

CACHE COUNTY
RESOLUTION NO. 2006-04

A RESOLUTION APPROVING A COOPERATIVE AGREEMENT BETWEEN CACHE COUNTY, UTAH DEPARTMENT OF TRANSPORTATION, LOGAN CITY, NIBLEY CITY, WELLSVILLE CITY AND HYRUM CITY CONCERNING THE SOUTH 89/91 CORRIDOR PRESERVATION.

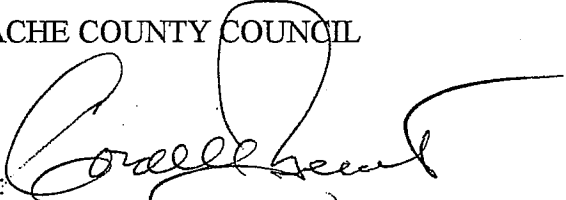
The County Council of Cache County, Utah, in regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to enter into a Cooperative Agreement concerning the South 89/91 Corridor preservation.

NOW, THEREFORE BE IT RESOLVED that the Cache County Executive is hereby authorized to execute the Cooperative Agreement between Cache County, Utah Department of Transportation, Nibley City, Logan City, Wellsville City and Hyrum City as stated in "Exhibit A" attached hereto and made a part hereof.

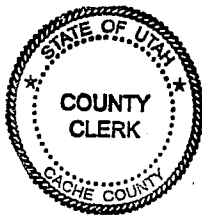
This Resolution shall take effect immediately upon adoption.


DATED this 24th day of January 2006.

CACHE COUNTY COUNCIL

By: 
Cory Yeates, Chairman

ATTEST:




By: Jill N. Zollinger
Cache County Clerk

COOPERATIVE AGREEMENT

This **COOPERATIVE AGREEMENT** made and entered into this _____ day of _____, 2006, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, hereinafter referred to as "UDOT," and the cities of **LOGAN, NIBLEY, WELLSVILLE, HYRUM, and CACHE COUNTY**, hereinafter referred to as the "municipalities."

WITNESSETH:

WHEREAS, based on the findings of the South US-89/91 Transportation Corridor Study, **UDOT and the MUNICIPALITIES** desire to facilitate traffic flow along the US-89/91 Corridor in Cache County, Utah, by identifying and stipulating the locations of existing and future traffic signal installations and access point curb cuts; and

WHEREAS, in order to manage traffic flow and improve safety, other considerations will be necessary within the corridor as described herein; and

WHEREAS, **UDOT and each Municipality** agree to enter into this **COOPERATIVE AGREEMENT** to accomplish this common goal; and

WHEREAS, **UDOT** has determined by formal finding said work on public right-of-way is not in violation of the laws of the State of Utah or any legal contract with the **Municipalities**.

This **COOPERATIVE AGREEMENT** is made to set out the terms and conditions where under said corridor preservation shall be accomplished.

NOW THEREFORE, it is agreed by and between the parties hereto as follows:

1. The Parties hereto agree that the following intersections are identified as locations for existing or future traffic signal installations:

US-89/91 and 1000 West (future),
US-89/91 and 3200 South (future),
US-89/91 and SR-101.

2. The Parties hereto agree that the following intersections are identified for future traffic signals after the signals identified in Part 1. of this agreement are implemented and after faithful pursuit of all other elements identified in this agreement upon mutual agreement between **UDOT** and the appropriate **Municipalities** with full land use approval at the subject intersection;

US-89/91 and Either 2600 South (1600 West) or 2300 South (Single Location),
US-89/91 and Approximately 4300 South where the Caine Dairy Access exists.

3. The Parties hereto agree that traffic signals will only be installed at those intersections within the US-89/91 South Corridor limits that are listed above subject to meeting minimum traffic signal warrants defined by the *Manual of Uniform Traffic Control Devices* and a **UDOT** field review and a traffic signal will not be installed at any intersection not listed above.
4. Other intersections on the US-89/91 Corridor south of 1000 West in Logan and within the Municipal jurisdiction of each **Municipality** will not be considered for future signalization.
5. The **Municipalities** acknowledge that, at **UDOT's** discretion, it may become necessary due to compelling public safety concerns to restrict certain types of movements at any and all

unsignalized intersections or access points within the corridor to right in and right out only or similar restrictions based on an engineering study.

6. Each **Municipality** agrees to master plan and pursue roadway projects to fulfill the Preferred Options and Key Recommendations as outlined in the above mentioned South US-89/91 Transportation Corridor Study, dated December 30, 2005.
7. The **Municipalities** and **UDOT** acknowledge the benefits and limitations of long range planning and agree to review and update the Cache South US-89/91 Transportation Corridor Study and this Cooperative Agreement based on the results of a comprehensive engineering review of zoning, land use planning, traffic safety, traffic operations, environmental issues, and related technical considerations 15 years from the approval of this agreement.
8. Except for the 15 year update, approval of any amendment to this agreement requires two thirds majority approval of all **Municipalities** and **UDOT**. Any signatory to this agreement can request amendment to elements of this agreement at any time based on appropriate engineering studies. Upon two thirds majority approval of a Technical Advisory Committee (TAC) made up of one voting member appointed from each **Municipality** and **UDOT**, any study required to implement the amendment before the 15 year update will be funded 60% by **UDOT** and 8% from each **Municipality** (subject to any budgetary approvals required by each **Municipality**).
9. Each **Municipality** agrees to support Administrative Rule R930-6 and the Cache Access Management Policy, including revisions based on this agreement, with respect to development occurring within the subject corridor, variance requests which are not defined in this study, and related issues beyond the scope of the Cache South US-89/91 Transportation Corridor Study. The **Municipalities** acknowledge a willingness to plan for land use consistent with Rule R930-6, which at present, requires at least 1000 foot access spacing on US 89/91 for much of the subject area.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their duly authorized officers as of the day and year first above written.

ATTEST:

Logan City Corporation,
a Municipal Corporation of the State of Utah

Name Date

Name Date

Title
(Impress Seal)

Title

ATTEST:

Cache County,
a Municipal Corporation of the State of Utah

Name Date

Name Date

Title
(Impress Seal)

Title

ATTEST:

Nibley City,
a Municipal Corporation of the State of Utah

Name Date

Name Date

Title
(Impress Seal)

Title

ATTEST:

Wellsville City,
a Municipal Corporation of the State of Utah

Name Date

Name Date

Title
(Impress Seal)

Title

ATTEST:

Hyrum City,
a Municipal Corporation of the State of Utah

Name Date

Name Date

Title
(Impress Seal)

Title

RECOMMENDED FOR APPROVAL:

**UTAH DEPARTMENT OF
TRANSPORTATION**

Region Traffic and Safety Engineer Date

Region One Director Date

APPROVED AS TO FORM:

Approved:

As evidenced by the signature below, the Attorney
General's Office has reviewed this Agreement
pursuant to Utah Code Annotated, Section 11-13-9,
and authorizes and approves it.

UDOT Comptroller's Office,
Contract Administrator

**UTAH ATTORNEY GENERAL
MARK L. SHURTLEFF**

Date

Jim Beadles,
Assistant Attorney General

Development Services Cache County Corporation

179 North Main, Room 305
Logan, Utah 84321

Memorandum

To: Cache County Council
From: Josh Runhaar, County Planner & Zoning Administrator *JR*
Date: January 13, 2006
Subjects: Robert Brown Lot Split Subdivision
Rasmussen Lot Split Subdivision
Summers Minor Subdivision

ROBERT BROWN LOT SPLIT SUBDIVISION - on 8.92 acres of property in the Agricultural Zone located at 3540 West and 3562 West 600 South, Young Ward.

RASMUSSEN LOT SPLIT SUBDIVISION - on 20.16 acres of property in the Agricultural Zone located at 2525 South 5900 West, south of Mendon.

SUMMERS MINOR SUBDIVISION - 4-lot subdivision on 19.51 acres of property in the Agricultural Zone located at 316 West, 325 West, 345 West, 360 West 9300 South, adjacent to and inside Paradise.

Attached:

Robert Brown Lot Split Subdivision

- Planning Commission Evaluation
- Plat Map
- Proposed Plat

Rasmussen Lot Split Subdivision

- Planning Commission Evaluation
- Plat Map
- Proposed Plat

Summers Minor Subdivision

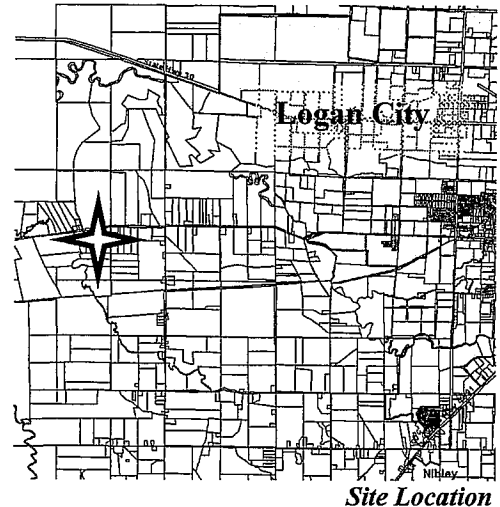
- Planning Commission Evaluation
- Plat Map
- Proposed Plat

Development Services Cache County Corporation

Staff Report for the Planning Commission meeting of January 9, 2006

Subdivision for Robert Brown located at approximately 3540 West 600 South (Logan), TID #11-004-0019 & 0030

<i>Project Name:</i>	Robert Brown Lot Split Subdivision
<i>Agent:</i>	Robert Brown
<i>Project Address:</i>	3540 West 600 South (Logan)
<i>Request:</i>	A Lot Split Subdivision
<i>Current Zoning:</i>	Agriculture (A)
<i>Type of Action:</i>	Quasi-Judicial
<i>Staff Recommendation:</i>	Recommend Approval with Stipulations
<i>Surrounding Uses:</i>	North – Agriculture South – Agriculture East – Agriculture West – Agricultural



PROJECT

The applicant is requesting a lot split subdivision to divide an 8.92 acre lot into two (2) lots of 1.9 and 7.02 acres. This lot split is being requested to legalize lot 1 (1.9 acre) on which a home was built in 1981. County Records show that the building permit was issued based on the fact that this lot was divided in 1976, however this division was never legally completed. Staff has not required an agent letter from the current owner of Lot 2 (Lynn Harris) because of issues that have arisen through the subdivision process. Staff has instead research the property to show that the division did indeed occur in the 1970's, and has not been altered since then, and that Mr. Brown is the legal owner of record of the proposed Lot 1.

Lot 1 has a single domestic water right that is utilized for the home and no water rights are required for lot two. Staff has no concerns with this subdivision as Lot 1 has been separated since 1976, the home has existed since 1981, and the remainder parcel is still 7.02 acres in size.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- The existing septic system is adequate and the 7 acre parcel appears to be suitable for an onsite waste water disposal system.

Cache County School District:

- There is a bus stop at 3540 West 600 South.

Cache County Fire District:

- If any additional buildings are constructed, further clearances may be required.

Cache County Service Area #1

- This location is already in service with no issues.

Cache County Road Department

- 600 South, the road providing access to these lots, has a right-of-way width of 66 feet and a hard surface width of 24 feet. No further dedication or road improvements are required.

PUBLIC COMMENTS

Notices were mailed to 5 property owners located within three hundred feet of the subject property. At the time the staff report was prepared, no written comments had been received by Staff.

STAFF RECOMMENDATIONS

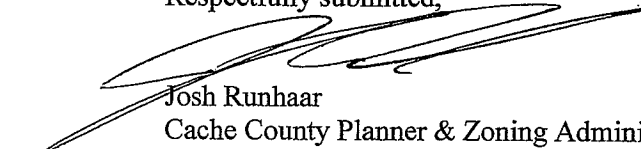
Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Robert Brown Lot Split Subdivision, a two (2) lot subdivision, on property located at approximately 3540 West 600 South, TIN #11-004-0019 &0030.

RECOMMENDED FINDINGS OF FACT

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Robert Brown Lot Split Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Robert Brown Lot Split Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 16 and Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
4. The Robert Brown Lot Split Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 600 South, the road which provides access to the subject property, has adequate capacity, or a suitable level of service, for the proposed use.

Respectfully submitted,



Josh Runhaar
Cache County Planner & Zoning Administrator
Report Published: December 28, 2005

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 prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

SE/4 Section 2 Township 11 North, Range 1 West
 Scale 1" = 200 Feet

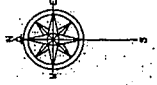
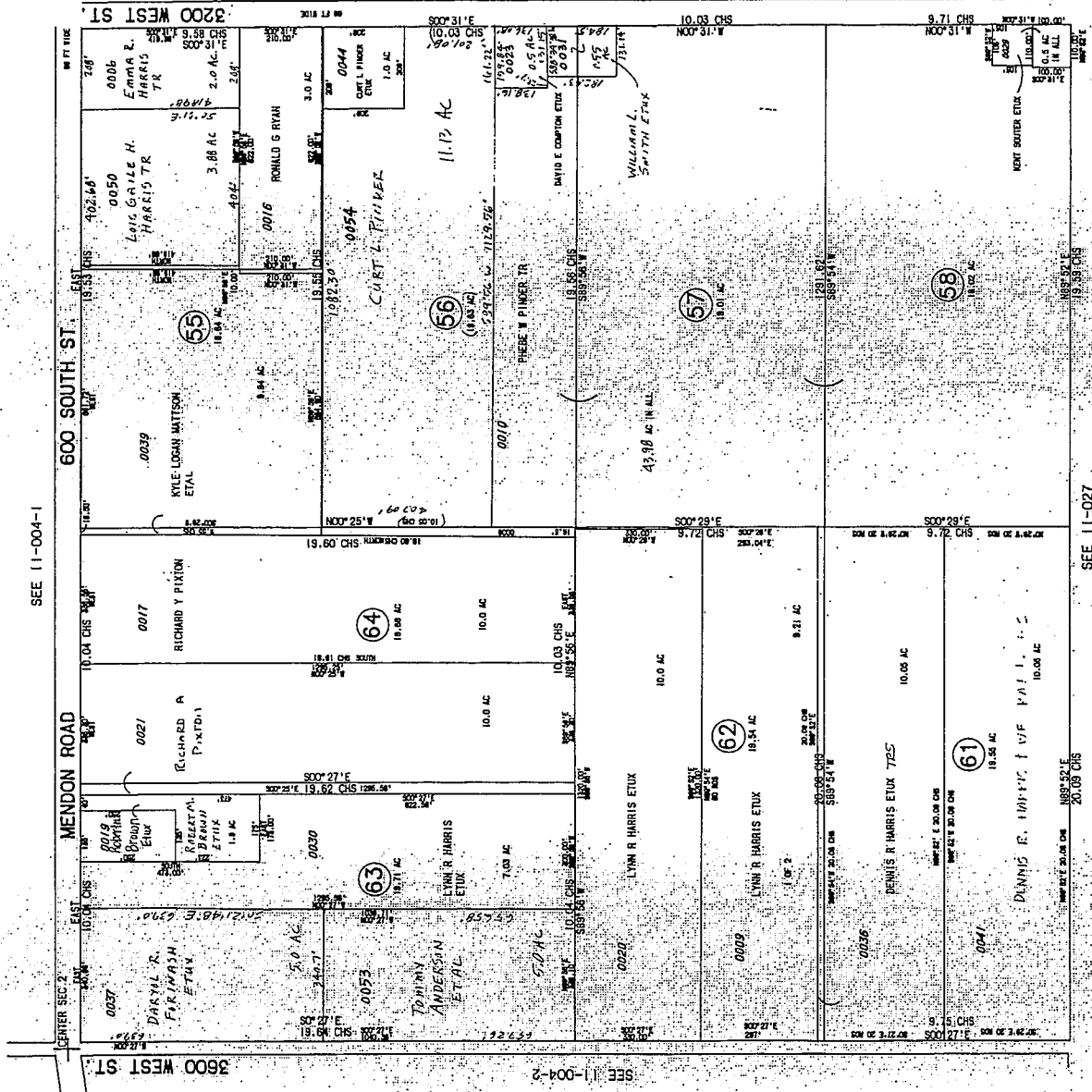
11-004

-3-

TAX UNIT 128

RICHLAND ACRES

SEE 11-004-1



SEE 11-002-1

SEE 11-004-2

SEE 11-027

RESOLUTION NO. 2006- 2

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2006 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2006 budget for Cache County:

see attached

Section 2.

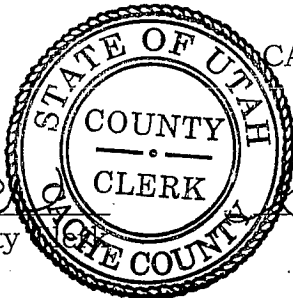
Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

Section 3.

This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

This resolution was duly adopted by the Cache County Council on the 24th day of January, 2006.

ATTESTED TO:



CACHE COUNTY COUNCIL

Jill N. Zollinger
Jill N. Zollinger, Cache County

Cory Yeates
Cory Yeates, Chairman

FUND 10 General Fund REVENUES

budget hearing - 1/24/06 5:45pm

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
10-34-19300	Hyrum City Prosecution	-		(6,000)	(6,000)	Atty Contract prosecution for Hyrum City
10-38-90000	appropriated surplus	-		(188,454)	(188,454)	to pay long term lease and bldg improvements door openers also reappropriate 05 monies for search & rescue & mounted posse
Totals				(194,454)	(194,454)	
Net Adjustment						

FUND 10 General Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
10-4145-113	Atty - Bonus Salary	-	6,000		6,000	Hyrum City Prosecution contract
10-4160-730	Bldg & Grounds - Improvements	-	3,119		3,119	Change on electric door opening project
10-4210-110	Sheriff - salary	1,204,611		(5,000)	1,199,611	reduce salary to offset elevator maint expense
10-4216-140	Spec Detail Search & Rescue - uniform allow	-	2,000		2,000	create new dept for search & rescue
10-4216-250	Spec Detail Search & Rescue - equip supply & n	-	2,149		2,149	create new dept for search & rescue
10-4216-251	Spec Detail Search & Rescue - noncapitalized e	-	5,000		5,000	create new dept for search & rescue
10-4216-480	Spec Detail Search & Rescue - fund raising expi	-	500		500	create new dept for search & rescue
10-4216-740	Spec Detail Mounted Posse - capitalized equip	-	10,343		10,343	create new dept for search & rescue
10-4217-140	Spec Detail Mounted Posse - uniform allowance	-	1,343		1,343	create new dept for mounted posse
10-4217-250	Spec Detail Mounted Posse- equip supply & mai	-	2,000		2,000	create new dept for mounted posse
10-4220-740	Fire - capitalized equipment	-	27,000		27,000	Fire truck cut from 2006 budget-used unexpended 05 fund
10-4230-260	Jail - Building & Grounds	52,000		5,000	57,000	Elevator maintenance
10-4560-290	TV Translator Lease Site	8,500		135,000	143,500	long term lease
10-4610-482	Extension - Spec Grant Expense-Mentoring	-	2,492		2,492	To recognize 2006 Spec Grant Expense
10-4621-210	Rodeo - dues	1,000			1,500	to pay increase in dues for prca
10-4621-250	Rodeo - equipment supplies & maint	4,000			3,500	to pay increase in dues for prca
10-4960-600	Sundry Expense	91,107		(2,492)	88,615	To recognize 2006 Spec Grant Expense
Totals			202,446	(7,992)	194,454	
Net Adjustment						

FUND 15 Assessing & Collecting Fund REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
15-38-90000	Appropriated surplus	-		(1,381)	(1,381)	offset for automatic door openers cost increase
Totals				(1,381)	(1,381)	
Net Adjustment						

FUND 15 Assessing & Collecting Fund EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
15-4160-730	Bldg & Grounds - Improvements	-	1,381	-	1,381	Change on electric door opening project
	Totals	-	1,381	-	1,381	
	Net Adjustment					

FUND 20 MUNICIPAL SERVICES FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
20-38-90000	Appropriated Surplus	-	-	(7,500)	(7,500)	to cover additional furniture needs for Building office
	Net adjustment				(7,500)	

FUND 20 MUNICIPAL SERVICES FUND EXPENSES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
20-4241-250	Building Inspection-equip supplies & maint	5,500	2,000	-	7,500	misc costs of moving offices etc.
20-4241-740	Building Inspection-capitalized equipment	-	5,000	-	5,000	to cover additional furniture needs for Building office
20-4253-251	Animal Control	-	500	-	500	radio not purchased in 2005
	Net adjustment		7,500		7,500	

FUND 27 COUNTY WIDE PLANNING & DEVELOPMENT FUND REVENUES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Decrease DEBIT	Recommended Increase CREDIT	Amended Budget	Reason for Change
27-33-44300	State Grants - US 89/91Corridor study	-	-	(1,293)	(1,293)	UDOT revenue to offset Cache Southern Corridor Project
27-38-92000	Appropriated surplus	(10,999)	-	(4,000)	(14,999)	to cover additional furniture needed for CPDO offices
	Totals			(5,293)		
	Net adjustment				(5,293)	

FUND 27 COUNTY WIDE PLANNING & DEVELOPMENT FUND EXPENDITURES

ACCOUNT	DESCRIPTION	Current Budget	Recommended Increase DEBIT	Recommended Decrease CREDIT	Amended Budget	Reason for Change
27-4181-485	US 89-91 TRANSPORTATION STUDY	-	1,293	-	1,293	UDOT -Cache Southern Corridor project expense
27-4181-740	CPDO - capitalized equipment	-	4,000	-	4,000	to cover additional furniture needed for CPDO offices
	Totals		5,293			
	Net adjustment				5,293	

RESOLUTION NO. 2006-03

A RESOLUTION APPROVING THE CREATION OF AN AGRICULTURE PROTECTION AREA.

The Cache County Council of Cache County, Utah, in a regular meeting, lawful notice of which as been given, finds that the legal requirements for the creation of an agriculture protection area have been met; and, therefore, that the proposal filed by Jack L. & Trudy Brown should be approved.

THEREFORE, the Cache County Council hereby adopts the following resolution:

BE IT RESOLVED that:

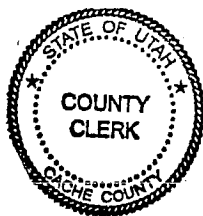
The proposal filed with Cache County by Jack L. Trudy Brown on October 27, 2005 to create an agriculture protection area on 1,779.05 acres of real property located at:

See "EXHIBIT A" Attached Hereto and Made a Part Hereof.

is hereby approved.

This resolution shall become effective immediately upon adoption

DATED this 24 Day of January 2006.



ATTEST TO:

Jill N. Zollinger
Jill N. Zollinger, Cache County Clerk

CACHE COUNTY COUNCIL

Cory Yeates
By: Cory Yeates, Chairman

Ent 909029 Bk 1390 Pg 1663
Date 25-Jan-2006 8:39AM Fee \$0.00
Michael Bleed, Rec. - Filed By SP
Cache County, UT
For CACHE COUNTY

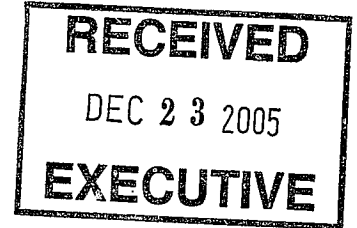
JACK L. TRUDY BROWN'S APPLICATION FOR AGRICULTURE PROTECTION ZONE

Owners Name	Parcel Number	Acres	Agricultural Use
<i>Farm Property Between Hyrum and Wellsville</i>			
Brown, Jack L. & Trudy Faye	11-094-0014 ✓	8.83	Year Round Pasture
Brown, Jack L. & Trudy	10-011-0005 ✓	3.21	Farm Crops & Barn
Brown, Jack L. & Trudy	01-057-0001 ✓	2.26 2.37	Farm Crops
Brown, Jack L. & Trudy	01-057-0006 ✓	54.14	Farm Crops, Winter Pasture & Barns
Brown, Jack L. & Trudy	01-057-0015 ✓	10.03	Farm Crops & Winter Pasture
Brown, Jack L. & Trudy	01-057-0014 ✓	14.26	Farm Crops & Winter Pasture
Sub-Total	6 Parcels	92.73	
<i>Range Land Property South of Avon</i>			
Brown, Jack L. & Trudy	16-015-0004 ✓	108	Range Land
Brown, Jack L. & Trudy	16-064-0003 ✓	40	Range Land
Brown, Jack L. & Trudy	16-015-0003 ✓	217.98	Range Land
Brown, Jack L. & Trudy	16-017-0002 ✓	80	Range Land
Brown, Jack L. & Trudy	16-017-0004 ✓	320	Range Land
Brown, Jack L. & Trudy	16-015-0005 ✓	479	Range Land
Brown, Jack L. & Trudy	16-015-0008 ✓	80	Range Land
Brown, Jack L. & Trudy	16-015-0011 ✓	41.33	Range Land
Brown, Jack L. & Trudy	16-064-0002 ✓	320	Range Land
Sub-Total	9 Parcels	1686.31	
Grand Total:		15 parcels	1779.045



Utah Association of
Conservation Districts

1860 North 100 East
North Logan, UT 84341-1784
Phone: 435-753-6029
Fax: 437-755-2117
www.uacd.org



December 1, 2005

Cache County Council
Attn: County Executive Lynn Lemon *SMH 12/27/05*
179 North Main Suite 309
Logan, UT 84321

Reference: Jack L. & Trudy Brown Property APA Application

The Cache County Agriculture Protection Area Advisory Board, as outlined in Utah Code 17-41-303 for Cache County, met to consider a recommendation on the Agriculture Protection Area Application for Jack L. & Trudy Brown.

The criteria, as stated in Utah Code 17-41-305, were used to evaluate the application. After looking at each item, it is the board's recommendation that the application be approved.

Thank you for the opportunity to review this Agriculture Protection Area application and for the county's efforts in support of agriculture.

Sincerely,

Bruce Karren
Bruce Karren, Chairman

Cache County Agriculture Protection Area Advisory Board

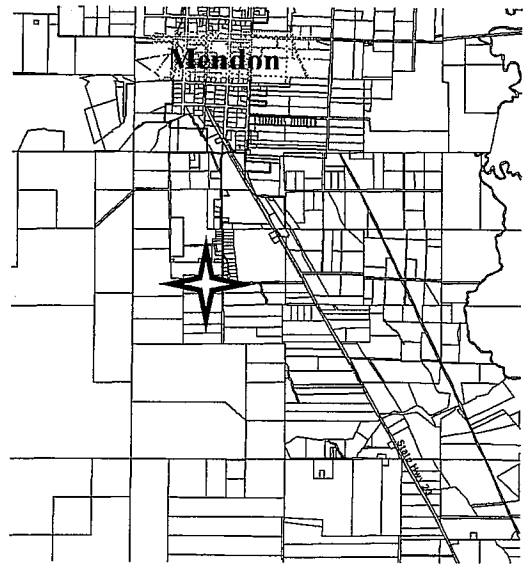
cc: Jack and Trudy Brown

Development Services Cache County Corporation

Staff Report for the Planning Commission meeting of
January 9, 2006

**Subdivision for Kelly and Kristy Rasmussen located at
approximately 2525 South 5900 West (Mendon),
TID #11-037-0010.**

<i>Project Name:</i>	Rasmussen Lot Split Subdivision
<i>Agent:</i>	Kelly Rasmussen
<i>Project Address:</i>	2525 South 5900 West (Mendon)
<i>Request:</i>	A Lot Split Subdivision
<i>Current Zoning:</i>	Agriculture (A)
<i>Type of Action:</i>	Quasi-Judicial
<i>Staff Recommendation:</i>	Recommend Approval with Stipulations
<i>Surrounding Uses:</i>	North – Agriculture South – Agriculture East – Agriculture / Planned Unit Development (Cobblestone) West – Agricultural



Site Location

PROJECT

The applicant is requesting a lot split subdivision to divide a 20.15 acre lot into two (2) lots of 5.13 and 15.02 acres. Lot 1 (5.13 acres) has an existing home, and the division is being accomplished primarily to alleviate mortgage issues with the home. The applicant has work with the Cache County Assessor to ensure that both lots 1 and 2 will qualify for greenbelt status, so long as they both remain under the same ownership. Staff has made the applicant aware that if lot 2 is sold in the future, the greenbelt status of lot 1 will be in jeopardy. Lot 1 has an existing domestic water right with the home, and no water right are required for Lot 2 until it is developed.

The only concern that staff has on this subdivision is the hard surface width of the road which is currently only 19 feet in width where the current requirement is 20 feet. Because the road was approved recently (April 2004) for the home, and the subdivision is clearly not placing any additional burden on the road, staff is recommending that no road improvements be required at this time; but if further building occurs on either lots 1 or 2, the road may be required to be improved to a hard surface width of 20 feet.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- Lot 1 has an existing septic system and Lot 2 appears to be adequate for a septic system.

Cache County School District:

- The bus stop is located at 2430 South 5900 West.

Cache County Fire District:

- The home on Lot 1 has already obtained the necessary clearances. Any further development will require additional Fire Department clearances.

Cache County Service Area #1

- The container must be placed along 5900 West for collection.

Cache County Road Department

- 5900 West, the road providing access to these lots, has a right-of-way width of 25 feet from the centerline and a hard surface width of 19 feet.

PUBLIC COMMENTS

Notices were mailed to 12 property owners located within three hundred feet of the subject property. At the time the staff report was prepared, no written comments had been received by Staff.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Rasmussen Lot Split Subdivision, a two (2) lot subdivision for property located at approximately 2525 South 5900 West, TIN #11-037-0010.

Stipulations:

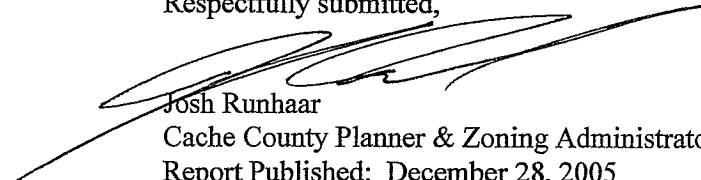
- 1) If additional building permits are requested on this property, the applicant may be required to improve the road to the minimum 20 foot hard surface width as require by the State Fire Code.

RECOMMENDED FINDINGS OF FACT

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Rasmussen Lot Split Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Rasmussen Lot Split Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 16 and Title 17 of the Cache County Code.
4. The Rasmussen Lot Split Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,



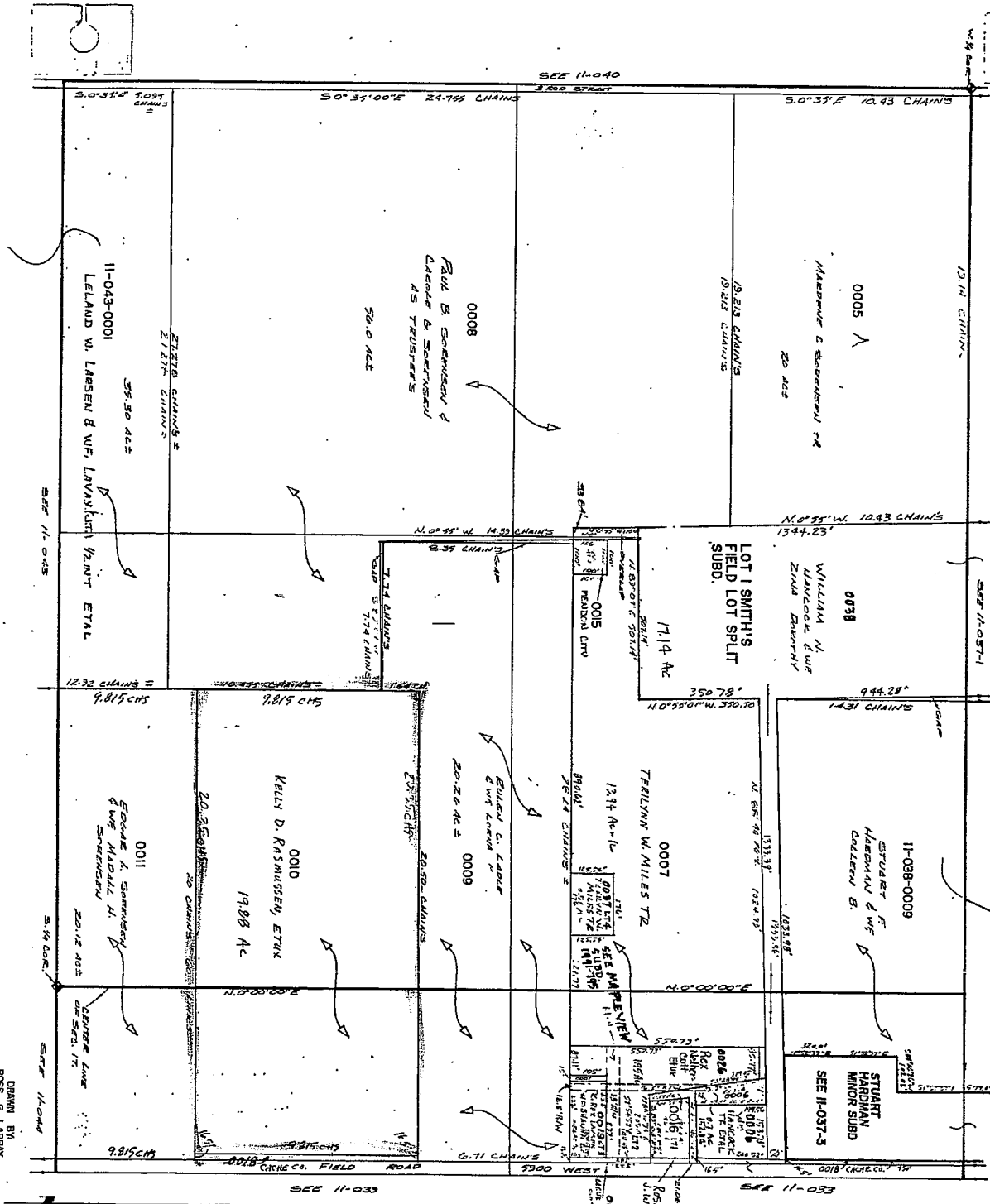
Josh Runhaar
Cache County Planner & Zoning Administrator
Report Published: December 28, 2005

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 prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report. The Zoning Administrator reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

S.W. 1/4, & PT. S.E. 1/4, SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 WEST.

SCALE: 1 INCH = 200 FEET

TAX UNIT 28



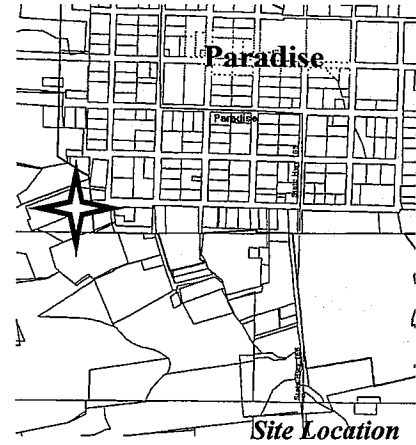
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ROSS G. LABRAN
5-18-1980

Development Services Cache County Corporation

Staff Report for the Planning Commission meeting of
January 9, 2006

**Subdivision for Brenda Medsker located at approximately 9350
South 400 West (Paradise), TID #01-102-0017 & 01-103-0058**

Project Name: Summers Minor Subdivision
Agent: Jeremy & Kristi Summers
Project Address: 9350 South 400 West (Paradise)
Request: A Four (4) Lot Subdivision
Current Zoning: Agriculture (A)
Type of Action: Quasi-Judicial
Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture / Residential (Paradise)
South – Agriculture
East – Residential (Paradise)
West – Agricultural



PROJECT

The applicant is requesting a four (4) lot subdivision on a parcel that is divided by the County/Paradise City Limits line, with two lots in the County and two in Paradise. The two lots in Cache County (Lots 1 & 2) are 8.62 and 5.0 acres, and the two lots in Paradise (Lots 3 & 4) are 4.69 and 1.21 acres. Staff and the applicants have worked together with a neighboring property owners and Paradise City on this subdivision to deal with the multi-jurisdiction issue. At this time, Paradise would like to sign off on the plat stating that they acknowledge the subdivision is occurring, but that Lots 3 & 4 which are within Paradise will be required to complete the Paradise subdivision process prior to becoming legal lots. Additionally, the applicants are working with Paradise currently to annex a piece of this subdivision (located on the western side of Lot 3) into Paradise to provide a larger parcel for Lot 3. This subdivision, though, cannot be recorded until this annexation has been completed to avoid Lot 3 from crossing jurisdictional lines. The applicant has applied for domestic water rights, but is still waiting for approval from the State Water Engineer.

The subdivision has multiple points of access. Currently there is a right of way through the north side of Lot 4 that provides access to a home located to the west of this subdivision. A new right-of-way is being shown on the plat accessing from the 9300 South right-of-way as requested by Paradise, but the physical road location will likely not change until Lot 4 is to be developed. Lot 2 is going to utilize an existing right-of-way and the private road that connect from 9300 South. Currently the road width is inadequate to meet State Fire Code regulations and will be required to be improved. Lots 3 and 4 will be able to access existing roads within Paradise.

Staff would like to commend the agents, the multiple owners of these properties, and the City of Paradise for working together through the process required on this subdivision.

AGENCY AND COUNTY DEPARTMENT COMMENTS

Bear River Health Department:

- All of the proposed lots will be feasible for the placement of onsite waste water systems. Further soil testing may be required to best locate the system when each lot is developed.

Cache County School District:

- The bus stop is located at 9200 South 300 West.

Cache County Fire District:

- The road and driveway improvements need to be completed prior to the issuance of a building permit.

Robert Brown Lot Split Subdivision, Approximately 3540 West 600 South

Cache County Service Area #1

- The container must be placed along an accessible road (9300 South). To make other arrangements contact the City of Logan Solid Waste Department.

Cache County Road Department

- The private road accessing Lot 2 has a 20 foot right-of-way (between fences) and a 14 foot wide hard surface. This road will be required to be improved so as to have a 20 foot wide hard surface from the connection with 9300 South to the home being placed on Lot 2 with an appropriate turnaround as approved by the County Fire Department. Further road improvements may be required of either the County or Paradise City as the other lots in this subdivision are developed.

PUBLIC COMMENTS

Notices were mailed to 7 property owners located within three hundred feet of the subject property. At the time the staff report was prepared, no written comments had been received by Staff.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend that the County Council approve the Summers Minor Subdivision, a four (4) lot subdivision of property located at approximately 9350 South 400 West, TIN #01-102-0017 & 01-103-0058.

Stipulations:

- 1) The private drive accessing Lot 2 shall be improved from 9300 South to the new home maintaining a minimum of a 20 foot hard surface width. A turnaround shall be required on Lot 2, the design of which shall be approved by the Cache County Fire Department.
- 2) The subdivision shall not be recorded until the domestic water rights have been approved and Paradise acknowledges the subdivision.
- 3) Lot 3 shall be considered a restricted lot by both Cache County and Paradise Town until it is fully annexed into Paradise.
- 4) Lots 3 and 4 are not approved building lots in Paradise City and shall be required to complete the Paradise City subdivision process prior to becoming legal building lots. Paradise City shall maintain full jurisdiction on Lots 3 and 4, with all of the rights, duties and authority to impose conditions and require Lots 3 and 4 to meet the code requirements of Paradise City.
- 5) The applicant shall work with staff to address the issue presented as to the boundary line dispute along the northern portion of Lot 4 prior to the subdivision being reviewed by the Cache County Council.

RECOMMENDED FINDINGS OF FACT

The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Summers Minor Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Summers Minor Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The subdivision approval is issued in conformance with Title 16 and Title 17 of the Cache County Code.
4. The Summers Minor Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,


Josh Runhaar

Cache County Planner & Zoning Administrator

Report Published: December 28, 2005

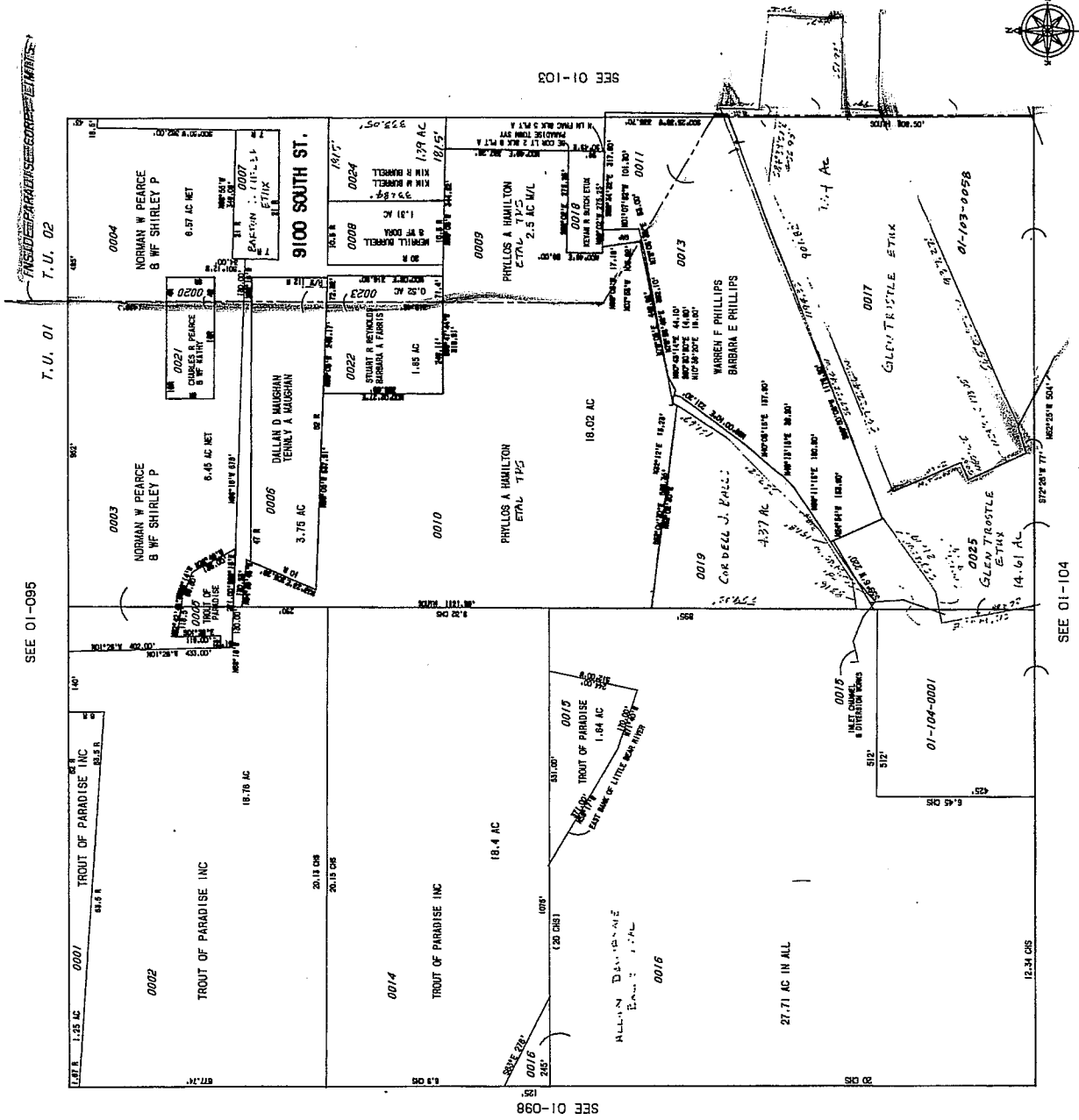
Republished: January 13, 2006

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NW/4 Sec 33 Twp 10 North, Range 1 East

01-102

Scale 1" = 200 Feet



NE/4 Sec 33 Twp 10 North, Range 1 East

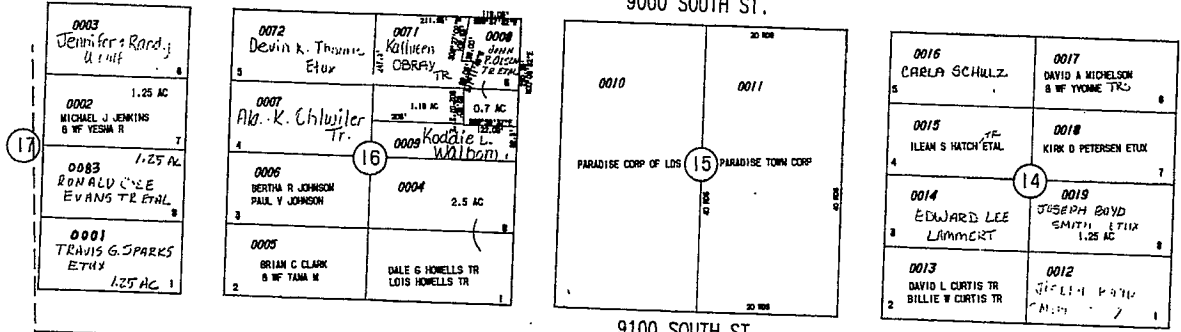
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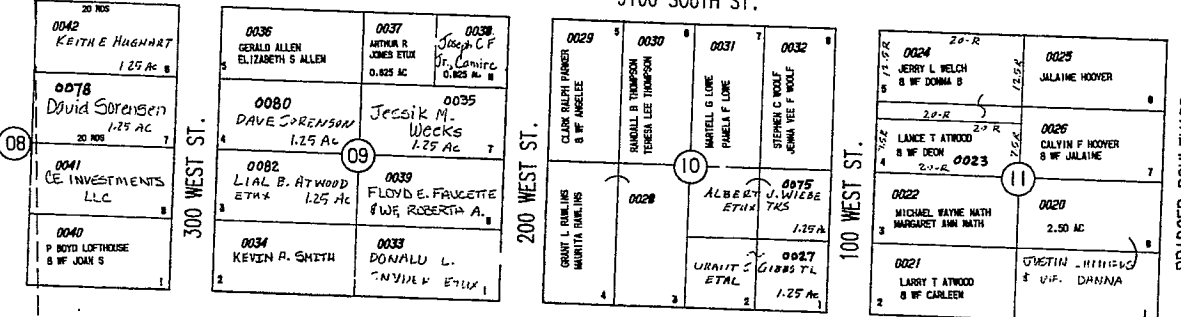
PLAT "A" PARADISE TOWN SURVEY

SEE 01-087

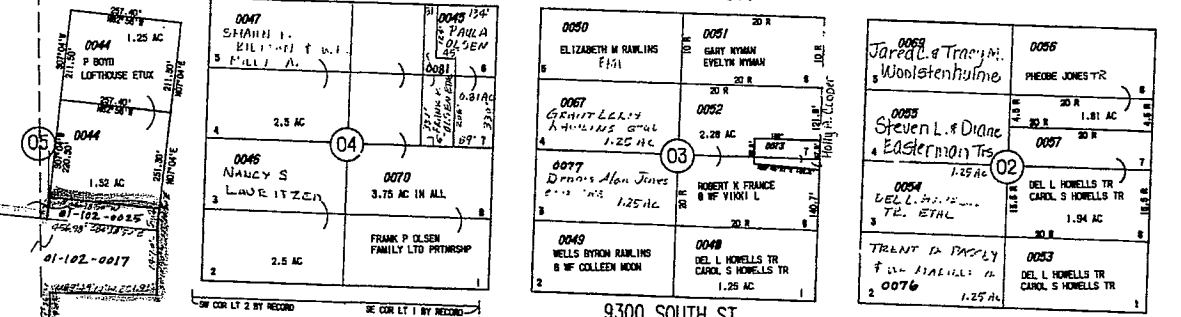
9000 SOUTH ST.



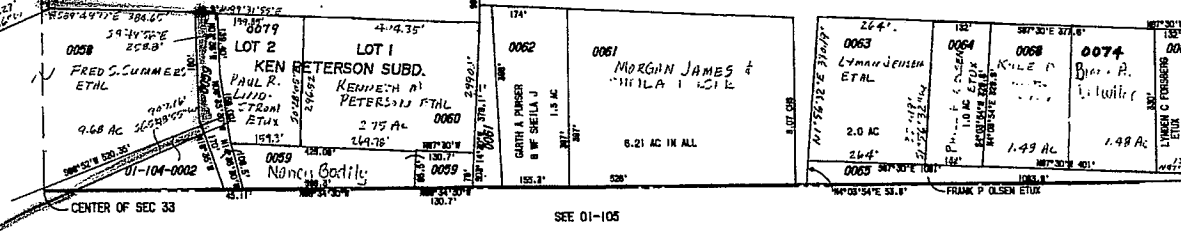
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9200 SOUTH ST.



9300 SOUTH ST.



SEE 01-105

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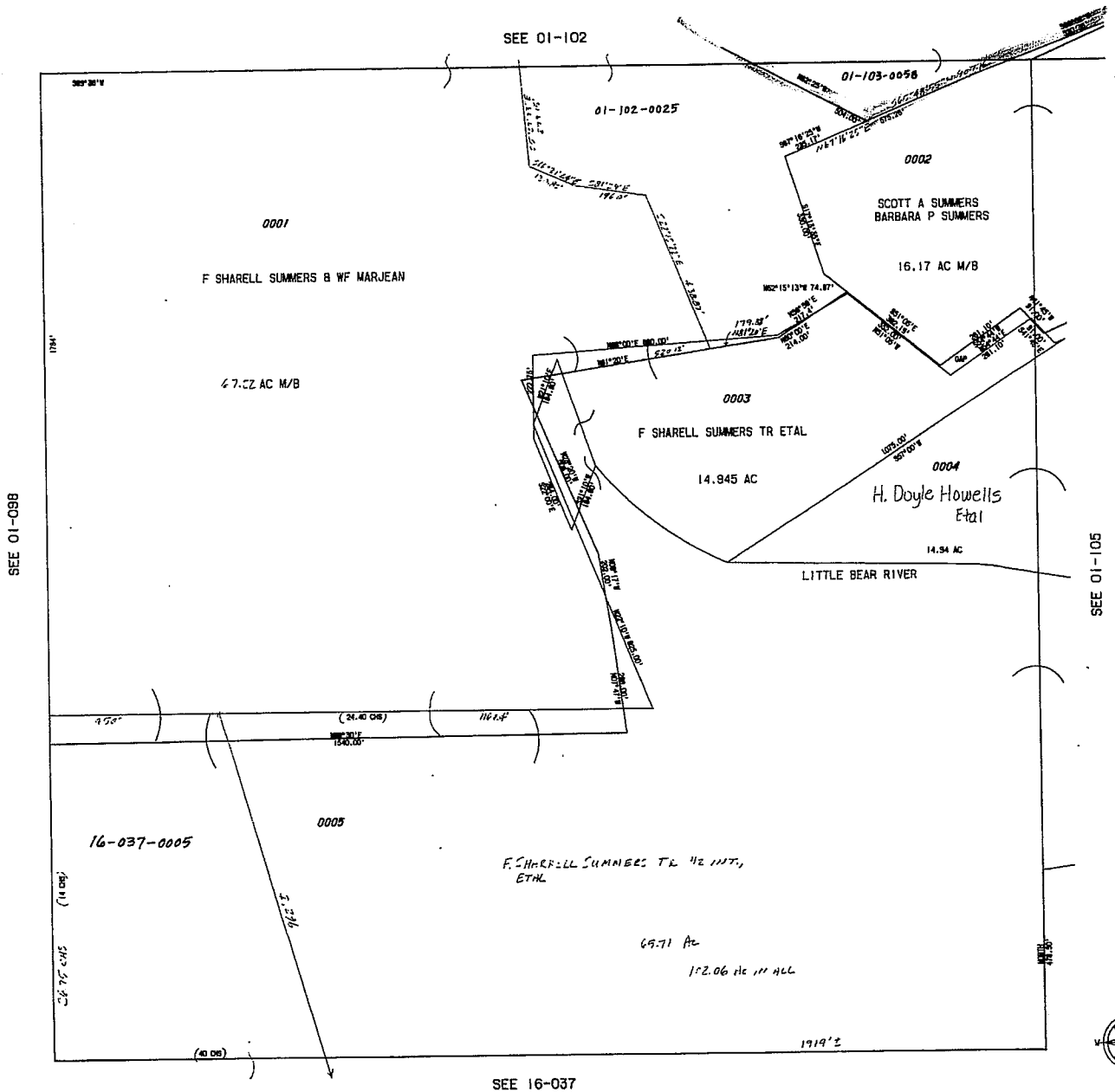


SW/4 Sec 33 Twp 10 North, Range 1 East

01-104

Scale 1" = 200 Feet

TAX UNIT 01



M GLEED
OCT 1992