

BEAR RIVER CITY PLANNING COMMISSION MEETING MEETING MINUTES

Tuesday, August 15, 2024

Present:	David Ormond Rasten Yeates Danielle Taylor Sue Rees Shanda Reney Gil Miller	Commission Member Commission Member Commission Member Commission Member Planning Commission Secretary Zoning Administrator
Excused	Travis Hendrickson	Planning Commission Chairman

1. Meeting Called to Order

- Welcome
- Opening Ceremony
- Roll Call

The Planning Commission met at its regularly scheduled meeting at the City Office. Vice Chairman Ormond called the meeting to order at 7:00 pm.

Opening Ceremony was given by Commission Member Yeates

2. Action on minutes- August 15, 2024

Commission Member Rees moved to approve the minutes from August 15, 2024.

Commission member Yeates seconded the motion. Commission Member Yeates, aye; Commission Member Ormond, aye; Commission Member Rees, aye; Commission Member Taylor, aye **Vote was unanimous.**

3. Planning and Zoning Report- Gil Miller

Gil Miller gave the Zoning report-

There are 5 homes under construction within the city, all at different stages.

City Council reviewed the setback and drawing designations from Planning Commission.

Planning Commission will review feedback and send over definite drawings for the setbacks.

4. Public Hearing-Rezone Property at 5410 N 4700 W- Residential to Commercial- Coburns

Vice Chairman Ormond invited Jeff Coburn to come up and talk about the rezone request.

Jeff Coburn expressed that they are asking to rezone to commercial to be able to use the barn as a school facility, as well as being able to rent it out to others to use for receptions, and parties. The property to be rezoned is an acre. They will also apply for a business license for the ability to rent the facility.

Commission Member Rees moved close the public meeting and enter into a public hearing.

Commission member Taylor seconded the motion. Commission Member Yeates, aye; Commission Member Ormond, aye; Commission Member Rees, aye; Commission Member Taylor, aye **Vote was unanimous.**

Shaylee, Bear River City- Does the barn share sewer and water with the house? If it is going to be a different entity doesn't the barn need its own? Concerned about parking....Gil expressed that a parking plan would need to be submitted along with the capacity of the barn, parking needs to consist of 1 spot for 3.5 people.

Jan Holmgren- Bear River City- Read a letter of concern from Cassie Bervan (on file w/minutes). Concerns about lack of parking, lowering of property values. If this is allowed to be commercial what other commercial properties will come? Jan also spoke of concern of the height of the building; it is higher than surrounding houses. There is a micro school operating out of there now. Parking is a concern, play area no fencing or gates for security. Safety issues.

Kyle Kapp answered some concerns about the school- There is a locked door that has to be buzzed to let others in. Adults are always out with the kids while they are playing. A micro school is not a public school and not held to same requirements as a public school.

Sharon Nicholas- Opposed to the rezone, it will bring a decrease in home value and also decreases the sale ability. When the building was built it was promised that it would remain family use only. Since the school has been there, there has been an increase in noise, garbage, traffic. There are safety concerns; unfenced yard with irrigation ditch, the road is also used for the feed lot traffic. This is not to be a financial benefit for one family.

Shalese & Kyle Kapp- Micro School Owners- A Micro School is an alternative to school and is not held to the same regulations as a public school. There are 3 adults outside with kids at all times, a total of 35 students. School is held four days a week for 4 hours a day. Safety is our number one priority. The state approved a bill to allow a micro school in any zone.

State Bill 13- Passed March 20, 2024- requires a county and municipality to consider a home based micro school and micro-education entity as a permitted use in all zoning districts within a county and municipality; see SB 13 for further information.

Shaylee- Bear River City- Has heard good things about the seed school, the commercial aspect of the barn is the concern.

Maddie Jones- Micro School Owner- Talked about operation at the school- Drop off is at 9:50, pick up is at 2:30. Drop off is about 10 minutes a lot of the kids walk or bike to school. There is not a lot of cars there during those times. The building is comfortable for the children. The Coburns are following all regulations.

Travis Coburn- The family does not really want to change to commercial, just trying to follow city requirements to allow for the school. The family needs the space to get together and hold various gatherings.

Devin Coburn- Liked the idea of a fence for more safety. They have been installing security camera around the barn. The family does not want to rezone, just following city requirements.

Kim Saunders- Parent of a student at the Seed School. They did not feel that public school was the right fit, they wanted a different option that kept the small town feel and community appreciation. Does not feel that traffic is a concern, they ride their bikes to and from school, cars are always going slow and watching out for others.

Jenny McClure- Has student at the school and also neighbors the property as well. Feels that the school brings value to the community to have this option.

Planning Commission Secretary read letters submitted from Spencer Holmgren and Charles Holmgren. Letters are on file with the minutes.

Megan Armstrong- Bear River City- The barn was built 15 years ago; let's not vilify the Coburns because plans change. Having the Seed School is a great thing to have in the community.

Commission Member Rees moved close the public hearing and enter into back into a public meeting.

Commission member Yeates seconded the motion. Commission Member Yeates, aye; Commission Member Ormond, aye; Commission Member Rees, aye; Commission Member Taylor, aye **Vote was unanimous.**

5. Action on Public Hearing- Rezone Property at 5410 N 4700 W- Residential to Commercial- Coburns

Commission Member Rees asked if they still need to rezone for the micro school.

The rezone was for the other activities wedding receptions, and ability to rent to others. The family would need to decide if that is something they still want to do. Planning Commission will need to get further clarification regarding SB 13 from the city attorney.

Commission Member Taylor moved to table for further clarification from the city attorney. **Commission member Reed seconded** the motion. Commission Member Yeates, aye; Commission Member Ormond, aye; Commission Member Rees, aye; Commission Member Taylor, aye **Vote was unanimous.**

6. Future Considerations-

7. **Assignments for next meeting-** Gil Miller will reach out to the City Attorney for further clarification regarding SB 13 and micro schools be located in various zones within a county or municipality.

8. **Adjournment**

Commission Member **Rees moved** to adjourn at 8:10 pm. **Commission member Yeates seconded** the motion. Commission member Ormond, aye; Commission member Yeates, aye; Commission Member Taylor, aye; Commission Member Rees, aye; **Vote was unanimous.**

Shanda Renee

Minutes approved: October 24, 2024