



PLANNING COMMISSION MINUTES

04 SEPTEMBER 2014

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Present: Chris Harrild, Josh Runhaar, Jason Watterson, Phillip Olsen, Chris Sands, Lane Parker, Brady Christensen, Jon White, Tony Baird, Megan Izatt

Start Time: 05:31:00

Sands welcomed and gave opening remarks

05:36:00

Agenda

Adopted with no changes.

Minutes

Adopted with no changes.

05:36:000

Regular Action Items

#1 LCPD Firearms Facility (Chief Gary Jensen)

Harrild reviewed Chief Gary Jensen's request for a conditional use permit to allow a facility for law enforcement firearms training on 242.64 acres of property in the Agricultural (A10) Zone at approximately 2111 North 2400 West, Logan.

Sands I need to disclose that my company has been hired to help with the wetland permitting for this project.

Harrild the site will be gated and only law enforcement personal will be allowed to use the range. There are no set training schedules in place. The use will be dependent on their needs but there will be day and night time trainings and qualifications to meet law enforcement standards. When in use the hours of operation will be 8 am to 10 pm and there will be firearms instructors onsite to help operate the facility. There are wetlands present on the site but the applicant has hired BioWest to help with the permitting for the wetlands. The U.S. Army Corps has indicated that the project may proceed. Access to the site is from 3200 West and the private road 1800 North. Both roadways are adequate. Impact berms and sidewall safety barriers will be in place to help with safety and noise. The berms and safety barriers meet and/or exceed the NRA standards of safety for stopping projectiles. Staff has received public comment from one person. They own a home about 1 mile north and west of this site.

Chief Gary Jensen the NRA has suggested 8 foot high berms but we have decided to go 10 feet. The height of the impact berm for the north end of the range will be 20 feet high and the soil will be consistent with soil that is made to stop the forward momentum of the bullet. The thing to note is that most of our targets are human height, around 6 feet, so we would have to go much higher to go over the 20 feet. The majority of the shooting is small arms but we did suggest a longer section for rifle shooting. We don't do a lot of shotgun shooting except for less lethal which are beanbags and the functional distance of those is less than 100 feet.

Watterson at the current hunter safety facility they have some barriers in the long range shooting is up above, is that part of this plan?

Chief Jensen it is not part of this plan. The hunter safety range is only 100 feet deep and this is 200 feet deep. We didn't feel the need for those based on the nature of the shooters that will be at the range.

Staff and Commission discussed the recreational facility designation. All shooting ranges are defined as recreational facilities.

White why can't you use the hunter education facility?

Chief Jensen the hunter education facility has been built for public use and the Sheriff currently uses it. For that use the entire range has to be shut down and range time is difficult and it actually interferes with the public nature of the range. When we approached them they felt like it would be difficult especially with the Sheriff using it. It also doesn't meet our needs. We also queried the new indoor range at the AI's but unfortunately that is also limited in its use. I might add, in talking with a fellow property owner here, we intend to continue to gate this road. It would not be accessible to anyone other than the agricultural users and police. We currently use our range about 30 days out of the year. This isn't a year round use range but we qualify all of our officers twice a year and we have other departments from the county that utilize our range as well. We are proposing this new facility as we are essentially being evicted from our current location because the city is going to use that property to build the new water treatment plant.

Sands the hours of operation are typically between 8 and 10 pm does that work for you?

Chief Jensen we rarely go beyond 10 pm. We had training yesterday that started at 8 am but we started in our building with some nomenclature training. We shoot once a year with the rifle training and night time qualifications and it is very rare for us to even go to 10 pm. This is a very light use facility.

Steven Spires we own the property right where the sewer treatment is, directly to the east of 2400 West. My concern is property value. I own the property as an investment and have for years. We rent it, we don't farm it. We already have a sewer treatment facility across the street from this and it seems like Logan City is using this area for undesirable uses. I also think you are wrong in regards to your residences. There are homes right down on 2400 and there are four homes up where you come up to the airport road on 2400 west. I don't know why those residences aren't shown. I don't want to see this here due to property values. I don't intend to have it agricultural forever but I don't know when that will change but I don't like this use here.

The Commission discussed long range shooting distances and the concern to some where the baffling is not going to be at the top of the range. There are homes within rifle range of this facility and the baffling would help with errant shots and noise.

Watterson this area was proposed for the treatment facility but it was also proposed as wildlife area, how would this affect the wildlife with the noise?

Chief Jensen if the Commission chose to make that a requirement we would look at that. Once again we felt like the nature of the shooter was different from the public range but if that is what is going to kill the project we would do that.

Watterson anything on the wildlife?

Chief Jensen there are ducks and geese in the area but the 30 days we use this facility, I can't speak professionally on it, but I do think they would settle right back in and enjoy what they do in that area.

Most of the ground surrounding this location is private and all property owners within 300 feet were notified.

Olsen what are the odds of a rifle being fired that would send a bullet over that berm?

Chief Jensen none that I know of, but to promise that it would never happen is a stretch. If a round were to go off course, the baffling would pick that up. Once again I would like to tell you that we are a little bit more in control and careful than that but to say it would never happen isn't practical.

White was the reason for the site location because Logan City has the property?

Chief Jensen we did look at city owned property but there were 2 or 3 pieces that we looked at and this seemed to be the best location. There are not many people out there and we didn't feel like the noise and other things would affect that many.

Parker motioned to approve the LCPD Shooting Range Conditional Use Permit with the stated findings of fact and conditions of approval;

The Commission discussed baffling and possibly requiring baffling as a condition.

Watterson has the city researched the baffling?

Chief Jensen Not necessarily baffling. There are ranges built with it and ranges built without it. There are two ranges I can think of with it ours here, and one in the center of Ogden. Once again I would hate that to stifle the project if you feel like the baffling is something that has to be done then we'll do it. We do want to be good neighbors and have this facility be something that is not a burden. I believe if that is your direction we wouldn't have any problem with that.

Christensen I'm not familiar with the baffles at the Hunter's Ed facility but you said that you are going to put your sidewalls 10 feet and the berm 20 feet, how much additional height would the baffles add?

Parker they aren't a height they are dimensional.

Chief Jensen looking down the range all you would see would be the baffles, not the sky.

Parker the baffles wouldn't need to be the whole length of the range.

Chief Jensen we would have somebody look at it. Action Target is out of the southern end of Utah County and they are a professional range building group and we would have them deal with that.

Sands these baffles would be contained in the range?

Chief Jensen yes. Clearly the rifle bullet is what we would be concerned with escaping. Your small arms bullets have a very short functional range; even if you intended to go over the berm they will only go about 100 yards. That would still fall within the property lines.

Sands I just wanted to confirm that you wouldn't need to expand into the other wetlands areas?

Chief Jensen no, but it is an interesting thought that there are no shooting restrictions out there. There is shooting capabilities out there right now.

Parker amended his original motion to approve the LCPD Shooting Range with the stated findings of fact and the addition of a 5th condition to require baffles on the rifle range; Olsen seconded; Passed 5, 0.

6:09:00

#2 Discussion – Autonomous Solutions, Inc.

Runhaar updated the Commission on Autonomous Solutions, Inc. They have received their storm water permit from the state and have submitted everything to us for that. There are two issues that are ongoing; one, the issue of employee loading in relation to their original permit, and the second, issue is the disturbance of land in relation to their original permit. The original permit says no more than 20% of the land can be developed. All the areas on the map marked in hatched they are building these areas out to re-stabilize and reseed them. Everything in yellow, purple and red is developed and that falls within their 20% of the original permit. They are going to continue working through the employee issue in relation to their permit. Staff discussed with Autonomous the paving of all their tracks. Autonomous indicated that all the marked tracks are needed to continue running their business. Autonomous will seek to get a zoning clearance for the paving of those tracks. It will take a couple of months to work out the issues with the employees, and staff and Autonomous are working together to resolve the rest of the issues. There is potential for a possible rezone but a request has not been submitted. One of the concerns is with storm water and erosion, and erosion controls will need to be put in place if they continue to run tracks and equipment. We need to make sure if something moves it will all be contained on site. The road is one of the bigger issues and that will also bring in the number of employees which will be brought back before the commission hopefully in the next month. The original permit did not deal with the possibility of expansion and simply dealt with what was going on when the permit was issued. The original permit did not have any conditions regarding the road but the county did originally agree to run a grader down there once a year and the Autonomous agreed to handle all other road needs. The road will have to be addressed for this to continue to work.

James Jenkins we have had discussion with the planning department on several things and we realize the road is an issue. Autonomous Solutions, Inc. (ASI) has probably spent \$40,000 on the road and it obviously isn't up to what it needs to be. The immediate concern, prior to this coming to everyone's attention, there had been commitments of the completion of the pavement and we've got a seasonal crunch. We've committed a substantial amount of money to finish that to complete a contract with the customer. The paving issue seems to be independent of the other road and employee issues and we felt that we could go ahead with that. We wanted to advise the commission of where we are and what we are doing and that we are trying to cooperate with the department. We have lots of possible solutions and it is now a matter of choosing one and figuring out how to make it work. I just wanted to point out that my client has been working with your staff to try and fix all the problems. My clients are not sophisticated in land use and naively they understood that if they got a building permit that would satisfy everything and didn't realize all that was going on. They were told by their contractor everything would be okay. I met with my clients and we've been out to the site and worked on the storm water permit and plan, my understanding that that is subject to review every three years and I assure that my clients are concerned about erosion of their property. Most of what you see on this graphic here in the disturbed area it relates to the construction that they undertook before we realized that we had a compliance problem. We anticipate that as soon as the construction is completed we will be reseeding all that area; the yellow hatched area has always been treated as agricultural area. We run robotic agricultural equipment on those areas. We are trying to work cooperatively and are hoping to finish the paving so we can comply with a contract for a client and at the same time meeting with staff to finish working out the problems with your staff.

The permitting for the paving will be handled administratively with staff. Many of the commissioners were concerned with the road.

6:28:00

#3 Discussion – Title 17.07.030 – Kennels

Harrild reviewed the information for a kennel ordinance that staff has been working on. The proposed language identifies the following:

- 4820 KENNEL:** Any establishment at which four (4) or more adult dogs are bred or raised for sale, boarded, or cared for. Additional definitions regarding kennels are as follows:
- a.** A dog is considered an adult when it is six (6) months of age or older.
 - b.** Up to four (4) adult dogs may be allowed per acre, but a kennel shall consist of no more than 12 adult dogs.
 - c.** Kennels consisting of 13 or more adult dogs shall be considered equivalent to the use type “6150 Animal Shelter” as indicated by this title, and must seek approval under those requirements.

Runhaar commented that the animal shelter definition would need to be re-written to work with the kennel section. Most of the current facilities in the valley would be fine with the 12 adult dog cap. The county has never received complaints regarding grooming facilities; the complaints are always regarding boarding. The county has never received a complaint regarding the Humane Society because they are located in the appropriate area; they are in a commercial zone right off the highway. In the recent past the commission has approved up to 15 dogs for one facility, but that was a grooming facility not a boarding facility. In the Ag Zone a business that makes more than \$600 is required to have a business license and would have to have a home connected to it.

#4 Discussion – Title 17.06 – Uses

This discussion was moved to October’s meeting.

#5 Discussion – Title 17.13 – Mineral Extraction and Excavation

This section will come back to the Planning Commission at some point in the future after it has been cleaned up.

6:50:00

Staff Report

The resort recreation code needs to be re-written because it doesn’t work the way it is written currently. The road standards section also needs to be cleaned up and gone through. The county is now also going through the requirements for storm water permitting and staff will work on putting something together on how the new requirements will affect development. Storm water permitting hits the county particularly hard because the county is now responsible for making sure the process is done correctly or the county will be heavily fined by the state and the EPA.

6:55:00

Adjourned