



Planning Commission Minutes

5 June 2025

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Present: Conner Smith, Angie Zetterquist, Nate Daus, Kurt Bankhead, Val Jay Rigby, Chris Sands, Nolan Gunnell, Matt Phillips, Jason Winn, Andrew Crane, Megan Izatt

5:00:00 PM

Light refreshments served in the Cache County Conference Room.

Start Time: 05:30:00

Bankhead called the meeting to order and **Rigby** gave opening remarks.

Agenda and Minutes

Daus motioned to approve the agenda; Rigby seconded; Passed 4, 0.

Ayes: Nate Daus, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

Rigby motioned to approve the minutes from April 3, 2025; Daus seconded; Passed 4, 0.

Ayes: Nate Daus, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

05:32:00

Consent Item

#1 Wyatt Christensen Subdivision 1st Amendment

Smith reviewed the staff report for the Wyatt Christensen Subdivision 1st amendment

Rigby motioned to approval the consent agenda with the 3 conditions and 2 conclusions; Daus seconded; Passed 4, 0.

Ayes: Nate Daus, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

05:34:00

Regular Action Items

#2 Public Hearing (5:35 PM or soon thereafter) – Funk 160 Acre Richmond Gravel Pit Rezone

Smith reviewed the staff report for the Funk 160 Acre Richmond Gravel Pit Rezone.

05:38:00

Daus motioned to open the public hearing for the Funk 160 Acre Richmond Gravel Pit Rezone; Rigby seconded; Passed 4, 0.

Ayes: Nate Daus, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

Hal Christensen presented the application for the Funk 160 Acre Richmond Gravel Pit Rezone.

Bankhead asked what the plan was for the existing wells located in the middle of the gravel pit area.

Mr. Christensen commented that he is going to leave them as is and continued presenting.

Larry Copeland commented against the rezone due to concerns with possible contamination, vibrations affecting the fault line, and affects to wildlife.

Joyce Jensen commented against the rezone with concerns for wildlife, disruptions to wells, and line of sight to the facility.

Rich Olsen commented as a representative for the Olsen Family trust against the rezone due to affects to property values, wells, and the pit affecting the enjoyment of the land and peace and quiet in the area.

Scout Ream commented against the rezone with concerns with water and the pit changing the look and feel of the area.

Joleen Mendenhall commented against the rezone due to concern with water, dust, traffic, and road impacts.

Paul Davis commented with concerns that the maps being shown include pieces of his property.

06:07:00

*Sands motioned to close the public hearing for the Funk 160 Acre Richmond Gravel Pit Rezone; **Daug**s seconded; **Passed 4, 0.***

*Ayes: **Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands***

Nays: 0

Commissioners discussed visibility of the pit, the wells and springs in the area, and how the master plan for this area does not include an industrial zone.

Daug**s motioned to recommend denial to the County Council for the Funk 160 Acre Richmond Gravel Pit Rezone with the 4 conclusions; **Rigby** seconded; **Passed 4, 0.

06:11:00

#3 Public Hearing (5:50 PM or soon thereafter) – 3 Clustered Homes 15 Acres Ag Rezone

Smith reviewed the staff report for the 3 Clustered Homes 15 Acres Ag rezone.

Commissioners and **Staff** discussed changes to the application from last time.

06:19:00

Daug**s motioned to open the public hearing for the 3 Clustered Homes 15 Acres Ag Rezone; **Sands** seconded; **Passed 4, 0.

*Ayes: **Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands***

Nays: 0

Jed Willets commented as the applicant about limited development on the property surrounding his current home that he owns, reviewed comments from the County Council, information from the last two denied applications, clustering the homes, roads, and size of building lots around the area.

Mark Lions commented against the rezone due to concerns with the application coming back again, wanting written approval from UDOT, concerns with the road that has been built, the rezone not being consist with Wellsville's planning, and setting an unwanted precedent.

Lacey Liechty commented on comments received from the previous applications, concerns with the easement and possible litigation regarding the easement, safety on the road, and wildlife.

Ashton Liechty commented against the rezone with concerns due to increased traffic, clustering, and all the surrounding property owners opposing this.

Jim Liechty commented against the rezone with concerns due to increased wells and the possibility affecting an existing spring, and the current zoning already allowing one home to be built there without a rezone.

Andrew Anderson commented that this applicant has not changed from the previous applications that have been denied and how this is still a bad idea.

06:43:00

Rigby** motioned to close the public hearing for the 3 Clustered Homes 15 Acres Ag Rezone; **Daug's** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Riby, Chris Sands

Nays: 0

Staff and **Commissioners** discussed road issues and the rezone possibly limiting development for other neighboring landowners.

Rigby** motioned to recommend denial to the County Council for the 3 Clustered Homes 15 Acres Ag Rezone; **Sands** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

06:47:00

#4 Public Hearing (6:05 PM or soon thereafter) – Stuart Minor Subdivision Amendment No. 1

Smith reviewed the staff report for the Stuart Minor Subdivision Amendment No. 1.

06:49:00

Daug's** motioned to open the public hearing for the Stuart Minor Subdivision Amendment No. 1; **Sands** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

Brittney Stuart commented with the history of the issues and the reason for the amendment.

Kennedy Stuart commented as a representative for the Edward and Sondra Stuart Trust and explained how the parcel was somehow deleted from the county data base and that they have been paying taxes on that parcel. With that parcel being deleted, it adjusted the boundary lines and there is parent ID Parcel number that can be traced back to the .09 acres.

Jennifer Stuart commented that she owned the Smith home and sold it and that the deed lists the parcel numbers and the measurements of the parcels. Since the issues have arisen, a fence has been built on land that does not belong to the Stuarts.

Seth Tate commented as a representative for the Smith's and explained how this is a boundary dispute and not a plat amendment.

Bruce Bishoff commented in opposition due to historical documents showing the boundary as different then what is being shown and how this has been approved in the past.

07:00:00

Daug** motioned to close the public hearing for the Stuart Minor Subdivision Amendment No. 1; **Rigby** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

Staff and **Commissioners** discussed the disappearance of the parcel that was brought up and the legal requirements for the planning commission with this issue.

Rigby** motioned to recommend denial for the Stuart Minor Subdivision Amendment No. 1; **Daug** seconded; **Passed 3, 1.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby

Nays: Chris Sands

07:07:00

#5 Sterling Meadows Subdivision

Smith reviewed the staff report for the Sterling Meadows Subdivision.

Tony Nielson commented as the applicant and that they are looking for approval.

Bankhead asked if the applicant had approached Wellsville City.

Mr. Nielson responded yes and it was denied.

Daug asked if that was because of the parcel between this land and Wellsville.

Mr. Nielson responded yes.

Dan Youst commented about this being previously applied for, and against the subdivision stating it violates the county ordinance in 6 different areas, concerns regarding wildlife, sensitive lands, 20 wells and septic systems, and denial of annexation into Wellsville.

Mark Thompson commented against the subdivision due to concerns for the wildlife.

Carolann Glenn commented with concerns for her well, wildlife, how this type of development should require a public water and sewer system, and how their land is in a conservation easement.

Evan Glenn commented against the rezone with concerns regarding water and needing thoughtful planning for development in the county.

Clair Cooper commented with concerns for wildlife, and how snow removal and storm water are going to impact the area, fire protection, roads, and wells and septic tanks.

Daugs asked Mr. Nielson what percentage of the land that is going to be developed is currently irrigated with the existing well.

Mr. Nielson responded he didn't know but 2/3 of the land is probably farmed.

Bankhead asked about the developing with the gas line there.

Mr. Nielson responded that Enbridge has written a letter that as long as it is developed as shown, they have no issues.

Bankhead asked what the reason was for Wellsville City denying access to city sewer and water.

Mr. Nielson responded because the land doesn't actually touch the city boundary.

Staff and **Commissioners** discussed the state law regarding subdivision approval.

Bankhead asked about the roads.

Mr. Nielson commented that he is working with the County on the issues with the road.

Sands asked for the reason for 20 lots over the 27 lots.

Mr. Nielson responded that was the amount that he was told he was allowed.

Commissioners discussed the clustering of the lots and water being left up to the state.

Sands commented that if development poses too many problems, the applicant might be interested in applying for Cache County Open Space funding for an easement.

Daug**s motioned to recommend approval for the Sterling Meadows Subdivision with the 17 conditions and 2 conclusions; **Sands** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

07:37:00

#6 Legacy Ranch Estates Subdivision

Smith reviewed the staff report for the Legacy Ranch Estates Subdivision.

Spencer Butterfield commented that they are building a cow facility and the only way they can afford to do what they want to is to develop some of the land.

Mandy Gockner commented on needing to make sure development follows sound development principles, concerns with the road, wells, high nitrates in the water, and active transportation on the roads.

Brock Bryson commented with concerns on the road.

Sands asked if the road would allow a connection for 6500 to come through.

Mr. Butterfield responded yes.

Gunnell asked about staff's comment on 3200 W being paved and if the applicant knew they would have to bring that up to County standards.

Mr. Butterfield responded his understanding was that 3200 W does meet the requirements and their understanding is they would need to extend the easement.

Gunnell commented on the road being up to standard and that it should be brought up to County standard and currently it is not.

Phillips commented on the condition of 3200 W and the easement being required to tie into the private road for fire and EMS purposes.

Staff and **Commissioners** discussed 3200 W and the canal bridge on 3200

08:00:00

Daug** motioned to extend the meeting for 30 minutes; **Rigby** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

Sands commented that hopefully these 5-10 acre lots will sell but currently there are lot of 5-10 acre lots in the valley that are not selling.

Daug** motioned to recommend approval for the Legacy Ranch Estates Subdivision based on the 16 conditions and 2 conclusions; **Rigby** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

08:02:00

#7 Beaver Creek Loops Conditional Use Permit

Zetterquist reviewed the staff report for the Beaver Creek Loops Conditional Use Permit (CUP).

Staff and **Commissioners** discussed safety on the roads.

Mark Smoot commented on recreation in the area, funding for the project, and parking.

Gunnell asked about parking.

Mr. Smoot responded on the east side 20 cars can park and that he has talked with UDOT.

Daugs asked about the storm water permit.

Mr. Smoot responded back the consultants determined that only 20 feet would be disturbed at a time.

Daugs responded that they are going to need to get a storm water permit.

Staff and **Commissioners** discussed if a storm water permit is needed or not.

Mr. Smoot commented that UDOT is who informed them they would not need a storm water permit.

Sands commented that a storm water permit is a typical requirement for projects like this.

Alison Ward commented on the safety of people crossing the highway and how UDOT is aware of the need for parking lots on both sides of the highway.

Staff and **Commissioners** discussed the project needing a land disturbance permit.

Sands** motioned to approve Beaver Creek Loops Conditional Use Permit with the 11 conditions and 2 conclusions; **Daug**s seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

08:23:00

#8 FL-150 Gas Line Replacement Project Conditional Use Permit

Smith reviewed the staff report for the FL-150 Gas Line Replacement Project Conditional Use Permit.

Rigby** motioned to approve the FL-150 Gas Line Replacement Project Conditional Use Permit with the 6 conditions and 3 conclusions; **Sands** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

08:27:00

Daug**s motioned to extend the meeting until 8:45 pm; **Rigby** seconded; **Passed 4, 0.

Ayes: Nate Daugs, Kurt Bankhead, Val Jay Rigby, Chris Sands

Nays: 0

08:28:00

#9 Discussion: Honey Solar Code Amendment

Smith reviewed the proposed solar code amendment.

Cole Stocker commented on the appearance of the site.

Sands responded it would be a CUP and how those conditions would be decided by the planning commission.

Gunnell asked about glare.

Mr. Stocker responded that there is glare but it is not going to be glare like what people expect from Vegas.

Sands asked about definitions that are not being referred to elsewhere.

Smith explained why the definitions were included.

Sands responded that it won't potentially open a door for something.

Smith responded no, they were trying to make sure that doesn't happen.

Sands asked about the height on structures and if that would be for a building or a panel.

Mr. Stocker responded that wouldn't be in their project.

Staff and **Commissioners** discussed building height and minimum acreage requirement.

Gunnell asked Mr. Stocker if 40 acres would be a viable size.

Mr. Stocker stated that would be a small facility and that a size requirement would be a good thing for the county to include.

Sands asked about megawatt size projects.

Mr. Stocker responded that they are looking at a 150-megawatt project.

Rigby asked about projects in Southern Utah and asked how the minimum of 40 acres wouldn't allow for a similar project.

Smith responded the projects in Southern Utah is a different use type then what is being discussed with this ordinance.

Staff and **Commissioners** discussed the definition and how that affects projects.

Bankhead asked about commercial megawatts.

Mr. Stocker stated he didn't know that off the top of his head.

Gunnell asked about fire review.

Winn responded they did send him some information and Mr. Stocker is going to come meet with them also.

Smith continued reviewing the language of the ordinance.

Stocker commented on wanting more defined language on large generator agreements section of the ordinance.

Smith continued reviewing the language.

Mr. Stocker commented on reclamation and decommission of a facility.

Crane commented on the financial guarantee timeline.

Mr. Stocker commented on the 10-year timeline.

Bankhead asked about the lease time.

Mr. Stocker responded typically 30 years with two 5-year extensions.

Gunnell asked about the terms in the lease.

Mr. Stocker commented development term leases tended to be 7 years and then when construction starts it goes into an extended year lease and then after construction 30 years with two 5-year extensions.

08:45:00

Adjourned