

NEW BUSINESS

MILLS SUBDIVISION FIRST AMENDMENT, SS24-020, Request for an amendment to the final plat of the Mills Subdivision, located at approximately 11336 N 4400 W in the Tremonton area of Unincorporated Box Elder County. ACTION.

Staff said the applicant is requesting an amendment to adjust Lot 1 from 2.081 acres to 2.082 acres by adjusting the property lines. The surrounding land uses are Agricultural and Rural Residential; surrounding zones are Unzoned. Staff explained per state code, a subdivision can be amended by approval from the land use authority and the recording of an amended plat. The Planning Commission's role is to ensure a proposed subdivision is consistent with established ordinances, policies and planning practices of the county. Following the Planning Commission's review and

approval of a subdivision amendment application, it will be recorded in the office of the Box Elder County Recorder.

Staff stated all applicable departments have approved the amended subdivision plat and recommends approval with the conditions listed below.

MOTION: A Motion was made by **Commissioner Jed Pugsley** to approve application number SS24-020, amending the Mills Subdivision First Amendment, located in the Tremonton area of unincorporated Box Elder County, and adopting the exhibits, conditions and findings of staff. The motion was seconded by **Commissioner Vance Smith** and unanimously carried.

CONDITIONS:

1. Approval of the title report from the County Attorney.
2. Compliance with Sections 17-27a-608 and 609 of the Utah State Code.

WORKING REPORTS

Heritage Homestead – RV Park Text Amendment

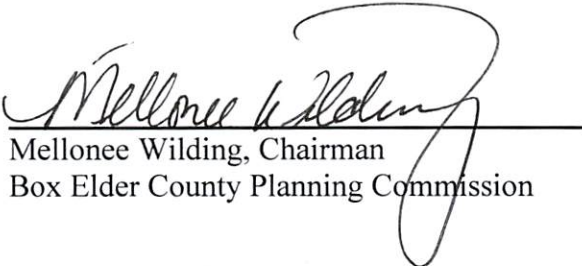
The Commissioners discussed their thoughts on RV Parks in Unincorporated Box Elder County. The General Plan states roads and density should be in the cities and RV Parks are a high density type of living. The Commissioners like the idea of agritourism and dry camping but had questions regarding water and sewer hookups, limited number of days to stay, and police protection. The commission directed staff to review the current code regarding RV Parks and bring it up to date.

Staff explained the applicant asked for this request to be presented as a working report, knowing it would consist of a large overhaul of what currently exists in county code and wanted feedback. The applicant will need to hold a public hearing within 6 months of the application. The Planning Commission would then give a referral to the County Commission. If the applicant does not go through the process within 6 months, the application expires.

PUBLIC COMMENTS - NONE

ADJOURN

MOTION: A Motion was made by **Commissioner Bonnie Robinson** to adjourn commission meeting. The motion was seconded by **Commissioner Lonnie Jensen** and meeting adjourned at 8:30 p.m.


Mellonee Wilding, Chairman
Box Elder County Planning Commission

PLANNING COMMISSION MEETING

Thursday August 15, 2024

NAME	ADDRESS	AGENDA ITEM
Kellie Kungler Kellie Kungler	57600 W. 17600 N. Park Valley, UT 84329	Z-21-008
Debbie Pugsley	57325 W. 17600 N. Park Valley, UT.	Z-21-008
Bruce A Pugsley	57325 W. 17600 N. Park Valley, Utah 84329	Z-21-008
Brandon East		
Brandon East	8210 W 10400 N Tremonton Utah 84337	Item 6, B-4L- Text Amendments
Jeremy Cox	5571 W 4800 N Corinne Utah	6990 W 4800 N.
Lloyd Wood	9360 N. 5600 W Tremonton UT 84337	Z & 3
Tamara Wood	9360 N 5600 W. 84337	"
Tyson Ross	4000 N 6100 W Corinne	Corinne Rezoning
Jana Rawson	5245 W 4000 N. Corinne	Corinne Rezone
Richard Rawson	5245 W. 4000 N Corinne	Corinne Rezoning
Blank	7465 W. 10400 N Tremonton, UT	
Jake Rupp	Tremonton, UT 7465 W. 10400 N.	
Charles Holmgren	5380 N 4100 W P O Box 231 Bear River City, UT	Corinne Rezoning

Proposed Text Amendment:

3-2-010. Purpose.

B. Agricultural. Agricultural zones promote and preserve in appropriate areas favorable to agricultural and to maintain greenbelt spaces. These districts are intended to include activities normally and necessarily related to the conduct of agriculture and to protect the district from the intrusion of uses inimical to the continuance of agricultural activity.

The purpose of the A ½ zone in this Chapter is to outline regulations for existing A ½ parcels within Box Elder County. The A ½ zone is not an option for rezones due to this zone not being adequate for agricultural uses.

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

2-1-050. Land Use Authority.

- A. Established as the Land Use Authority.** A Planning Commission, consisting of seven (7) members, is hereby established to exercise the powers and duties specified herein. The County Commission may appoint two (2) alternate Planning Commission members. In the event of the absence of any regular members at any meeting, the alternate member(s) shall serve with full rights and authority at said meeting. The appointment, term, vacancy, and removal of an alternate member shall be the same as for a regular Planning Commission member.

Planning Commission Members shall:

- a. Be appointed by the Box Elder County Commission
- b. Be residents of Box Elder County
- c. Own real property within Box Elder County
- d. Attend at least eight (8) Planning Commission meetings each year
- e. Serve without compensation, except for reasonable expenses incurred in performing their duties as members of the Commission.

~~Members of the Planning Commission shall serve without compensation, except for reasonable expenses incurred in performing their duties as members of the Commission.~~

~~A.~~ **B. Appointment and Terms of Office.**

1. Planning Commission members shall be appointed by the County Commission.
 - a. The terms of Planning Commission members shall be staggered. Each member of the Planning Commission shall serve for a term of three (3) years and until a successor is appointed, provided that members may be appointed for terms shorter than three (3) years when necessary to provide staggered terms.
 - b. Planning Commission members may be reappointed for successive terms.
 - c. The County Commission may remove any member of the Planning Commission at any time with or without cause.
 - d. A vacancy occurring on the Planning Commission by reason of death, resignation, removal, disqualification or any other reason shall be promptly filled by a replacement appointed in the same manner as the original appointment for the remainder of the unexpired term of the replaced member.
2. Members of the Planning Commission shall be deemed “volunteers” for purposes of County ordinances, rules, regulations and policies concerning personnel; provided, however, they shall be included in the definition of “employee” for purposes of the Utah Governmental Immunity Act, *Utah Code Ann. § 63-30a-101, et seq.*, as amended.

B. C. Organization and Procedure. The Planning Commission shall be organized and exercise its powers and duties as follows:

1. Members of the Planning Commission shall select one (1) of its members as chair to oversee the proceedings and activities of the Planning Commission.
 - a. The chairperson shall serve for a term of one (1) year.
 - b. Members of the Planning Commission shall select one (1) of its members as vice-chair to act in the absence of the chair. The chair and vice-chair may be re-elected for successive terms.
2. The Planning Commission may adopt policies and procedures, consistent with the provisions of this Code and applicable law, to govern the conduct of its meetings, the processing of applications, and for any other purposes considered necessary for the functioning of the Planning Commission. All such policies and procedures shall be submitted to the County Commission for review and approval.
3. The Planning Commission shall meet on a regular day(s) each month, as determined by the Planning Commission, and at such other times as the Planning Commission may determine. All meetings shall be properly noticed and held in accordance with the Open Meetings Law set forth in *Utah Code Ann. § 52-4-1, et seq.*, as amended.
4. No official business shall be conducted by the Planning Commission unless a quorum of its members is present. Four (4) members of the Planning Commission shall constitute a quorum. The minimum number of yes votes required for the Planning Commission to take any action shall be the majority of members present, unless otherwise prescribed by law.
5. Decisions of the Planning Commission shall take effect on the date of the meeting or hearing where the decision is made, unless a different date is designated in the Commission's rules, or at the time the decision is made.
6. The Planning Commission shall keep written minutes and a recording shall be kept of all open meetings. Such minutes and recording shall include: the date, time, and place of the meeting; the names of members present and absent; the substance of all matters proposed, discussed, or decided; a record, by individual member, of votes taken; the name of each person who provided testimony and the substance in brief of their testimony; and any other information that any member requests be entered into the minutes or recording.
 - a. The Planning Commission shall transmit reports of its official acts and recommendations to the County Commission. Any member of the Commission also may make a concurring or dissenting report or recommendation to the County Commission.
 - b. The minutes of all meetings of the Planning Commission shall be prepared and filed in the office of the County Recorder. All such records shall be available for public review

and access in accordance with the Government Records and Access Management Act, *Utah Code Ann.*, §63G-2-101, *et seq.*, as amended.

- D. Powers and Duties.** The Planning Commission shall have all the powers and duties, explicit or implied, given planning commissions by Utah State law (Each of such powers and duties shall be exercised pursuant to the procedural and other provisions of this Code). With respect to unincorporated area of the county, the Planning Commission powers and duties are:
1. Prepare and recommend a general plan and amendments to the general plan as provided in Section 2-2-070 of this Code;
 2. Prepare and recommend land use ordinances, zoning maps, official maps, and amendments as provided in Section 2-2-080 of this Code;
 3. Prepare and recommend subdivision regulations
 4. Administer applicable chapters of this Code;
 5. Hear and act on a land use applications
 6. Establish application processes that:
 - a. may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested, and
 - b. shall protect the right of each:
 - 1) applicant and third party to require formal consideration of any application by the Planning Commission,
 - 2) applicant, adversely affected party, or county officer or employee to appeal a land use authority's decision to a separate appeal authority, and
 - 3) participant to be heard in each public hearing on a contested application.
 7. Recommend approval or denial of subdivision;
 8. Hear and decide the approval or denial of conditional use permits, as provided in Section 2-2-100 of this Code;
 9. Hear and decide any other matter that the County Commission designates;
 10. Exercise any other powers that are necessary to enable the Planning Commission to perform its function or that are delegated to it by the County Commission.
- E. Examinations and Surveys.** The Planning Commission and its authorized agents may enter upon any land at reasonable times to make examinations and surveys as necessary to enable it to perform its function to promote County planning and development.
- F. Appeal.** Any person adversely affected by a final decision of the Planning Commission made in the exercise of the provisions of this Code may appeal that decision to the Hearing Officer.