



**PLANNING COMMISSION MINUTES**

**06 FEBRUARY 2014**

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**Present:** Stephanie Nelson, Chris Harrild, Josh Runhaar, Brady Christensen, Leslie Larson, Phillip Olsen, Rob Smith, Jon White, Megan Izatt, Denise Ciebien

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

**Larson** welcomed and gave opening remarks

### **Agenda**

Passed with no changes.

### **Minutes**

Passed with no changes.

**05:34:000**

**Larson** welcomed our new commission member Brady Christensen and offered appreciation for Clair Ellis and Chris Allen's service.

### **Regular Action Items**

#### **#1 Elections**

*Smith* nominated Chris Sands for the chairman position; *Olsen* seconded; **Passed 4, 0.**

*Olsen* nominated Rob Smith for the vice-chairman position; *Christensen* seconded; **Passed 4, 0.**

**Runhaar** will continue to act as secretary for the board.

#### **#2 Public Hearing 5:45 - Amendments to Titles 16 and 17**

**Harrild** briefly reviewed the amendments to Titles 16 and 17. Sections 16.02.050 and 16.02.070 are amendments to subdivision amendments and boundary line adjustments to bring the county ordinance into compliance with state code. Section 16.03.030[C][9] amendments replaced "government control monuments" with "Cache County section corners". Section 16.03.030[D-H] amended to move D-H to become C-G and the preferred scale clarified. Section 16.03.040[A] amendment changes clarified the placement of setbacks on final subdivision plats. 16.04, 17.07.040, and 17.10.060 was amended so the term "development agreement" will be replaced with the term "improvement agreement." 17.07.040 was amended to define the term "density". Up until 2001 subdivisions were approved as a conditional use permit.

**5:51:00**

*Smith* motioned to open the public hearing; *Olsen* seconded; **Passed 4, 0.**

**Harrild** Section 16.02.070 Boundary Line Adjustments [C] was changed to read “All properties amended by a boundary line adjustment, including subdivision amendments, are subject to the regulations of the Cache County Code. Where boundaries are adjusted between properties that do not share the same zone, the zoning designation does not adjust with the adjusted property lines. Base and/or overlay zoning districts shall not be amended except through the formal process as identified in this Code and by the State.”

**5:54:00**

*Olsen* motioned to close the public hearing; *Smith* seconded; **Passed 4, 0.**

*Smith* motioned to recommend the Title 16 and 17 amendments to the County Council for approval; *Christensen* seconded; **Passed 4, 0.**

**5:55:00**

### **#3 Bert Reese Rezone**

This item has been moved to March 6, 2014 Planning Commission meeting.

**5:55:00**

### **#4 Road to Paradise (Ann A. Bolinder)**

**Nelson** reviewed Ms. Ann A. Bolinder's request for a conditional use permit (CUP) to expand an existing dog breeding business to include pet grooming services on 5.01 acres of property in the Agricultural (A10) Zone located at 7215 South Highway 165, Hyrum. This would expand the use of the existing business. The previous permit allowed no more than 12 dogs. Ms. Bolinder proposes to increase that number to 15 dogs. UDOT has approved the proposed expansion on the road. Notices were mailed out and no public comment has been received.

**Ann Bolinder** I have lived at that location for just over 10 years and grew up here. My husband is disabled and I would like to find a way for some kind of income at home so that I don't have to leave him.

**Larson** will the increase have significant influence on your income?

**Ms. Bolinder** not really.

**Larson** when you refer to 12 to 15 dogs, does a puppy qualify as a dog unit? I guess I'm wondering if there is a litter of 12 puppies, you are going to go over that allowance of 15. How does that work?

**Runhaar** we are counting licensed adult dogs, over 6 months in age, for those 15 allowed dogs.

**White** I know the neighbors adjacent to this property and they don't have any complaints.

*Olsen* motioned to approve the Road to Paradise conditional use permit with changes to condition #2 wording regarding registered dogs; *Smith* seconded; **Passed 4, 0.**

#### **#5 Discussion - Telecommunication Facility**

**Harrild** staff researched a number of items in considering this ordinance with the focus on meeting the requirements that the planning commission discussed and identified at the previous meeting.

**Staff and commission** discussed the reason for creating a telecommunication facilities ordinance. One of the bigger issues is that there are number of towers that are just on the edge of cities that raise concern regarding setbacks and co-locations. Staff is going to try and get all the current towers into zoning compliance, which should not be too hard to continue to do. This ordinance would allow some review and/or approvals to be issued without having to come before the commission, but would allow for approval by the director. However, major changes, such as adding height, to the tower or new towers will still have to come before the commission for approval. This also allows the county to better address compliance with the FCC action timeline of 90 days.

Staff has also suggested an amendment to 17.10 Development Standards, .050 Supplemental Standards in correlations with 17.20, Telecommunications Facilities. The section title Exceptions to Height Limitations has been deleted.

#### **#6 Discussion - Title 17.18 - Sensitive Areas**

**Staff and commission** discussed Title 17.18 – Sensitive Areas. The ordinance for sensitive areas needs to be specific and yet flexible to make it useable. The focus and reasoning for a sensitive area needs to be based on health, safety, and welfare. The county does not need additional laws for endangered and threatened animals, vegetation, etc. because the Federal and State governments have already regulated those areas. This creates a more formal process and identifies the process for applicants to reference for sensitive areas. The commission asked whether or not canals should be included in the sensitive areas ordinance. Currently canals are not identified as sensitive areas. State law requires that the county notify the canal company when development occurs and it does require that the canal map all canals. Staff will review the ordinance and address canals therein.

**6:36:00**

**Adjourned**