

**MINUTES FROM  
A MEETING OF THE HINES PLANNING COMMISSION  
June 16, 2021**

**Present:**

**Commission Members:**

Nikki Morgan Acting President, Tammie Choate, Mason Watson, Matthew Shepherd and Terri Hellbusch

**City Staff:**

Paula Vollmer, Planning Commission Secretary

**Public Audience:**

Kris Banton, Christina Banton, Suzanne Desllets, Chris Boyce, and Tom Choate

**Acting President Morgan called the meeting to order at 5:30 PM.**

**Acting President Morgan led the Pledge salute.**

**Approval of June 16, 2021, Agenda:**

*Commissioner Shepherd made a motion to approve the June 16, 2021, agenda. Commissioner Choate seconded the motion. All ayes, the motion carried.*

**Approval of May 6, 2021, Minutes:**

*Commissioner Choate made a motion to approve May 6, 2021, meeting minutes. Commissioner Shepherd seconded the motion. All ayes, the motion carried.*

**Approval of June 10, 2021, Minutes:**

*Commissioner Watson made a motion to approve the June 10, 2021, meeting minutes. Commissioner Shepherd seconded the motion. All ayes, the motion carried.*

**Old Business:**

**Continuance on Banton Variance**

Commission discussed shop size. Point was made that all variance requests must be decided upon their own merit as different lots across the City have their own characteristics. *Councilor Watson made a motion to approve the Banton variance as requested. Commissioner Shepherd seconded the motion. 4-ayes, 1-Nay. Motion carried to recommend City Council approve Banton variance as requested.*

**Continuance on Boyce/Lee Conditional Use Permit**

Mr. Boyce was asked for clarification on what the goal is with the donkey and horse. He said that Ms. Desllets acquires them from the BLM as wild animals and then gentles them and then sells them. Mr. Boyce explained that someone needs to live onsite while the animals are being bred

for security reasons. He said he is sure that other businesses in the industrial area have people living onsite. There was discussion that the City has restrictions about keeping livestock within City limits and that the livestock that has been permitted has been on a temporary basis such as 4-H project animals.

Commissioner Hellbusch expressed concern about no sewer hook-up on the property and wanted to know what would be done with animal waste. She was told that they have been making the manure available to gardeners in the area.

Acting President Morgan pulled up her records from the original Conditional Use Permit discussed in the meeting from December 13, 2016. At that time, High Desert Transformations, LLC was permitted to have 2-20'x100' greenhouses for a marijuana grow. The RV was to be permitted as it was supposed to be used as an office and for processing.

At the January 18, 2017 meeting there was continued work on permitting for the marijuana grow.

At the June 22, 2017 meeting, a request was put to the Planning Commission to allow High Desert Transformations, LLC a Conditional Use Permit for "Farm Use" as the County was giving them a hard time.

In July 2017 greenhouses were moved onsite.

At this time there is one greenhouse located onsite.

Acting President Morgan asked about the size of the dog kennel and was told 8'x30' and it is portable.

Mr. Boyce was asked about the planting medium that would be used and he said that all plants would be grown in pots as the soil had been tested previously and shown to have toxins present.

Acting President asked about how many falcons Mr. Boyce is planning on having. He says he has a male and wants to get a female. Ms. Desllets was asked about her plans. She has a hawk but will wait to find out what the Commission decides before moving her bird onsite. She was asked about chickens but said they are not onsite.

Mr. Boyce said the falcons are carnivorous and eat sage rats, pigeons, etc.

The next point discusses having the RV on premises. Commissioner Watson said his biggest concern is the lack of sewer hookup. Mr. Boyce said they would have septic service come out every two weeks. Acting President Morgan expressed concern of someone seeing someone living in an RV and that person thinking they could park their RV where they want. Commissioner Hellbusch commented that she does not want to see someone living out there. Mr. Boyce responded that they are not asking to live out there, but to be allowed out there as needed. Commissioner Hellbusch said that as needed could be 50 days or 365 days. Mr. Boyce said he

does not see any need to be out there when it snows. Acting President Morgan asked what happens if there is a litter of puppies or a clutch of chicks that need to be cared for?

How much land do you need to gentle a horse or donkey? Ms. Desllets said that BLM does not specify pen size. She said she normally does a pen of 16'x16'. She would build a pen for them. Mr. Boyce said they would electrify the fencing of the pen with ribbon type fencing. He also said that there will never be a permanent structure out there.

Mr. Boyce reiterated the desire to use the property in a productive manner.

Commissioner Watson expressed concern about having so much in such a small, confined space. The animals, the greenhouse, the RV, the storage building and room to store hay and other feed.

- Greenhouse is one of the approved uses for a Conditional Use Permit.
- Dog kennel and dog breeding. The dog kennel is one of the approved uses for a Conditional Use Permit.
- Commissioner Watson expressed concern about the donkey & horse, falcon breeding and dog breeding that it is a lot of activity for such a small lot. He confirmed that Mr. Boyce has the donkey and horse on the property currently. Commissioner Watson expressed concern that there is no room for foraging by the horse and donkey and Mr. Boyce responded that they eat hay.
- Acting President Morgan re-read the Findings & Criteria from the Staff Report originally presented at the June 10, 2021 meeting.
- Acting President Morgan expressed concern that what has been requested could evolve into something not approved, such as full-time living quarters for someone. Expressed concern about the pen size for the horse and donkey.

#### **Public Comment:**

Tom Choate – Mr. Choate asked if horses are permitted in the city? Acting President Morgan replied that horses have not been allowed in the city. The only horse that had been allowed had been grandfathered in. Other than that, a horse trainer had been allowed to bring her horse & cart into the city to get the horse used to pulling the cart on City streets. That was for a month or two at the most.

Mr. Choate asked whether the city had a camper removed from out in the industrial area a year or two ago when someone parked out there to live? Acting President Morgan said yes, the individual did not request authorization and had to move out of the industrial area.

Mr. Choate asked for clarification on the “farm use” status as it was originally set for marijuana grown businesses. And then asked if the city would allow someone to keep a sheep or goat out in the industrial area to keep down weeds. Acting President Morgan said that it would require a conditional use permit to allow it as livestock is not to be kept in city limits. Mr. Boyce said that one of the adjacent properties has goats being kept keeping down the weeds. He then clarified that the animals are not there now but were there in past years.

Commissioner Hellbusch said she agrees with Commissioner Watson that there is too much stuff in such a small space.

Mr. Boyce asked if they could table the request for a future meeting to give time for he and Ms. Desllets time to discuss what they need to do. Mr. Boyce were told they could table it until the next meeting. Acting President Morgan asked if they planned to keep the horse and donkey on the property. She stated that at this time the horse and the donkey as well as someone living in the RV has not been approved. She agreed to table the discussion until the July 6<sup>th</sup> meeting, however the horse and donkey need to be removed and no one can live in the RV at this time. Mr. Boyce and Ms. Desllets told the Planning Commission they will get the animals moved and no on will live on site pending approval. This has been tabled until the July 6<sup>th</sup> Planning Commission meeting.

*The next regularly scheduled meeting is scheduled for Tuesday, July 6, 2021, at 5:30pm.*

**Adjournment:**

*There being no further business Acting President Morgan adjourned the meeting at 7:01pm.*

Approved:

Date: July 6, 2021

Jan Hellbusch

7-6-2021