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Present: Angie Zetterquist, Josh Runhaar, Lane Parker, Brady Christensen, Nolan Gunnell, Phil Olsen, Jon White, Aaron Jossie, Megan Izatt

Start Time: 05:32:00

Christensen welcomed **Olsen** gave opening remarks.

05:35:00

Agenda

Approved with no changes.

05:36:00

Minutes

Parker motioned to accept the minutes from June 6, 2019; *Gunnell* seconded; **Passed 4, 0.**

05:37:00

Consent Items

#1 Petersboro Schoolhouse Subdivision

#2 R.C. Ladle Subdivision

#3 2600 North Subdivision

#4 View of the Valley Subdivision – Extension Request

#5 80 Acres Conditional Use Permit – Extension Request

Gunnell motioned to accept the consent agenda; *Olsen* seconded; **Passed 4, 0.**

Public questions regarding roads were answered by Commission and Staff.

05:44:00

Regular Action Items

#6 Purser Warehousing LLC Conditional Use Permit

Zetterquist reviewed the staff report for the Purser Warehousing, LLC Conditional Use Permit.

Staff and **Commission** discussed coordination with the canal company, responsibility for storm water, and screening,

David Hirschi commented on condition #4 regarding setbacks.

Christensen responded regarding setbacks.

Mr. Hirschi asked another question regarding setbacks for commercial/industrial zoning.

Zetterquist stated that the Code allows for a reduced setback of 15 feet in the Commercial Zone for interior property lines adjacent to properties that are commercial/industrial. Condition #4 will be revised to clarify that exception.

Mr. Hirschi commented in regards to the proposed trail and that his client has already deeded land for the trail.

Gunnell asked about screening along the trail that is planned adjacent to the outdoor storage areas.

Mr. Hirschi stated he will work with staff on appropriate screening.

Richard Zollinger commented in regards to the land and surveying.

Mr. Hirschi stated that the property will be resurveyed to make sure the setback requirements are met.

Gunnell** motioned to approve the Purser Warehousing LLC Conditional Use Permit with the findings of fact, stated conditions with changes to conditions #4 and # 8, and conclusions; **Olsen** seconded; **Passed 4, 0.

06:00:00

#7 Kurtis E. Falslev Conditional Use Permit

Zetterquist reviewed the staff report for the Kurtis E. Falslev Conditional Use Permit.

Commission and **Staff** discussed access.

Wayman Stodart asked for clarifications on conditions #2 and #4.

Zetterquist responded that condition #4 allows the building to be built before recordation of the permit.

Mr. Stodart responded that he didn't see the need where the permit is coming from a federal regulatory body for condition #4.

Runhaar responded that all is being asked is a copy of the permit.

Mr. Stodart responded his client is concerned that they will have to go through the whole CUP process again after receiving the USDA permit.

Runhaar responded that all that is required is a copy of the permit before recordation can happen.

Kurt Falslev responded he was just concerned that he would have to appear before the commission again.

Runhaar stated that it would come to staff not the commission again.

Mr. Stodart asked about condition #2.

Runhaar responded that a normal CUP requires all the conditions to be met before the CUP can be recorded and staff is trying to work with the applicant to allow them to build the building before the CUP is recorded.

Mr. Stodart asked for clarity regarding condition #11, screening of equipment.

Zetterquist responded that this condition is more for long term storage of equipment outside.

Runhaar responded that a 48-hour time limit can be included in the condition for clarification.

Mr. Stodart asked for clarification of condition #8.

Runhaar responded it is for clarity.

Kurt Falslev stated that the harvested animals will be mainly transferred in a 10 wheeler, not a big semi.

Gunnell asked if it would be slaughter only or if there would be refrigeration.

Mr. Falslev responded that the USDA requires a 24-hour refrigeration period before the animals can be shipped.

*Olsen motioned to approve the Kurtis E. Falslev Conditional Use Permit with the findings of fact, stated conditions with amended condition #11, and conclusions; **Gunnell** seconded; **Passed 4, 0.***

06:19:00

#8 Newton Lateral Piping Project Conditional Use Permit

Zetterquist reviewed the staff report for the Newton Lateral Piping Project Conditional Use Permit.

Staff and **Commission** discussed permitting with UDOT for right of way work.

Steven Wood asked for clarification on condition #10.

Zetterquist responded that the condition is required as necessary.

Mr. Wood asked about the land disturbance permit.

Zetterquist responded that a land disturbance permit is done in conjunction with the zoning clearance.

Runhaar stated that if more than acre is going to be disturbed than a land disturbance permit is required and that the permit is the same as storm water permitting.

Mr. Wood stated that they have talked with the county engineer to do one encroachment permit for various types of road rather than an individual permit for each crossing.

Gunnell asked about the timeline for the project.

Mr. Wood responded that the goal is to start digging in October 2019 and have it done in time for irrigation time in 2020. However, he was concerned that if the project takes longer if the CUP will still be valid if the project is postponed until October 2020.

Zetterquist responded that the permit has to be recorded within 1 year but a 6 month extension can be applied for and the permit can be recorded before construction is completed.

Gunnell asked about weed control.

Mr. Wood responded that 90% of the canal will actually be reclaimed by farmers and planted with crops. Some of the steeper areas will be reseeded in the spring after construction is completed.

Parker asked if the pipeline will follow the current canal.

Mr. Wood responded that the pipeline will follow the current canal for the northern portion. South of Newton the original alignment of the canal will be abandoned; a loop system will be put in to help pressurize the system.

Olsen asked about the total acreage of the project.

Mr. Wood responded 880 acres.

Gunnell** motioned to recommend the Newton Lateral Pipeline Conditional Use Permit with the findings of fact, 14 stated conditions, and conclusions; **Olsen** seconded; **Passed 4, 0.

06:36:00

#9 Public Hearing (6:10 p.m.) – 165 Subdivision Rezone

Zetterquist reviewed the staff report for the 165 Subdivision Rezone.

06:41:00

Gunnell** motioned to open the public hearing for the 165 Subdivision Rezone; **Parker** seconded; **Passed 4, 0.

Clint Hansen representing the applicant commented on the road, water, and cluster development on the lower 14 acres.

Olsen asked about access to the property.

Mr. Hansen responded a private road would be constructed down the middle of the development with a cul-de-sac ending.

Olsen asked about eliminating the existing 3 lots.

Mr. Hansen responded the existing layout for the 3 lots would be altered to allow for the creation of 12 lots.

06:46:00

Gunnell** motioned to close the public hearing for the 165 Subdivision Rezone; **Parker** seconded; **Passed 4, 0.

Commission discussed RU2 zoning.

Gunnell motioned to recommend denial to the County Council for the 165 Subdivision Rezone based on the findings of fact and conclusions; *Gunnell* seconded; **Passed 4, 0.**

06:50:00

#10 Public Hearing (6:20 p.m.) – Hansen RU2 Rezone

Zetterquist reviewed the staff report for the Hansen RU2 Rezone and noted the applicant was not in attendance, but submitted a written statement in support of the rezone that had been emailed to the Commissioners and a hard copy had been distributed prior to the meeting.

06:55:00

Gunnell motioned to open the public hearing for the Hansen RU2 Rezone; *Parker* seconded; **Passed 4, 0.**

Rhett Nielsen asked about the width and maintenance/snow removal for the road and possible annexation into Smithfield City.

Christensen asked about concerns regarding the width.

Mr. Nielsen responded the existing width is 15 feet.

Christensen stated that if approved, the developer would have to meet the county standards; for snow removal the county does its best.

Mr. Nielsen asked about the likelihood of annexation.

Runhaar responded that laws have changed regarding annexation and it is property owner driven.

06:59:00

Gunnell motioned to close the public hearing for the Hansen RU2 Rezone; *Parker* seconded; **Passed 4, 0.**

Commission and **Staff** discussed the development patterns north of Smithfield and roads.

Gunnell motioned to recommend denial to the County Council for the Hansen RU2 Rezone based on the findings of fact and conclusions; *Parker* seconded; **Passed 4, 0.**

07:05:00

Runhaar informed the Commission that an appeal has been filed on the Holyoak Airport CUP and staff was working on processing the appeal with the Board of Adjustments.

07:06:00

Adjourned