



**PLANNING COMMISSION MINUTES**

**7 December 2017**

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**Present:** Angie Zetterquist, Josh Runhaar, Chris Harrild, Jason Watterson, Nolan Gunnell, Phil Olsen, Brady Christensen, Chris Sands, Lee Edwards, Jon White

**Start Time: 05:30:00**

**Watterson** welcomed and **Gunnell** gave opening remarks

**05:32:00**

### Agenda

Approved with no changes.

### Minutes

***Gunnell** motioned to approve the minutes from 2 November 2017; **Olsen** seconded; **Passed 5, 0.***

**05:33:00**

### Regular Action Items

#### #1 Public Hearing (5:35 p.m.): Jenkins Storage Parking Rezone

**Zetterquist** reviewed the staff report for the Jenkins Storage Parking Rezone.

**05:39:00**

***Olsen** motioned to open the public hearing for the Jenkins Storage Parking Rezone; **Sands** seconded; **Passed 5, 0.***

**Michael Jenkins** commented regarding the proposed rezone.

**Joel Hoyt** commented that he would like to see the property remain agriculture.

**Christensen** asked Joel Hoyt if he owned the property.

**Mr. Hoyt** responded that he had sold it to the Jenkins.

**05:42:00**

***Sands** motioned to close the public hearing for the Jenkins Storage Parking Rezone; **Gunnell** seconded; **Passed 5, 0.***

**Staff** and **Commission** discussed the location of the rezone and how the surrounding area does not fit with an industrial zone.

***Gunnell** motioned to recommend the denial of the Jenkins Storage Parking Rezone to the County Council with the stated findings of fact and conclusions; **Sands** seconded; **Passed 5, 0.***

**05:45:00**

## **#2 Mt. Naomi Subdivision 1<sup>st</sup> Amendment**

**Zetterquist** reviewed the staff report for the Mt. Naomi Subdivision 1<sup>st</sup> Amendment.

**Staff** and **Commission** discussed access to the property. The proponent will have to come back for a conditional use permit if this amendment is approved and to bring the use back into conformance with the county ordinances and codes.

**Keith Meikle** commented regarding access.

**Gunnell** asked if the lot was being made just for the building.

**Mr. Meikle** responded that a CUP cannot be issued without a parcel number for tax purposes.

**Gunnell** asked about the lot size and septic.

**Mr. Meikle** responded that septic had been approved.

**Brenda Meikle** responded that many tourists who come for their U-pick like to stay over and that was the reason for the building in the first place and they are doing this for the Agri-tourism aspect.

**Staff** and **Commission** discussed the proposed amendment and how approval of this project could set a bad precedent for future projects.

*Olsen motioned to recommend approval to the County Council for the Mt. Naomi Subdivision 1<sup>st</sup> Amendment with the stated findings of facts, conditions, conclusions, and noted changes to condition #3; Gunnell seconded; Passed 4, 1 (Christensen voted nay).*

**06:00:00**

## **#3 Lower Family Foods Conditional Use Permit**

**Zetterquist** reviewed the staff report for the Lower Family Foods Conditional Use Permit.

**Alan Lower** commented regarding the water tank and transmission line. The engineer on the project is recommending covering the whole tank to help with freezing and thawing.

**Scott Archibald** commented regarding the tank and partially burying the tank.

**Watterson** asked about the non-consumptive water definition.

**Mr. Lower** responded that the water is used to temper frozen meat and is not consumed.

**Mr. Archibald** responded that it is not a public water system but an industrial use.

**White** asked if the water would still need to be chlorinated.

**Mr. Lower** responded that he would install equipment to chlorinate the water and that samples are taken monthly to USDA approved labs for inspection.

**Sands** asked when the water transmission line was installed.

**Mr. Lower** responded that it was this summer. Power will be pulled from the existing source.

**Sands** asked about fencing.

**Mr. Lower** responded that the regulations require fencing to protect the water source.

**Mr. Archibald** responded that it may or may not require fencing but it would be a good idea.

**Gunnell** asked about discharge and where it would go.

**Mr. Lower** responded that the discharge will go to the south to the existing canal. The overflow of the well currently goes into the irrigation canal and behind the well head there is a spring and it also goes into the same irrigation canal.

**White** asked how much water that amounted to and where the water went to.

**Mr. Lower** responded that it would go through the water treatment plant. A lot will end up in Terry Spackman's irrigation pond.

*Sands motioned to approve the Lower Family Conditional Use Permit based on the findings of fact, conditions, and conclusions; Christensen seconded; Passed 5, 0.*

**06:13:00**

#### **#4 Zeotech – Little Mountain Mine Conditional Use Permit**

**Zetterquist** reviewed the staff report for the Little Mountain Mine Conditional Use Permit.

**Staff and Commission** discussed condition 4. The applicant needs to update the master plan to be more specific on the area size. Condition #9 regarding dust control was discussed.

**Kris Kvarfordt** commented that the site has had an environmental study and there is a table regarding phasing for this project in the master plan. There were no storm water regulations originally but now there is and that will be updated.

**Sands** asked if the applicant has talked to the Bureau of Reclamation.

**Kvardfordt** responded that they had and the applicant has been in contact with the Bureau since day one.

**Gunnell** asked about the reclamation size.

**Kvardfordt** responded that that table on page 5 doesn't reference cell size but active areas at any one time.

**Gunnell** asked how long 10 acres could take.

**Kvardfordt** responded that the Storm Water Prevention Pollution Plan regulates that and there will be an annual inspection by certified inspectors.

**Sands** responded that that while that is true, it doesn't limit the amount of area exposed at any one time and that falls within the purview of the Planning Commission.

**Gunnell** asked about depth and how it is described in the plan.

**Kvardfordt** responded that that is explained in detail in the master plan.

**Steve Petersen** answered questions regarding extraction and packaging of the material.

**Watterson** asked if Petersen knew the size of trucks that would be used.

**Mr. Petersen** answered that the truck size and trucking company, and extracting contractor has not been decided at this point.

**Sands** asked about refueling.

**Mr. Petersen** responded that he isn't qualified to address that but would be up to the contractor the company chooses for the extraction.

**Kvardfordt** responded that most of the gravel operations in the valley use their own product but the applicant is looking at contracting for that service.

**Runhaar** responded that if refueling were to happen certain requirements would have to be met.

**Sands** asked if the amount of land open at one time could be addressed.

**Mr. Petersen** responded that he didn't have those specifics. The deposit is anywhere from 40 feet to 110 feet thick and is like an alluvial fan like deposit. Operations would start on the north edge and work in.

**Sands** responded in other operations approved it has ranged from 5-10 acres open at one time.

**Gunnell** asked if it would always be a front end loader used to extract or if the extraction method would change.

**Mr. Petersen** responded that the topography will be going down but the footprint is relatively small.

**Sands** responded that if an acreage size requirement was put in the conditions the proponent could come back and ask for a change.

**Kvardfordt** asked if once the operation is going, the CUP is revisited in the future.

**Harrild** responded that the code requires that the CUP be revisited every three years and a notification will be sent out that requires a response.

**Staff** and **Commission** discussed storm water inspection. The State should be checking the log that is kept on site.

**Kvardfordt** responded that the SWPPP has changed quite a bit since the original CUP expired and usually the operator that is contracted with is responsible for those SWPPP requirements and inspections.

**Staff** and **Commission** discussed the number of vehicles.

**Mr. Petersen** responded that the applicant has proposed access into the site from 5800.

**Harrild** proposed changes to conditions 4 & 9, and added a 15<sup>th</sup> condition as noted by the Commission.

**Staff** and **Commission** discussed the size of the open areas, weed control, and dust control.

**Kvardfordt** responded there might be a situation where a few more acres would be needed but for the most part 5-10 open acres is very operationally feasible.

***Gunnell** motioned to approve the Zeotech-Little Mountain Conditional Use Permit based on the findings of fact, conditions, and conclusions with the noted changes to conditions 4 and 9, and the addition of condition 15; **Olsen** seconded; **Passed 5, 0.***

**06:50:00**

**#5 Discussion: Code Amendments**

**Harrild**, **Staff**, and **Commission** reviewed the code amendments.

**07:17:00**

**#6 Elections for Chair and Vice Chair**

***Gunnell** motioned to nominate Brady Christensen for Chair; **Sands** seconded; **Passed 4, 0 (Christensen abstained).***

***Gunnell** motioned to nominate Phil Olsen as Vice Chair; **Sands** seconded; **Passed 5, 0.***

**07:27:00**

**Adjourned.**