



Planning Commission Minutes

2 February 2023

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Present: Angie Zetterquist, Tim Watkins, Jason Watterson, Brady Christensen, Nate Daug, Lane Parker, Brandon Spackman, Chris Sands, Taylor Sorensen, Matt Phillips, Dirk Anderson, Megan Izatt

Start Time: 05:30:00

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

05:30:00

Agenda and Minutes

Spackman motioned to approve the agenda with no changes and the minutes from January 3, 2023; *Watterson* seconded; **Passed 5, 0.**

05:33:00

Consent Items

#1 South Spring Ranch Subdivision 2nd Amendment

#2 Rocky Estate Subdivision

#3 Stratford Ranch Subdivision

Watterson motioned to approve the consent agenda; *Spackman* seconded; **Passed 5, 0**

05:33:00

Christensen arrived.

Regular Action Items

#4 Pepperidge Farm Plant Expansion Conditional Use Permit Amendment

Zetterquist reviewed the Pepperidge Farm Plant Expansion Conditional Use Permit (CUP) Amendment.

Terre Wierenega commented as a member of Richmond City council member that they had not received the notification but had concerns with sewer and parking and if those can be resolved had no issues with the expansion.

Staff and **Commissioners** discussed if the railroad would be impacted.

Sands motioned to approve the Pepperidge Farm Plant Expansion Conditional Use Permit Amendment with the 15 conditions and 3 conclusions; **Parker** seconded; **Passed 6, 0.**

05:44:00

#5 Public Hearing (5:45 PM): Allen Property Rezone

Zetterquist reviewed the staff report for the Allen Property Rezone.

05:49:00

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

No Public Comment

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

Commissioners expressed a concern on water.

Kyle Mullin commented representing the buyer who is committed to buying the property depending on water and other contingencies of development, and the proposed use is to put in a flourmill for Pepperidge Farm.

Christensen motioned to recommend to the County Council approval for the Allen Property Rezone with the 1 conclusion; *Parker* seconded; **Passed 6, 0.**

05:53:00

#6 Public Hearing (5:55 PM): Geneva Rock Rezone

Zetterquist reviewed the staff report for the Geneva Rock Rezone.

Staff and **Commissioners** discussed the elevation.

06:02:00

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

Clair Christianson asked about the address and noticing.

Zetterquist commented that notification is passed off the parcels for the application and the property owners within 300 feet of those parcels.

Mr. Christianson expressed concerns about the need for another gravel pit because there are several already, what a gravel pit does to property values, concerns with the safety of the road and access point due to the rise of the road, and dust and noise.

Bill King representing Geneva Rock commented on the increasing need for aggregate, willingness to work with the different permitting agencies to follow all state laws and regulations, reclamation.

Sands asked if Geneva has other pits located in Cache Valley.

Mr. King responded that there is a pit in Cove.

Daugs asked about the life of the pit.

Mr. King responded that those studies are still being done so the life span isn't known at this point.

Jared Ashby commented that he lives just north of Parson's pit and commented with concerns of noise, dust mitigation, night time lighting, and the safety of the road.

Joe Larsen commented with concerns regarding noise from the current rock crusher at Parson's, dust problems, the safety of the road, and wanting the area to remain country living.

Watterson asked if Mr. Larson's property was next to the applicant's property.

Mr. Larsen commented yes to the east side.

Mr. King commented that the hours of operation would be Monday-Friday from 6 am to 6 pm.

Christensen asked about noise from the pit.

Mr. King responded about using natural barriers and creating barriers by moving earth, and that there will be no night time lights.

Watkins responded that the Code currently states hours of operation maybe 6 am to 8 pm and that crushers can operate from 7 am to 5 pm.

Mr. King responded they would operate within those hours.

6:20:00

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

Staff and **Commissioners** discussed how one access is a County Road and those impacts could be studied and conditioned for that access, concerns with location of the mineral extraction overlay zones regarding the visual impacts, how many pits in the valley operate under a conditional use permit, and the location applied for being a good option.

Parker** motioned to recommend approval to the County Council for the Geneva Rock Rezone with the 5 findings of facts; **Christensen** seconded; **Passed 4, 2 (Watterson, Sands voted nay).

06:30:00

#7 Discussion: Ordinance Change – Use Type 1120: Accessory Apartment

Watkins presented on accessory dwelling units. There have been 3 permits issued for accessory dwelling units in the last 2 years. Will Atkins, with the water rights office, was contacted and provided feedback that the division of water does not get into the details.

Staff and **Commissioners** discussed that the current state engineer said the accessory apartment would require an additional water right.

Richard Worley commented on behalf of the Bear River Health Department and how a large unit/accessory unit might conflict with where the septic system would be located. Limiting the size to two bedrooms shouldn't create too big of an issue. If they get much bigger there could be some issues with

the minimum lot size. The configurations of septic systems are based on number of bedrooms and 150 gallons per bedroom per day.

Anderson asked about connecting units to existing septic systems.

Mr. Worley commented that attaching to existing systems is possible but there are times when two systems are warranted.

Watterson asked about sizing of tanks.

Mr. Worley commented tank sized is based on flow per day and most homes use a 1500 gallon tank.

Christensen asked if the impact is based on the tank size.

Mr. Worley commented the tank size and drain field are both impacted depending on the size of home/number of bedrooms.

Watkins reviewed the draft language for the ordinance.

Staff and **Commissioners** discussed short term rentals and consistency of the code.

Watkins reviewed the draft language for primary residency and mobile units.

Staff and **Commissioners** discussed mobile homes and tiny homes.

Watkins continued reviewing the language for selling the units, and types and size of accessory dwelling units.

Staff and **Commissioners** discussed the 1200 square feet restriction, the bedroom restriction, and height restrictions.

Watkins reviewed the language for access to the accessory dwelling unit.

Staff and **Commissioners** discussed access.

Staff and **Commissioners** discussed converting/building on to an existing home and converting one unit to an accessory dwelling unit.

Phillips commented that some language might want to go into the road manual regarding access, frontage, and other road issues as well.

Staff and **Commissioners** discussed how accessory dwelling units can impact the roads.

07:14:00

Christensen left.

07:17:00

#8 Public Hearing (6:30 PM): Ordinance Change – Chapter 15.28 Flood Damage

Phillips reviewed the needed updates for the flood damage ordinance.

Commissioners and **Staff** discussed how close the draft is to being final, the ability to use data to update and manage the ordinance, defined floodways,

07:25:00

Watterson motioned to open the public hearing; *Sands* seconded; **Passed 5, 0.**

No public comment

Watterson motioned to close the public hearing; *Sands* seconded; **Passed 5, 0.**

Anderson commented on the challenges that Development Services have had over the last 7 months due to the current code and how the new changes will benefit the county.

Staff and **Commissioners** discussed the history of the flood plain development permit for Cache County and what FEMA requires for permitting.

Spackman motioned to recommend approval to the County Council for the Chapter 15.28 Flood Damage Prevention ordinance; *Parker* seconded; **Passed 5, 0.**

07:34:00

#9 Discussion: Ordinance Change – 17.07.040 General Definitions – Developable Acreage & Sensitive Areas Non-Developable

Watkins reviewed the suggested ordinance change for 17.07.040 General Definitions – Developable Acreage & Sensitive Areas Non-Developable.

Staff and **Commissioners** discussed the presented graphics and how height for buildings and slope are measured.

Watkins reviewed the draft language.

Staff and **Commission** discussed roads on 50% slope.

Watkins continued to review draft language.

Staff and **Commission** discussed allowing engineering and pricing help to determine where development can happen.

08:00:00

Watterson motioned to extend the meeting to 8:15 pm; *Spackman* seconded; **Passed 5, 0.**

Devron Andersen commented as a land survey on deducting sensitive areas from developable acreage and setting the code, and expressed wanting the code to detail out buildable/non-buildable area and not

having a small section of non-buildable land kicking people out of the opportunity to build on their land. He also encouraged staff to look into other counties/municipalities codes.

08:05:00

#10 Discussion: Reivew a draft Moderate Income Housing Report to the Utah Housing and Community Development Division of the Workforce Services

Watkins reviewed the moderate income housing report and what staff is looking at presenting for the report.

08:12:00

Adjourned