

MINUTES
PLANNING COMMISSION WORK MEETING
EPHRAIM CITY HALL
5 SOUTH MAIN, EPHRAIM, UTAH
MARCH 13, 2019
5:30 PM

Board Members Present: Craig Rasmussen, Alma Lund, Jan Jonson, Stephen Cornelsen

Board Members Excused: Darren Glather, Rob Nielson, Dennis Nordfelt, Chair Lisa Murray, Larry Griffeth

Staff Present: Community Development Director/City Engineer Bryan Kimball, City Planner Leah Romero, City Attorney Chase A. Andrizzi

Others Appearing:

CALL TO ORDER

The Ephraim Planning Commission convened on Wednesday, March 13, 2019, in the Ephraim City Hall Board Room. Board Member Craig Rasmussen called the meeting to order at 5:30 p.m.

I. DISCUSSION AGENDA

A. DISCUSSION OF AGENDA ITEMS

CUP Basement Rental:

Michael and Susan Ingram applied for an accessory apartment in the basement of their home. Applicants meet the conditions of approval. Staff recommended approval based on applicants meeting City codes for the proposed use.

CUP Beef Plant:

Attorney Chase Andrizzi

Attorney Chase Andrizzi was invited to review the laws on Conditional Use Permit Applications with the Planning Commission. The Planning Commission was reminded that State Code governs the approval, appeal, and review process for Conditional Use Permits.

Environmental quality and traffic control and safety are standards already set forth in Ephraim City code. They set the framework for the conditions that can be applied to the CUP approval;

any conditions applied should be reasonably connected to the standards set forth in Ephraim City code.

Any potential detrimental effects of the use must be discussed on the record. The public's factual input regarding potential detrimental effects should be considered. Reasonable conditions may be applied, if the conditions applied can be met by the applicant, then the Planning Commission must approve the CUP.

Discussion and Review of Conditional Use Permit Application

There was a letter of complaint received on the proposed CUP. The valid concerns raised by community members need to be addressed.

The amount of water the applicant will use is in question, particularly in the month of August due to low water. City Engineer Bryan Kimball does not feel like it will be a problem after the new well is online. The applicant has stated that should the City require it, he is willing to truck his water in during low water months.

The applicant has provided two options as to how the gray water will be disposed of into the sewer; pre-treat the sewer before it is released into the system or collect it in tankers and distribute it to local farmers as organic fertilizer. There has been no clear answer as to which option the applicant will be going with. Staff would like a definite decision.

The applicant provided staff with a generic list of conditions of approval that the applicant is willing to meet; this shows that the applicant is willing to mitigate potential concerns.

Truck traffic is not a concern, 100 North is built to handle large truck and high-volume traffic.

Concern has been raised regarding the odor that may be produced from the processing plant. Rendering will not be done on sight. All animal by-products will be trucked out on a daily basis. There will be no incinerator, all animals will be held indoors, and applicant is willing to put carbon filters on vents in an effort to control odor.

There may be a conflict between Ephraim City Land Use Code 10-4-7 and 10-5-3: Table B of permitted and conditional uses.

- 10-5-3: Table B permits the use of most business types that can be applied to the applicant's business, showing that the applicants business model would be an intended use in the Industrial Zone.
- 10-4-7 excludes the use of animal by-products plants, fertilizer from animal by-products and offal and animal reduction in the Industrial Zone.

The Planning Commission can either approve the Conditional Use Permit with a checklist given, provided that the applicant meets all conditions on the checklist, or ask for more information on the concerns stated above with another meeting scheduled.

The Planning Commission was reminded that in ECO10-1-3. Declarations, it states that the applicant should be given the most favorable or permissive possible reading of the regulations. If there is conflict in the code, it is wise to err on the side of being in favor of the applicant.

ADJOURNMENT

There being no further business to come before the Planning Commission for consideration, Board Member Alma Lund moved the Planning Commission Work Meeting adjourn at 6:00 p.m. The motion was seconded by Board Member Stephen Cornelsen. The vote was unanimous. The motion carried.

The next regular Planning Commission meeting is scheduled to be held on March 13, 2019, starting at 6:00 p.m. in the Ephraim City Council chambers.

MINUTES APPROVED:

Lisa Murray, Chair

Date

ATTEST:

Leah Romero, City Planner

Date