

**MINUTES OF THE MEETING OF
THE RUSH VALLEY PLANNING & ZONING COMMISSION
HELD ON JUNE 4, 2025 AT THE RUSH VALLEY TOWN HALL
52 SOUTH PARK STREET, RUSH VALLEY, UTAH
THE MEETING BEGAN AT 7:01 P.M.**

Planning & Zoning Commission members present: David Andersen, Paul Bishop, Scott Hawkins and Kyle Russell.

Appointed officers and employees present: Attorney Rob Clegg, Clerk/Recorder Patty Rowe, Engineer Doug Kinsman, and Mayor Brian Johnson

- 1. Roll call.** David Andersen, Scott Hawkins, Paul Bishop and Kyle Russell. Carl Wall was excused.
- 2. Approval of meeting minutes for 05-07-2025.** Scott Hawkins made a motion to approve the minutes as written for 05-07-2025 and Paul Bishop seconded the motion. All present voted in favor and the motion carried.
- 3. Approval of conditional use permit for Lindsey Hymas at 1616 N. Main Street.**
Lindsey Hymas was present at the meeting and requested approval of a conditional use permit for a small, transportable booth to be set up in her driveway to sell baked goods. A maximum of five vehicles at a time are expected to be parked in her driveway and along the north side of her home. The booth will be set up one or two times a week. Lindsey will be baking the goods in her home, and it was recommended that she get a food handler's permit which she agreed to. She also provided a site plan that met the specifications of the conditional use. If anything changes with the approved conditions, Lindsey will need to come back to the commission to update the permit. Scott Hawkins made a motion to approve the conditional use permit with proper licensing from the health department and Paul Bishop seconded the motion. All present voted in favor and the motion carried.
- 4. Approval of building permit for ag building for Dustin Neil at 576 N. Main Street.**
Dustin Neil was present at the meeting and requested a building permit for an agricultural building. The building will be 24 x 24 and used for animal shelter and feed storage. The building is an iron frame with siding, not a kit and no power or water will be installed. Paul Bishop made a motion to approve the building permit and Kyle Russell seconded the motion. All present voted in favor and the motion carried.
- 5. Discussion on easement options for Beehive Broadband land parcel.** Cameron Francis from Beehive Broadband was present to discuss their land parcel located at 625 W. Shambip Road. The property has been underutilized, and they would like to sell

it, however, there are buildings and equipment on the property that are vital for telecommunications, and they need to maintain ownership. The property is a legal, nonconforming 1.8-acre lot and zoned RR-5 and they are looking for a solution to sell only part of the property. With the current setbacks and existing buildings, no other building such as a home could be placed on the property. This would limit how a potential buyer could use the land.

There was discussion on selling the property with an easement so they could access their equipment, which is a possibility. Attorney Clegg mentioned there is no industrial zoning in Rush Valley so a conditional use permit would be required if any kind of commercial business were to purchase the property. He also stated that approval of a conditional use permit is not guaranteed. Cameron Francis asked if the municipality were to purchase the property, could their portion be annexed and was told this could be considered.

- 6. Public Comments.** Realtor Mike Quarnberg was present with a representative from Beehive Gardens to inquire about the available property at 50 E. Pine Street where the greenhouses are currently located. Beehive Gardens is a licensed, medical cannabis producer in Weber County and would like to operate a cannabis facility on this parcel. There are proximity restrictions, and a conditional use permit would be needed. David Andersen mentioned that someone tried to build a cannabis facility on the property previously and it was determined to be too close to the post office, church and park. The facility will be strictly indoors with nothing visible from the street. Some buildings would need to be erected on the property. The production would be licensed with a high level of security that would be staffed 24/7. There would be fencing installed along the perimeter of the property.

David Andersen mentioned that local law enforcement is at least twenty minutes away, which could be problematic and especially for false alarms. The company would ask for a re-zone to enable them to build a house for staff members to reside on site. It would be difficult to re-zone because the parcel is only 1.5 acres and was established before the code book was created. The only option would be a conditional use permit and whether a home could be built would depend on the setbacks, size, etc. The representative said that he would facilitate a tour of another facility to let the commission experience the odor of the plants. Attorney Clegg asked what financial benefit this would bring to the town and was told the town should receive property taxes from the business but that would be the only financial benefit to the community. Kyle Russell asked what the production size would be in comparison to their facility in Weber County and was told it would be approximately five times more. He also asked about lighting and motion detection and the potential nuisance it would be to neighboring residents. The representative stated they would do everything possible to accommodate this concern.

Attorney Clegg stated that the application for conditional use would need to be done by the owner of the property, University Impact in Provo and would be transferrable with the sale of the property. Beehive Gardens will need to provide a completed application packet to the clerk/ recorder in order to be on an agenda and Attorney Clegg said that because a public hearing will be necessary, the paperwork needs to be provided in a timely manner. They will likely ask to be on the August agenda.

Michael from Beehive Broadband inquired if they could apply for a conditional use permit for the property discussed above and transfer it to the new owner. He was told this is possible.

7. **Adjourn.** Scott Hawkins made a motion to adjourn. Paul Bishop seconded the motion. All present voted in favor and the motion carried. The meeting ended at 8:13 p.m.