

**BRIGHAM CITY PLANNING COMMISSION
BRIGHAM CITY FIRE STATION
Tuesday, September 17, 2019 6:00 p.m.**

PRESENT:	Dean Lester	Chair
	Cindy McConkie	Commissioner
	Reed Hancey	Commissioner
	Scott Mildenhall	Commissioner
	Curtis Hoehn	2 nd Alternate
ALSO PRESENT:	Mark Bradley	City Planner
	Tony Ekins	Associate Planner/Code Services Coordinator
	Christina Boss	Administrative Assistant
	William Stevens	Applicant
	Matt Nielson	Applicant
EXCUSED:	Steven Barsuhn	Vice-Chair
	Bill Frye	Commissioner
	Zachary Roberts	1 st Alternate
	Holly Bell	Commissioner

AGENDA

Approval of Minutes

Application #19-089 / Final Plat / 1200 West Road Dedication / Between SR 13 and approximately 700 South / Brigham City Corporation

Application #19-093 / Permitted Use Permit / Cannabis Cultivation (Medicinal) / 1200 West and approximately 100 North / Bill Stevens, True North of Utah

Discussion Item:

Application #19-091 / Sketch Plan / North Forty Phase 7 / 500 W and approximately 1300 North / Matt Nielson, Sierra Homes

REGULAR MEETING

APPROVAL OF MINUTES

Commissioner McConkie made a motion to approve the minutes from the September 3, 2019 meeting. The motion was seconded by Commissioner Hoehn and passed unanimously.

Application #19-089 / Final Plat / 1200 West Road Dedication / Between SR 13 and approximately 700 South / Brigham City Corporation

Mr. Bradley came to the table and displayed the 5-page plat on the screen. He explained that the City acquired additional right of way and 1200 West will be increased to 106 feet. A power corridor and the 10-foot Historic Orchard Pathway

will be on the east side of the road and a 5-foot sidewalk with a 7-foot park strip will be installed on the west side.

Motion: Commissioner Hancey made a motion that the Planning Commission, acting as the recommending body to the City Council, forward Application #19-089 with a recommendation for approval subject to Staff comments and Stipulations and with the Findings of Fact that: 1) The City has acquired the additional right-of-way along the said corridor to achieve the master planned 106 foot wide right-of-way for this area, which roadway is to serve as a minor arterial and collector street; 2) A roadway dedication plat is the proper instrument for recording a dedicated right-of-way for transportation and utilities purposes; 3) A roadway dedication plat cleans up the ownership of properties and the transaction of dedication of land; and 4) Such land use transaction with the noted conditions and stipulations should not under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

The motion was seconded by Commissioner Mildenhall and passed unanimously.

Application #19-093 / Permitted Use Permit / Cannabis Cultivation (Medicinal) / 1200 West and approximately 100 North / Bill Stevens, True North of Utah

Mr. Ekins came to the table and displayed the 30-acre site on the screen. He stated that the site is in the Manufacturing – Distribution (M-D) zone and agriculture is a permitted use. He explained that there is a master planned right of way for a future road on the west end of the property. The Applicant will need to enter into a development agreement with the City regarding the road.

The Applicant submitted an updated site plan that has not yet been reviewed by Staff. The proposed site layout includes an administration building fronting 1200 West with employee parking in the rear of the building and three cultivation greenhouses. The cultivation buildings are 350 feet long by 80.5 feet wide with a height of 32.5 feet at the peak that then recedes to 26.8 feet. Staff is supportive and recommends approval subject to compliance with State law, compliance with Staff comments and recommendations, and City Council approval of the development agreement.

Mr. Stevens was invited to the table. He estimated that he would have 30 to 40 employees upon completion of Phase 1. Upon full build out, he estimated 80 to 100 employees depending on the demand for the product. Commissioner Hancey asked about the impact on water. Mr. Stevens explained that water demand and usage was submitted to the City based on his Arizona plant. He confirmed that the proposed site has a spring that is capable of producing 5.5 million gallons of water per year. Mr. Stevens would have zero run off and would not need that amount of

water. He explained that, in the industry, they could not rely on the spring 100% but need to rely on the culinary water. Their plan is to put in a water treatment system that would allow them to use the spring water.

In reference to the fencing, Mr. Stevens would likely install an 8 to 10 foot fence similar to the black fence at Niagara. He stated that he would beautify the frontage with wrought iron.

Mr. Stevens confirmed that the sun penetrates the greenhouse but they would also have 480 1,000-watt lights in each greenhouse for supplemental lighting.

There would be 60-80 cameras operating 7 days a week 24 hours a day. Camera footage is stored for a minimum of 30 days. At times, operations can run 24 hours a day 7 days a week. At his current location in Arizona, Mr. Stevens has only experienced some internal theft and has never had a break in type of incident.

In his updated site plan, Mr. Stevens proposed an alternative to the master planned road because he wants to avoid starting out with a lien on the property. He would like to work in phases with trigger points. After Phase 1 is completed, at some point down the road, he would take on the lien. He may subdivide the property and improve a four or five-acre site on each side of the road and then attach the lien to the subdivided property.

Mr. Stevens estimated that he would have 10 greenhouses upon completion of the facility and each greenhouse can yield 5,000 pounds of cannabis per year. He would not have signage showing that it is a marijuana facility. The entrances would be secured and there would be no sales on the facility site. Mr. Stevens has a no engagement policy with intruders. In those cases, the policy would be to contact the Police Department.

Mr. Stevens stated that he has no issues with Staff comments and complying with the Stipulations.

Commissioner Lester opened the meeting to public comment.

Leon Jensen came to the table and stated that he owns property to the south of the proposed site. He asked Mr. Stevens what type of fencing would be installed around the perimeter. Mr. Stevens stated that he would put a blinder on black chain link fence to cover the first 10 acres in Phase 1. Mr. Stevens does not want to install a barbed wire fence.

Juliana Larsen approached the table and was concerned with the following items:

- Kids jumping a 6-foot fence to access the property
- The quantity of water and power the Applicant would use
- Signs identifying marijuana facilities

- Tracking and monitoring transportation of the product and pharmacies
- The impact on Forest Street

Motion: Commissioner Hancey made a motion that the Planning Commission, acting as the Land Use Authority, approve Application #19-093 subject to the Applicant working with Staff to resolve Staff Comments and Stipulations and with the Findings of Fact that: 1) Agricultural industry is a permitted use in the M-D Industrial District; 2) Permitted uses are subject to design review, standards and regulations as outlined in City Code and Public Works Standards; and 3) Such use with noted conditions and compliance should not under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.

The motion was seconded by Commissioner Hoehn and passed unanimously.

Discussion Item:

Application #19-091 / Sketch Plan / North Forty Phase 7 / 500 W and approximately 1300 North / Matt Nielson, Sierra Homes

Mr. Nielson joined Mr. Bradley at the table. Mr. Bradley stated that the annexation process is currently moving forward and will be heard by the City Council on October 3rd. The Applicant would develop the two south parcels and the project would be completed in phases. Staff would need to have a discussion on the options for the detention basin. Mr. Bradley stressed the importance of connectivity and stated that the road by the basin needs to stub further to the north. He reminded the Planning Commissioners about the Olson's concern with water rights.

Mr. Nielson stated that he would keep irrigation ditches open, or pipe them depending on the amount of water and the possibility of hazardous conditions.

Commissioner Lester concluded the discussion and advised that the Applicant keep working with Staff on the items discussed.

Mr. Bradley updated the Planning Commissioners on agenda items for the next meeting.

MOTION TO ADJOURN

Motion: A motion was made by Commissioner Mildenhall to adjourn, seconded by Commissioner McConkie and unanimously carried.

The meeting was adjourned at 7:29 pm.

This certifies that the regular meeting minutes of September 17, 2019 are a true and accurate copy as approved by the Planning Commission on October 1, 2019.

Signed: _____

Christina Boss, Administrative Assistant