



4:00 p.m.

Action Items

1. **3200 West Subdivision 1st Amendment** – A request to amend the boundaries of a 4-lot subdivision and create an agricultural remainder located at 765-997 South 3200 West, Young Ward. Tax ID: 11-004-0044, -0054, -0023, -0010, -0029.

Adjourn

STAFF REPORT: 3200 WEST SUBDIVISION 1ST AMENDMENT

1 November 2017

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Cheryl Pinder

Parcel ID#: 11-004-0044, -0054, -0023, -0010, -0029

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Director of Development Services

LOCATION

Reviewed by Angie Zetterquist

Project Address:

765-997 South 3200 West

Young Ward

Current Zoning:

Agricultural (A10)

Acres: 57.12

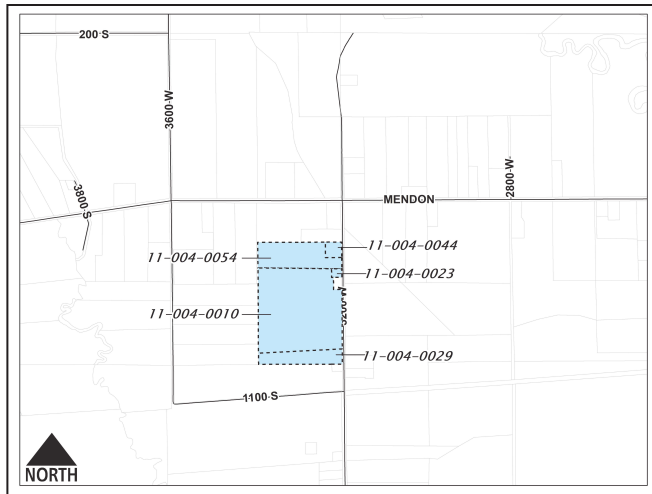
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



FINDINGS OF FACT (28)

A. Request description

1. The 3200 West Subdivision 1st Amendment is a request to amend the boundaries of Lots 1-4 and create an agricultural remainder of a previously approved subdivision. No additional building lots are being created.
 - a. Lot 1 (11-004-0044) will decrease from 1.42 acres to 0.91 acres.
 - b. Lot 2 (11-004-0054) will decrease from 11.26 acres to 0.50 acres.
 - c. Lot 3 (11-004-0023) will remain at 0.5 acres.
 - d. Lot 4 (11-004-0029) will legally increase from 0.5 acres to 6.32 acres.
 - e. The parcel (11-004-0010) that will become the Agricultural Remainder will increase from 37.62 acres to 48.89 acres.
 - f. Parcel 11-004-0031 is not a part of this subdivision.

B. Parcel legality

2. The original divisions of the properties occurred through multiple Conditional Use Permits and boundary line adjustments from parent parcel 11-004-0010.
3. An approved Conditional Use Permit (CUP) in 1977 allowed the construction of a second single-family residence on 11-004-0010 (57 acres) for farm help.
4. In 1991, a CUP was issued to legalize parcel 11-004-0029 as a 0.5 acre parcel from 11-004-0010, which had been previously divided without land use authority as a 0.25 acre parcel. This property was the second single-family residence approved under the 1977 CUP. Parcel 11-004-0029 is now a 6.32 acre parcel; there is no record of a boundary line adjustment or other land use authority approval for the change.
5. In 1992, a CUP was approved for parcel 11-004-0010 (19.63 acres, Lot 56 Richland Acres) to allow the placement of a temporary mobile home for a farm worker. This CUP is recorded against parcel 11-004-0023.
6. In 1994, a CUP was approved for the division of one-acre of land from 11-004-0010 (19.63 acres, Lot 56, Richland Acres) to construct a single family home (11-004-0044).
7. A Boundary Line Adjustment (BLA) was approved in 2010, adjusting the boundaries between 11-004-0044 and 11-004-0054 (Lot 56, Richland Acres). The BLA increased 11-004-0044 from 1.0 acres to 1.416 acres and adjusted 11-004-0054 from 11.13 acres to 11.26 acres, which is the current configuration of these two properties.
8. In 2002, a BLA was recorded against parcels 11-004-0010, 11-004-0023, and 11-004-0031.
9. A Building Permit was issued in 1986 for parcel 11-004-0031 (0.5 acres) for a garage and game room addition, making it a legal parcel.

C. Authority

10. §17.02.060 Establishment of Land Use Authority – The Director of Development Services or designee is authorized to act as the Land Use Authority for subdivision amendments between three or fewer property owners.

D. Culinary water, septic system, and storm water

11. §16.04.080 [A] Water Requirements – Under the proposed amendment, no new lots are being created and the amended lots of the subdivision have existing residential structures located on them with existing water rights assigned: Lot 1 - 25-892, a21250; Lot 2 - 25-7348, a48446; Lot 3 - 25-9633, a69261; and Lot 4 - 25-7948, a53183. Further proof of approved domestic use water rights is not necessary for this action.
12. §16.04.080 [B] Sewage Requirements – Lots 1-4 have existing residential structures located on them; further proof of sewage requirements is not necessary for this action.
13. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #1.*

E. Access

14. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
15. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
16. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. An analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - d. And any additional impacts to the proposed development access roads.

17. The Road Manual specifies the following:
- a. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
 - b. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
 - c. §2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - d. Table A-8 Typical Cross Section Structural Values: The minimum structural composition for gravel roads requires 14" depth of granular borrow, 6" depth of road base, and paved roads required an additional 2.5" depth of asphalt.
 - e. §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
 - f. §1.8 Authority and Design Exception: Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information. *See conclusion #2*
18. A basic review of the access to the existing lots identifies the following:
- a. The existing lots gain access from 3200 West in Young Ward.
 - b. 3200 West:
 - i. Is an existing county facility that provides access to the general public.
 - ii. Currently provides access to multiple dwellings, vacant lots, and agricultural parcels.
 - iii. Consists of an average 24-foot paved width and 4-foot wide gravel shoulders.
 - iv. Has an unknown depth and type of material.
 - v. Is maintained year round. *See conclusion #2*
19. The identified access roads will not be impacted by in an increase in ADT due to this proposal. *See conclusion #2.*

F. Service Provision

20. §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable. Any future development on the property must be reevaluated and may require improvements based on the location of any proposed development. Water supply for fire suppression would be provided by the Logan City Fire Department.
21. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental is currently providing service for the subject properties and no comments on the proposed amendment.
22. §16.04.080 [D] School Bus Service – There are no changes to school bus service based on this proposed amendment.

G. Sensitive Areas

23. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area

- a. The subject subdivision has a canal that runs along the north and east boundaries of the subdivision as well as along the boundary between Lot 4 and the Agricultural Remainder.

H. Public Notice and Comment—§17.02.040 Notice of Meetings

24. Public notice was posted online to the Utah Public Notice Website on 17 October 2017.

25. Notice was published in the Herald Journal on 22 October 2017.

26. Notices were posted in three public places on 17 October 2017.

27. Notices were mailed to all property owners within 300 feet of the subject property on 19 October 2017.

28. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (1)

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

1. A Land Disturbance Permit is required for any future development. (*See D-13*)

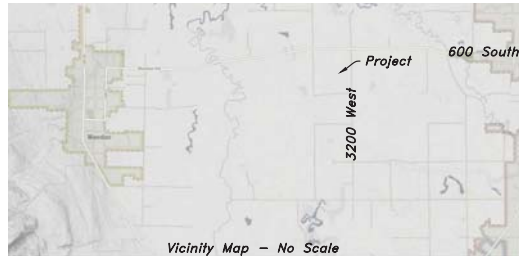
CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, staff recommends approval of the 3200 West Subdivision 1st Amendment as:

1. It has been reviewed by the Director of Development Services in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances, and;
2. Design Exception (*See E-17, E-18, E-19*): A design exception is hereby approved for the substandard areas of 3200 West regarding structural fill and width as:
 - a. 3200 West is a public facility owned and maintained by the county.
 - b. No additional developable lots are being proposed as part of the subdivision amendment.
 - c. The identified access roads will not be impacted by in an increase in Average Daily Traffic due to this proposal.

3200 West Street Subdivision 1st Amendment

(An Amendment of Various Cache County Conditional Use Permits)
A Part of the Southeast Quarter of Section 2, Township 11 North,
Range 1 West, Salt Lake Base & Meridian, Cache County, Utah



LINE TABLE

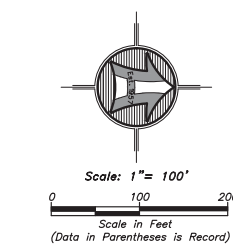
#	BEARING	LENGTH
L1	N 06°34'11" W	12.70'
L2	S 89°49'21" W	75.13'
L3	S 61°53'10" W	73.38'
L4	N 28°06'50" E	73.38'
L5	N 89°49'21" E	75.13'
L6	N 14°10'10" W	70.19'

GENERAL NOTES:

- A. **Culinary Water Note:**
Culinary Water: Cache County has not determined the availability or adequacy of culinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.
- B. **Storm Water Drainage Note:**
Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the effected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office).
- C. **Setback Lines for Primary Buildings are:**
12.00' on Side Yard; 30.00' on Front Yard; 30.00' on Rear Yard
- D. **Agricultural Uses:** Current and future property owners must be aware that they will be subject to the sights, sounds, and smells associated with agricultural activities which are permitted uses in the Agricultural Zone.

Legend

- Subject Property Line
- Amended Lot Line
- Secondary Property Line
- Centerline
- Easement/Right-of-Way Line
- Section Line
- Existing 5.0' Contour
- Existing 1.0' Contour
- Fence Line
- FEMA SFHA
- Water Line Existing
- Sewer Line Existing
- Power Line Existing
- Telephone Line Existing
- Gas Line Existing
- Fiber Optic Line Existing
- Edge of Asphalt Paving
- Existing Curb and Gutter
- Telephone Pedestal
- Fire Hydrant
- Water Meter
- Water Valve
- Sewer Manhole
- Power Pole
- Tree Line Perimeter
- Set 24"x5/8" Rebar with Cap
- Found rebar set by others
- Street Monument
- Section Corner



TRUST ACKNOWLEDGEMENT
State of Utah
County of _____
On this _____ day of _____, 20____,
Curt Pinder and Cheryl Pinder, trustee(s) for the Curt Pinder and Cheryl Pinder Revocable Trust, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Notary Public

ACKNOWLEDGEMENT
State of Utah
County of _____
On this _____ day of _____, 20____,
David E Compton and Valerie C Compton, Husband and Wife as Joint Tenants, Personally Appeared before me, the Undersigned Notary Public in and for said County, in the State of Utah, the Signers of the Attached Owners Dedication, whom duly Acknowledged to me they Signed it Freely and Voluntarily and for the Purpose Therein Mentioned.

Notary Public

TRUST ACKNOWLEDGEMENT
State of Utah
County of _____
On this _____ day of _____, 20____,
Kent W. Souter & Dixene P. Souter, trustee(s) for the Kent Souter Family Trust, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signers of the attached owners dedication, who duly acknowledged to me they signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

Notary Public

DEPUTY COUNTY SURVEYOR APPROVAL
I certify that I have had this plat examined and find that it is correct and in accordance with the information on file in this office; and further, it meets the minimum standards for plats required by county ordinance and state law.

Deputy County Surveyor

CURVE TABLE

Curve	Chord	Radius	Length	LC	LC
C1	4 = 62°03'49"	R = 60.00'	L = 64.99'	LC = 61.86'	S 59°08'45" E
C2	4 = 62°03'49"	R = 40.00'	L = 43.33'	LC = 41.24'	S 30°51'15" W

COUNTY RECORDER
State of Utah
County of Cache
This plat has been duly acknowledged, certified, and approved and may lawfully be recorded in Cache County, Utah.

Filed and Recorded:
Filing No.: _____
Date: _____
Time: _____
Book: _____
Page: _____
Request of: _____

Cache County Recorder

BEAR RIVER HEALTH DEPARTMENT APPROVAL
This subdivision described in this plat has been approved by the Bear River Health Department on the _____ day of _____, 20____.

By: _____
Title: _____

DIRECTOR OF DEVELOPMENT SERVICES
This plat was approved and accepted by the Cache County Director of Development Services this _____ day of _____, 20____.

by: _____
Director

COUNTY ATTORNEY APPROVAL
I certify that I have examined this plat and approve this plat as to form as required by State law and County ordinance.

Cache County Attorney

Cache County Recorder

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.haies.net
Brigham City Ogdenville Logan
(435) 723-3491 (801) 399-4905 (435) 752-8272
Celebrating 60 Years of Business

SURVEYOR'S CERTIFICATE
I, K. Greg Hansen, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 167819, as prescribed under the laws of the State of Utah, I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land hereafter to be known as 3200 West Street Subdivision 1st Amendment and the same had been correctly surveyed and all streets are the dimensions shown.

K. Greg Hansen
P.L.S. No. 167819

Date _____



SUBDIVISION AMENDMENT BOUNDARY
A Part of the Southeast Quarter of Section 2, Township 11 North, Range 1 West, Salt Lake Base & Meridian and a Part of Richland Acres Lots 56, 57, & 58

Beginning at the Northeast Corner of Lot 56 said Richland Acres 669.62 Feet South 00°37'36" East Along the East line of said Quarter and 33.00 Feet South 89°51'19" West of the Northeast Corner of said Southeast Quarter and Running Thence South 00°37'36" East 564.94 Feet Along the West Right-of-Way Line of 3200 West Street; Thence South 89°24'37" West 134.65 Feet; Thence South 00°35'23" East 182.43 Feet; Thence North 89°24'37" East 134.77 Feet to said West Right-of-Way Line; Thence South 00°37'36" East 1193.98 Feet to the Southeast Corner of said Lot 58; Thence South 89°39'05" West 1293.61 Feet to the Southwest Corner of said Lot 58; Thence North 00°36'35" West (North 00°36'35" West by Record) 1945.94 to the Northwest Corner of said Lot 56; Thence North 89°51'19" East 1292.50 Feet to the Point of Beginning. Containing 57.131 Acres.

OWNER'S DEDICATION
Know all men by these presents that we the undersigned owners of the tract of land depicted and described hereon, having caused the same to be subdivided into lots and streets (as pertains), the whole to be hereinafter known as the "3200 West Street Subdivision 1st Amendment". Further we dedicate and/or quit claim as appropriate the portion of property at [11-004-0010, 11-004-0025, 11-004-0054, & 11-004-0044] that lies within 33' of the center line of the existing Roadways, as shown on this plat, to cache county, for the use of the public forever, and hereby grant to the county the right to make any and all improvements for the construction, maintenance, and repair of said roadway. Further we hereby grant an easement to the Logan River and Blacksmith Fork Irrigation Company, as dimensioned hereon, for access, maintenance, repair, upgrades, etc. to their irrigation canal that flows through Amended Parcels 4 & 5. Further we hereby grant an easement through Amended Lot 1 & Amended Lot 2 for Access, maintenance, repairs, upgrades, utilities or for residential purposes to and for the owner's of the Agricultural Remainder. Also, we hereby grant to the owner's within this subdivision an irrigation ditch easement, as depicted hereon, along the approximate North and East sides of the Agricultural Remainder for access, use, maintenance, upgrades, repairs, etc. to the existing distribution ditch thereof. We Hereby set our Signatures

Name	Date	Name	Date
Curt Pinder	_____	Cheryl Pinder	_____
David E Compton	_____	Valerie C Compton	_____
Kent W. Souter	_____	Dixene P. Souter	_____

DEVELOPER
Cheryl Pinder
765 South 3200 West
Young Ward 84321
435-752-5812

RECORD OWNERS
David & Valerie Compton
785 South 3200 West
Young Ward 84321

Curt & Cheryl Pinder
765 South 3200 West
Young Ward 84321

Kent & Dixene Souter,
Trust
997 South 3200 West
Young Ward 84321