



<u>Item</u>	<u>Page</u>
<u>Consent Items</u>	
1. Electronic Board Meeting Policies and Procedures	2
<u>Regular Action Items</u>	
2. Cache County North Facility Conditional Use Permit	2
3. West Canyon Ranch Processing Conditional Use Permit	3
4. Trout of Paradise Conditional Use Permit 3 rd Amendment.....	3
5. Advanced Shoring LLC Conditional Use Permit 1 st Amendment.....	3
6. Public Hearing (6:00 PM) – North Pine Canyon Ranch Rezone	4
7. Public Hearing (6:10 PM) – Pinnacle Estates LLC Rezone	5
8. Jay R’s Auto and Salvage Conditional Use Permit Revocation Review	6

Present (via Zoom meeting): Chris Harrild, Lane Parker, Brady Christensen, Chris Sands, Brandon Spackman, Nolan Gunnell, Jason Watterson, John Luthy, Megan Izatt

Start Time: 05:31:00

Gunnell called the meeting to order and **Christensen** gave the opening remarks.

05:33:00

Agenda

Approved with no changes.

05:34:00

Minutes

Spackman motioned to approve the minutes from March 5, 2020; **Parker** seconded; **Passed 6, 0.**

05:34:00

Items of Special Interest

#1 Electronic Board Meeting Policies and Procedures

Harrild reviewed the electronic board meeting policies and procedures.

Watterson motioned to adopt the electronic board meeting policies and procedures; **Christensen** seconded; **Passed 6, 0.**

05:37:00

Regular Action Items

#2 Cache County North Facility Conditional Use Permit

Harrild reviewed the staff report for the Cache County North Facility Conditional Use Permit.

Commission and **Staff** discussed salt storage, provision of services for sewer, water, and fire requirements, and fuel storage.

Matt Phillips commented on the necessity of the facility, storm water, spills, fuel containment, and salt storage. Each area is inspected weekly with quarterly reports submitted to the state.

Sands motioned to approved the Cache County North Facility Conditional Use Permit based on the findings of fact, 13 conditions, and 2 conclusions; **Watterson** seconded; **Passed 6, 0.**

05:59:00

#3 West Canyon Ranch Processing Conditional Use Permit (CUP)

Harrild informed the Commission that a legal question had arisen regarding the use type requested by the applicant and a continuation would be appropriate.

Luthy stated the Commission will need to make a judgment call on if this applicant is Agritourism or not and his understanding was that the Planning office was going to suggest not granting the request based on some other items or recommend amending the current CUP for the property.

Staff and **Commission** discussed if this should be a new CUP or an amendment to the current CUP for the property and if the application meets the Agritourism requirements. Also discussed was whether the parcel where the structure for a meat processing facility is proposed is an agricultural remainder or not.

Jason Summers commented on why they applied for Agritourism and amending the current CUP. He also explained how the operation works and that it falls under the USDA. The meat being processed primarily will be for clients who come to recreate at the property; which would be about 30-40 animals per year.

Parker asked about the state provision for custom processing of wild game.

Mr. Summers responded HB 412 was just passed by the State regarding this type of practice.

Robert McConnell commented on that this isn't a legal position but an interpretation of the code. He also commented on the agricultural remainder issue and being able to build on the parcel noted.

Christensen motioned to continue the West Canyon Ranch Processing Conditional Use Permit until the June meeting; *Spackman* seconded; **Passed 6, 0.**

06:36:00

#4 Trout of Paradise Conditional Use Permit 3rd Amendment

Harrild reviewed the Trout of Paradise Conditional Use Permit 3rd Amendment.

Watterson motioned to approve the Trout Paradise Conditional Use Permit Amendment based on the findings of fact with the 4 conditions and 2 conclusions; *Christensen* seconded; **Passed 6, 0.**

06:38:00

#5 Advanced Shoring LLC Conditional Use Permit 1st Amendment

Harrild reviewed the staff report for the Advanced Shoring LLC Conditional Use Permit Amendment.

Staff and **Commission** discussed the RV storage and how RVs will impact the traffic study.

Watterson motioned to approve the Advanced Shoring LLC Conditional Use Permit 1st Amendment based on the findings of fact with the 12 conditions and 2 conclusions; *Parker* seconded; **Passed 6, 0.**

06:52:00

#6 Public Hearing (6:00 PM) – North Pine Canyon Ranch Rezone

Harrild reviewed the staff report for the North Pine Canyon Ranch Rezone.

Staff and **Commission** discussed the location and zoning of the property zoning as well as the zoning for the surrounding properties.

07:03:00

Watterson motioned to open the public hearing; *Christensen* seconded; **Passed 6, 0.**

Jarvis Maughan commented on the location of the 42 acres, cattle is run on the property, and any future development would be on the flat portion of the property.

Christensen asked how much of the land is currently zoned A10.

Maughan commented that about 29 acres is zoned A10 currently.

Christensen asked if the intent was to rezone the rest of the land A10.

Mr. Maughan responded yes.

Harrild responded that about 42 acres is zoned FR40 currently and the applicant is requesting to rezone that area to A10.

Gunnell asked if Mr. Maughan was aware of the water issues and source water protection area.

Mr. Maughan commented that he couldn't see on the overlay where any of the land was in Zone 1 or 2.

Harrild shared his screen and pointed out the areas on the map that were in the Zone 1 and 2 areas.

Sands asked if the applicant was aware of the sensitive areas.

Mr. Maughan responded he was.

Mr. Maughan stated that the source water protection area is currently in the tree and steep slopes area and he doesn't see any opportunity to develop a structure on that slope. The intent is to do one single family dwelling and still not affect the density or source water areas.

Gunnell asked if Mr. Maughan had seen the GIS maps.

Mr. Maughan stated he had.

Leslee Wessel commented that she owns part of the property. The parcel that she owns doesn't have enough of an A10 zone to put a structure. She would like to be able to build a single family home on part of the property and understands the different concerns for the sensitive areas and water source areas.

Shorland Juber had concerns about the road, paving the road, and the dust coming off the road currently.

Harrild stated he is unaware of the work happening on that road.

Matt Phillips commented on the road work currently happening.

Mr. Juber commented the dust is terrible and something needs to be done.

Phillips stated he will look into the road maintenance work happening and will reach out to Mr. Juber.

Amy Wells commented on the road.

Laurel Maughan commented in support of the rezone.

Mr. Maughan commented on the road.

Phillips commented that the road is scheduled to be double chip sealed this year.

07:25:00

Watterson motioned to close the public hearing; **Sands** seconded; **Passed 6, 0.**

Staff and **Commission** discussed the rezone and if it fits in with the surrounding area, the possibility of structures being built.

Sands motioned to recommend approval to the County Council for the North Pine Canyon Ranch Rezone based on the findings of fact and conclusions; **Watterson** seconded; **Passed 6, 0.**

07:31:00

#7 Public Hearing (6:10 PM) – Pinnacle Estates LLC Rezone

Harrild reviewed the staff report for the Pinnacle Estates LLC Rezone.

07:41:00

Christensen motioned to open the public hearing; **Parker** seconded; **Passed 6, 0.**

Andrew Lillywhite representing Pinnacle Estates commented on roads, storm water and flooding, culinary water and well permits, and the canal bridge.

Tom Hill representing Sunrise Engineering who has been retained by Pinnacle Estates commented on runoff, containment of storm water, and culinary water.

Watterson motioned to extend the meeting to 8:30; **Parker** seconded; **Passed 6, 0.**

Gayle Buxton commented on roads and traffic.

Sydney Larsen commented on concerns regarding fire protection.

Harrild responded a fire protection assessment has not been completed because there is no subdivision application at this time.

Mr. Larsen commented on concerns about traffic impacts and only having single family homes developed in the area.

Ed Buist representing Mendon City commented on the annexation denial and stated the rezone of this size does not fit the area.

Rust Myers commented on flooding.

Luthy commented that Ron and Gloria Hofler had submitted public comment via email opposing this request.

Mr. Lillywhite commented on flooding and creation of a retention pond, road safety, and county and state standards being met.

08:10:00

Christensen motioned to close the public hearing; Sands seconded; Passed 6, 0.

Luthy commented on Resolution 2015-20 regarding service expansion on roads and 1400 South is not currently serving other homes. There is not an automatic exemption under that the resolution.

Staff and **Commission** discussed if the rezone conflicts with the development standards of adjacent municipalities, roads and service provisions. Previous RU2 rezones have been 8 lots or less and have not had the level of concern this application has from the public.

Christensen motioned to recommend denial to the Cache County Council for the Pinnacle Estates LLC Rezone based on the findings of fact and with the stated 3 conclusions and an additional conclusion to reference to Mendon City's letter; Parker seconded; Passed 6, 0.

08:20:00

#8 Jay R's Auto and Salvage Conditional Use Permit Revocation Review

Harrild reviewed the reasons for a conditional use permit (CUP) revocation. The owner passed away and the property was for sale; the buyer of the property expressed an interest to continue the original use. However, with a review of the permit the CUP was found to be out of compliance. The CUP has expanded beyond the original area permitted, the manufactured home is not on a foundation as required by the permit and several unpermitted buildings have been built. The screening requirement, landscaping requirement, and UDOT requirements of the original CUP have also not been met. Also, an additional access has been created and the CUP is limited to only one access. The revocation is possible because the use has expanded beyond the original CUP and the operation not being in compliance with the original CUP.

The **Commission** discussed revoking the permit or continuing the revocation process for 1 month.

Spackman motioned to extend the meeting for 5 minutes; Parker seconded; Passed 6, 0.

Eric John representing the seller commented in support of not revoking the permit. The buyer would like to build a shop and does more scrapping of snowmobiles. There is no problem in taking care of the

manufactured home or landscaping. He asked about the UDOT requirements and for a reasonable timeframe to fix the issues, and if brought into compliance if the buyer could build a shop.

Harrild responded that he can't answer the questions regarding UDOT.

Mr. John asked if where the new business doesn't bring onsite business would the UDOT requirements still need to be met.

Harrild responded that is a question for UDOT to answer. Compliance with the existing CUP has to be met before revocation is taken off the table. No promises regarding a new use, such as the shop mentioned, can happen until the current CUP is brought into compliance.

Sands commented that coming into compliance would be a good first step for the CUP not to be revoked and that a plan to come into compliance should be presented by the owner at the next meeting.

Christensen motioned to continue the Jay R's Auto and Salvage Conditional Use Permit Revocation Review until June's meeting; *Watterson* seconded; **Passed 6, 0.**

Adjourned