

**BRIGHAM CITY PLANNING COMMISSION  
BRIGHAM CITY COUNCIL CHAMBERS  
Tuesday, May 7, 2019 6:00 p.m.**

PRESENT:	Dean Lester Stephen Barsuhn Cindy McConkie Bill Frye Reed Hancey Scott Mildenhall Holly Bell	Chair Vice-Chair Commissioner Commissioner Commissioner Commissioner 2 <sup>nd</sup> Alternate
ALSO PRESENT:	Mark Bradley Christina Boss Craig Bruderer Brenda Erickson Rod Fisher Jake Goodliffe Charles Rosier Bruce Parker via Zoom	City Planner Administrative Assistant Rocky Mountain Power Rocky Mountain Power Rocky Mountain Power Staker Parson US Forest Service Brigham City Code Consultant
EXCUSED:	Bonnie Mortensen Zachary Roberts	Commissioner 1 <sup>st</sup> Alternate

**AGENDA**

Approval of Minutes

Application #19-026 / Amend Conditional Use Permit #3021 / Realignment of Existing Rocky Mountain Power 345kV Line - Relocate two pole structures / East of Staker Parson gravel pit on north side of Highway 89/91 /Brenda Erickson, PacifiCorp

Discussion Item:

- A. Consultant Update and General Discussion / Title 14 Business Regulations and Licenses, Title 25 Subdivision, and Title 29 Zoning / Bruce Parker, Planning Consultant

**REGULAR MEETING**

**APPROVAL OF MINUTES**

Commissioner Barsuhn made a motion to approve the minutes from the April 16, 2019 meeting. The motion was seconded by Commissioner Frye and passed unanimously.

**PUBLIC COMMENT** There was no public comment.

**Application #19-026 / Amend Conditional Use Permit #3021 / Realignment of Existing Rocky Mountain Power 345kV Line - Relocate two pole**

**structures / East of Staker Parson gravel pit on north side of Highway 89/91 /Brenda Erickson, PacifiCorp**

Mr. Bradley approached the table and stated that Rocky Mountain Power (RMP) currently has a Conditional Use Permit (CUP) for a power line installation across the east bench of Brigham City. Mr. Bradley displayed the proposed site for the relocation of two pole structures and stated that the site is on US Forest Service property. The relocation will accommodate Staker Parson's mining expansion. RMP will need to address the Forest Service required reclamation of disturbed areas. The expansion will trigger Brigham City pole re-alignment and also the Dominion Energy line relocation which was previously planned to accommodate Dominion's increased pipeline size. Construction access will be through the Staker Parson gravel pit and maintenance access will be on the current service roads. RMP is willing to bond if required; however, the Forest Service is not requiring a bond.

Ms. Erickson and Mr. Bruderer came to the table. They agree with all of the Staff Comments. The new towers will be 300 feet to the east of the current tower location and the road. Pulling and tensioning sites will be excavated and reclaimed when the job is finished.

Jake Goodliffe from Staker Parson addressed questions from the Planning Commissioners. He stated that the pit depth is still undetermined; however, when mining has been exhausted, the pit will be a stable reclaimed slope.

Mr. Bruderer stated that in the 2014 Settlement Agreement with Staker Parson, RMP agreed to relocate poles when Staker Parson's mining resources were expanded. Mr. Fisher detailed the reasons for the future relocation not being part of the CUP.

Mr. Fisher stated that the development plan, including reclamation, went to the Forest Service last week for review. A bond is not required for regulated utilities; however, RMP will agree to post a bond through the construction and reclamation periods, if necessary, once bids are in from contractors.

Charles Rosier came to the podium and explained that the US Forest Service will require mitigation from RMP. RMP is under a 30-year US Forest Service permit for the power line, which covers existing lines and the new line, and they will have to maintain Forest Service landscape requirements. Mr. Rosier stated that the Forest Service does not usually require bonds from larger utilities. Reclamation requirements include the decommissioning of construction roads and any future line inspections will be done on foot or ATV. The Forest Service has an approved seed mix requirement for that area and elevation. Seeding will take place in the Fall and will be monitored for 5 years.

All Commissioners were in support of the removal of the bond requirement.

**Motion:** Commissioner Barsuhn made a motion that the Planning Commission, acting as the Land Use Authority, approve Application #19-026 subject to the removal of Stipulation #3, requirement of a bond, and with the Staff Comments and Stipulations and Findings of Fact that: 1) The property is zoned M-U-160. An “essential service” is a conditional use in the M-U-160 zoning district; 2) The application to relocate two pole structures is an outcome of Staker Parson’s desire to mine additional property and a result of a settlement negotiation between Staker Parson and Rocky Mountain Power; 3) Furthermore the application is a result of the US Forest Service approving a Special-Use Authorization to allow relocation of the two poles on to US Forest Service property; and 4) Per Utah Code, “a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.” Section 10-9a-507(2)(a).

The motion was seconded by Commissioner Frye and passed unanimously.

Discussion Item:

- A. Consultant Update and General Discussion / Title 14 Business Regulations and Licenses, Title 25 Subdivision, and Title 29 Zoning / Bruce Parker, Planning Consultant

At 6:47 Mr. Parker joined the meeting via Zoom. He reviewed the City Code update progress. Following were the subject areas covered:

- Parcel boundary adjustment processes
- City street definition
- Municipal standards
- PC responsibility for subdivision ordinance
- Subdivision improvements prior to approval of plat
- Escrow forms of payment
- Dedication of public streets
- Application and engineering fees
- Approval timeline
- Evolving stormwater requirements
- Subdivision approval requirements
- Landscape requirements in park strip and sidewalks
- Development agreements

In reference to the email suggesting the removal of public comments from the agenda, Commissioner Lester suggested reviewing current Planning Commission Bylaws before taking action. Mr. Bradley will include the Bylaw review discussion on a lighter agenda.

## MOTION TO ADJOURN

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

The meeting was adjourned at 7:49 pm.

*This certifies that the regular meeting minutes of May 7, 2019 are a true and accurate copy as approved by the Planning Commission on May 21, 2019.*

Signed: \_\_\_\_\_

*Christina Boss, Administrative Assistant*