



Planning Commission Minutes

4 August 2022

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Present: Angie Zetterquist, Tim Watkins, Lane Parker, Jason Watterson, Brady Christensen, Chris Sands, Melinda Lee, Nate Daug, Nolan Gunnell, Taylor Sorensen, Matt Phillips, Lauren Ryan

Start Time: 05:32:00

Sands called the meeting to order and **Daug** gave the opening remarks.

05:34:00

Agenda

Approved with no objection.

05:35:00

Minutes

Approved with no objection.

05:35:00

Consent Items

#1 Rocky Mountain Reindeer Farm CUP

Watterson motioned to approve the Rocky Mountain Reindeer Farm Conditional Use Permit 6-month extension; *Lee* seconded; **Passed 6, 0.**

05:37:00

Regular Agenda

#2 Monticello Meadows Subdivision

Zetterquist reviewed the staff report for the Monticello Meadows Subdivision.

Staff and **Commissioners** discussed conditions #5 and #6.

Christensen motioned to approve the Monticello Meadows Subdivision with the 12 conditions and 1 conclusion; *Watterson* seconded; **Passed 6, 0.**

05:41:00

#3 Public Hearing (5:40 PM): Smithfield Country Estates Rezone

Watkins gave an update on subdivisions and the Rural 2 (RU2) Zone in relations to the general plan.

Zetterquist reviewed the staff report for the Smithfield County Estates Rezone.

05:52:00

Lee motioned to open the public hearing for the Smithfield Country Estates Rezone; Daug's seconded; Passed 6, 0.

Marc Ensign commented on wanting 5 lots on the acreage and 3.5 acres of open space, and feels like 5 acre lots provides more housing options and a buffer between higher density housing in Smithfield and the more rural areas of the county, and on the public comments received by staff

Sands asked if a follow up wetlands delineation would be done.

Mr. Ensign responded no because he plans to leave the wetlands alone.

Christensen asked about the land drains.

Mr. Ensign responded that he wasn't familiar with the land drains but he has only seen a hand sketched diagram and he has been told by the surveyor that there are no land drains he needs to deal with.

Commissioners discussed the land drains and hand drawn maps.

Mr. Ensign responded he has talked with the health department and Smithfield City and if other problems arise they could be mitigated.

Mava Pitcher commented as the property owner to the west against the rezone due to water, water drain concerns, road concerns, traffic, winter road concerns, and concerns for agriculture.

Watterson asked about the field drain.

Ms. Pitcher responded that the field drain waters her land and the field drain is very important to her farm.

Chris Easter commented against the rezone on concerns for water and wells, and traffic and road conditions.

Greg Darrough commented for the rezone due to wanting to develop their property in the future.

Julie Nield commented on wanting to preserve open space, being careful with density, and ground water concerns.

Kirk Kimball commented regarding against the rezone wanting to live in a rural area, preserving open space, septic systems.

Madeleyna Kimball commented against the rezone due to wanting the area to remain agriculture and rural.

Robert Gunnell commented against the rezone on difficulties with development, previous development in the area, water drains in the area, concerns with drilling more wells, and aquifer depletion.

Lisa Peterson commented against the rezone wanting the area to remain agricultural, roads, traffic, water and development affecting existing wells.

06:29:00

Parker motioned to close the public hearing; *Lee* seconded; **Passed 6, 0.**

Commissioners discussed the distance from Smithfield and development annexing into cities, consistency with previous RU2 rezone precedents, water and field drains in the area.

Christensen motioned to recommend denial to the County Council for the Smithfield Country Estates Rezone based on the 4 conclusions; *Parker* seconded; **Passed 6, 0.**

06:39:00

#4 Public Hearing (5:55 PM): Campbell Rezone

Zetterquist reviewed the staff report for the Campbell Rezone.

Staff and **Commission** discussed access and roads used by the rezone.

06:46:00

Parker motioned to open the public hearing for the Campbell Rezone; *Daug*s seconded; **Passed 6, 0.**

Donna Campbell commented as the applicant on the reasons for the RU2 request, how it fits with the surrounding area, and water.

06:49:00

Lee motioned to close the public hearing for the Campbell Rezone; *Watterson* seconded; **Passed 6, 0.**

Commissioners discussed septic, location of rezone in relation to Mendon City, and history of the RU2 rezone approvals.

Parker motioned to recommend denial to the County Council for the Campbell Rezone with 3 conclusions; *Watterson* seconded; **Passed 6, 0.**

06:54:00

#5 Providence City Cemetery Expansion Conditional Use Permit

Zetterquist reviewed the staff report for the Providence City Cemetery Expansion Conditional Use Permit (CUP).

Ryan Snow commented as the city manager for Providence City and stated that Providence City feels there should be no conditions since the cemetery has been operating before the County had land use authority.

Christensen asked about the opposition for the conditions.

Mr. Snow stated the property has been continuously used for 150 years and is grandfathered in to the County and Providence City is against the conditions being imposed and doesn't feel they should be required.

Watterson asked what Providence's future plans for the parcels are.

Mr. Snow stated currently there is no plan for any expansion of the cemetery. Condition #2 is a procedural issue that will delay the construction of the needed building by months. This would not be an issue if a farmer was coming in for this type of use and doesn't see what the benefit of this step is.

Zetterquist explained how the County Recorder has been recording parcels like this one.

Sands stated there is no benefit for the commission but they are required to make sure the rules are followed.

Mr. Snow commented that he had contacted the County Recorder's office about the process.

Christensen asked why the cemetery isn't annexed into Providence.

Mr. Snow stated because the cemetery is not contiguous to Providence City and the cemetery is surrounded by River Heights not Providence.

Watterson asked if River Heights is amenable to annexing the small pieces.

Mr. Snow commented those are annexed into River Heights.

Gunnell commented that a road meets the definition of a natural boundary so a new parcel number being issued should be easy.

Mr. Snow responded if it is something that the County absolutely needs, Providence is willing to do it but asks that the requirement be changed to when a certificate of occupancy is issued so the City can build the needed building.

Zetterquist and **Watkins** discussed how the County Recorder's office is handling these types of situations.

Zetterquist explained the legal description that is needed.

Mr. Snow commented that a survey would be needed for the legal description and a surveyor is several months out.

Staff and **Commissioners** discussed possibly changing the CUP to allow the change at issuance of a certificate of occupancy and the precedent it can set, and the recorder's office assigning new parcel numbers.

Daug motioned to recommend approval for the Providence City Cemetery Expansion Conditional Use Permit with the 3 conditions and 3 conclusions; **Watterson** seconded; **Passed 6, 0.**

07:24:00

5 minute recess

07:32:00

#6 Hobbled Dog Cidery Conditional Use Permit

Zetterquist reviewed the staff report for the Hobbled Dog Cidery Conditional Use Permit (CUP).

Staff and **Commissioners** discussed the road.

Ben Kuethe is the applicant and stated they currently have about 500 heirloom apple trees and a deposit down for more. Making wine and hard cider started as a hobby but has grown into a desire to expand into a small business to provide alcoholic and nonalcoholic cider for the area.

Sands asked if they had seen the conditions.

Mr. Kuethe responded yes.

Lee asked about the hours of operations.

Ms. Kuethe commented that the hours would probably be less to begin with but if there is demand the hours of operation would probably increase.

Steve Martin commented as a representative for the applicant on the water rights and use for the cidery, tasting room hours and operating hours, road classification and conditions, and employees residing on site.

Daugs asked about the change of application for the water.

Mr. Kuethe responded that 7 shares are pressurized irrigation and there is a drip system for that and 3 shares are attached to the house but 1 share will be transferred to a commercial use for the business.

Daug**s motioned to approve the Hobbled Dog Cidery Conditional Use permit with the 17 conditions and 3 conclusions and the editorial changes to the intersection and the employees living on site; **Parker** seconded; **Passed 6, 0.

07:59:00

Lee** motioned to extend the meeting to 9 o'clock pm; **Parker** seconded; **Passed 6, 0.

#7 Public Hearing (6:30 PM): Cache County General Plan

Lauren Ryan reviewed the staff report for the Cache County General Plan.

Staff and **Commissioners** discussed the law enforcement section, annexation areas, and making sure the plan is a statement of fact and not will statements.

08:18:00

Watterson left.

Watkins reviewed the Cache Countywide Urban and Rural Area Assessment.

Staff and **Commissioners** discussed how precedence is set.

08:39:00

Daug motioned to open the public hearing; *Lee* seconded; **Passed 5, 0.**

Allen Lower commented on the general plan and how other Cities's master plans affect what the County does and how the information needs to be shared and notification.

Sands stated that the County is striving to do a better job in most areas with the changes to the general plan.

Staff and **Commissioners** discussed development of property in the unincorporated area that is already is serviceable and property that is going to need to extend services.

08:56:00

Daug motioned to close the public hearing; *Parker* seconded; **Passed 5, 0.**

09:00:00

Lee motioned to extend the meeting until 9:30 pm; *Daug* seconded; **Passed 5, 0.**

Parker motioned to recommend approval to the County Council for the Cache County General Plan and the Regional Collaboration Plan with any edits for clarity and correctness as needed; *Lee* seconded; **Passed 5, 0.**

09:03:00

#8 Public Hearing (7:00 PM)

Watkins reviewed the staff report for amending 17.07.030: Use Related Definitions – 4100 Recreational Facility and other potential new or existing Use Related Definitions; 17.07.010: General Definitions – Campground, and other potential or new or existing General Definitions; 17.09.030 Schedule of Zoning Uses by Zoning District – 4100 Recreational Facility; and other potential Sections of Title 17 – Zoning Regulations, to consider appropriate application of recreational facility uses in the zoning districts of Cache County.

Staff and **Commissioners** discussed having campgrounds be conditional in the commercial zone, and making sure this change is not a knee jerk reaction to public clamor regarding one previous application.

09:19:00

Christensen motioned to open the public hearing; *Parker* seconded; **Passed 5, 0.**

09:20:00

Christensen motioned to close the public hearing; *Lee* seconded; **Passed 5, 0.**

*Daug*s motioned to recommend approval for the amendments to 17.07.030: Use Related Definitions – 4100 Recreational Facility and other potential new or existing Use Related Definitions; 17.07.010 General Definitions – Campground, and other potential or new or existing General Definitions; 17.09.030 Schedule of Zoning Uses by Zoning District – 4100 Recreational Facility; and other potential Sections of Title 17 – Zoning Regulations and the change to make campgrounds a conditional use in the Commercial Zone; *Lee* seconded; **Passed 5, 0.**

09:23:00

#9 Discussion: Cherry Peak Ski Area CUP 4th Amendment

Zetterquist stated Cherry Peak is working on the information for the CUP 4th amendment but did hold a concert with a special event permit. The item should come back before the Commission at a later date.

09:26:00

#10 Discussion: Flood Plain Setback

Will be discussed at a later meeting.

#11 Review and amendment of Title 17.07.030 Use Related Definitions and Title 17.07.040 General Definitions including but not limited to use and definitions related to the following uses: 6400 – Mineral Extraction, 6410 – Topsoil Extract, 6420 – Site Grading

Watkins reviewed 17.07.030: Use Related Definitions for site grading.

Staff and **Commissioners** discussed public vs private use of the land and site grading that is done not for building.

09:31:00

Adjourned