

CACHE COUNTY COUNCIL MEETING
July 31, 2007

The Cache County Council convened in a regular session on July 31, 2007 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Darrel Gibbons
Vice Chairman: John Hansen
Council Members: Brian Chambers, H. Craig Petersen, Kathy Robison, Cory Yeates & Gordon Zilles.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger

The following individuals were also in attendance: Craig Adams, Tamara Adams, Peter Brunson, Denis Cooper, Sherleen Cooper, J. Clair Ellis, Thad Erickson, LaMont Godfrey, Claudia Harmon, Sharon L. Hoth, Leo Israelsen, Lieutenant Chad Jensen, Don Linton, Sheriff Lynn Nelson, David Nielsen, June Owen, Kevin Owen, Pat Parker, Chief Gary Roberts, Josh Runhaar, Jon Scott, David Seria, Richard Stehmeier, Zan Summers, Mike Twitchell, Aaron Wiser, **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Council member Zilles gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

Chairman Gibbons noted that the meeting with the Planning commission previously scheduled for 7:00 p.m. was delayed until the August 14, 2007 Council meeting at the request of the Planning Commission.

ACTION: Motion by Council member Zilles to approve the agenda as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the July 10, 2007 Council meeting as written. Robison seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Executive Lemon asked Council member Petersen to present a name for an appointment to replace State Representative Scott Wyatt on the Regional Council. Petersen recommended State Representative Jack Draxler.

ACTION: Motion by Council member Petersen to appoint Representative Jack Draxler a member of the Regional Council to replace Representative Scott Wyatt. Yeates seconded the motion. The vote was unanimous, 7-0.

Chairman Gibbons asked Petersen to send a note of thanks to Wyatt for his service on the Regional Council.

WARRANTS: The warrants for the periods 03-30-2007 to 04-05-2007, 07-06-2007 to 07-12-2007, 07-13-2007 to 07-19-2007 and 07-20-2007 to 07-26-2007 were given to the clerk for filing.

OTHER ITEMS

- Approval of Polling Place Locations** – Lemon asked Clerk Zollinger to present the polling place locations to be used in the November 2007 General Election to the Council. Zollinger distributed a list of the polling places proposed for use in Cache County and noted that five locations have been changed since the last election. Zollinger reviewed those changes for the Council and asked for their approval.

(Attachment 1)

ACTION: Motion by Vice Chairman Hansen to accept the Clerk's recommendations for polling locations. Yeates seconded the motion. The vote was unanimous, 7-0.

- Report on Airport Instrument Landing System (ILS) – Height Restrictions** – Lemon turned the time to Richard Stehmeier, Airport Manager, to update the Council on the proposed project. Stehmeier told the Council ILS allows planes to land at the airport 365 days a year regardless of weather. The FAA requires lights called the MALS system to be installed at the north end of the runway. Space requirements for the system's safety zone necessitate encroaching on to 4200 North. The FAA recommended closing 4200 North, but the County would not agree to that, and has designed a height restrictor zone. Large vehicles taller than 9 feet 8 inches will have to detour around approximately 1 ½ miles. Affected landowners have been notified and farmers in the area said they will only have large equipment in the area during the summer and early fall months. Stehmeier said the Federal government is paying all costs associated with the ILS and height restrictor zone.

Council member Zilles asked why the ILS couldn't be moved nine feet to the south so the height restrictor zone would not be needed? Zilles said he could not support this project because of the impact on the area farmers.

Stehmeier responded that a nine feet difference would not work because the ILS must line up with the exact center of the runway. Looping the road to the north would require a 300-400 feet adjustment and is not considered a viable option. Stehmeier said he is aware of the impact on the farmers and has worked to maximize the airport with the least amount of negative impact on the surrounding land owners.

Vice Chairman Hansen asked if the completion of the ILS depends on the height restrictor project?

Stehmeier said it does and said this is only the fifth ILS system in the state of Utah.

Vice Chairman Hansen asked if there are any alternative solutions?

Chambers said he and Lemon have a couple of other possibilities that are being worked through.

Lemon thanked Stehmeier for his report and told the Council the proposed project will continue to be addressed and a mutually satisfactory solution will be sought.

- ❑ **Fire Report – Chief Gary Roberts** indicated this is a record year in Utah for fires. Locally, the Sleepy Hollow fire started on the night of July 23, 2007 by a lightning strike and a canyon wind fed the fire. Help was called in from every department in the county and state help was also used. Some homes were evacuated. There was good support from the Sheriff's Department and the Cache School District in the form of equipment and buildings. This was a Type III fire as was the earlier Ant Flat Road fire.

Vice Chairman Hansen asked what the cost of the fires was?

Roberts said the Ant Flat Road fire is estimated at \$64,000.00 and the Sleepy Hollow fire will probably be three times that amount. Cache County participates in the state of Utah's wild lands suppression fund and has a "premium" of about \$20,000.00 - \$25,000.00. Once the cost surpasses that amount, the state pays the rest. The county is responsible for private land costs. There was about a 90-10 split with about ten percent being private land and ninety percent being Division of Wildlife Resources, State of Utah land.

- ❑ **County Administration Building/Courthouse Plaza – Gardener's Market** – Lemon said the plaza will be utilized by a Gardener's Market beginning Wednesday, August 1, 2007 at 4:30 p.m. and will continue each Wednesday evening for an unspecified trial period.
- ❑ **Bear River Health Department – Pandemic Preparation** – Lemon suggested inviting Dr. Redd to address the Council on this issue. The August 28, 2007 Council Meeting was agreed on for his presentation.
- ❑ **Saddle Creek Vegetation Treatment Project** – This is a proscribed burn and mechanical treatment and Lemon gave the Council a map indicating the area affected.
- ❑ **Accreditation – Sheriff's Office** – Lemon reported that the County Code needs a revision to facilitate the accreditation process and will be on the next agenda.

Petersen asked what the status of the Water Manager position was? Lemon said the applications will be reviewed mid-August and then the interview process will begin.

Yeates asked how far the advertising for the position went? Lemon said there was local and statewide advertising through Workforce Services.

ITEMS OF SPECIAL INTEREST

- **Introduction of Sunshine Terrace CEO – David L. Seria** offered a brief personal history.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARINGS SET-

AUGUST 14, 2007 – 5:45 P.M.-OPEN 2007 BUDGET

AUGUST 14, 2007 – 6:00 P.M.-WELLSVILLE CITY AGRICULTURAL PROTECTION AREA

AUGUST 14, 2007 – 6:10 P.M.-DECLARING SURPLUS PROPERTY LOCATED IN
LEWISTON, UTAH

ACTION: Motion by Council member Yeates to Set Public Hearings for August 14, 2007 at 5:45 p.m.-Open 2007 Budget; August 14, 2007 at 6:00 p.m.-Wellsville City Agricultural Protection Area; August 14, 2007 at 6:10 p.m.-Declaring Surplus Property Located in Lewiston, Utah. Hansen seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- Ordinance No. 2007-05 – Agricultural Subdivisions** – *There was no action taken.*
Chairman Gibbons indicated there would be no discussion on Agricultural Subdivisions.

- Resolution No. 2007-24 – Authorizing Executive to execute an agreement between Logan City and Cache County Regarding Management and Operations of the Willow Park/Fairgrounds complex** – *There was no action taken.* Gibbons asked Lemon to explain the peripheral boundaries of the county's management area as shown on the map attached to the draft agreement.

Lemon said several sections have been added to the agreement. One is Option #6 – a complete division of properties, if either party decided to do that. Lemon referred the Council to the map included with the agreement draft and said the portion that houses the elk would come to the county if there was a complete division. The "old rabbit building" has a fence on the south side east to the race track, then on the north side of the "old rabbit building" to the road on the west side would be the boundary. A point of negotiation will be the "old rabbit building" which was originally paid for by the zoo in about 1992 and part of the money was used to build the Cache Arena; however, the county wants to utilize it as a shop for fairgrounds equipment and access to the building is through the fairgrounds.

Gibbons explained that the area within these boundaries would be defined as the administration and operations area and should either party give notice, there would be one year to execute the division of the property at that point in time.

Lemon said Sections 7, 8 and 9 have been added by Logan City referencing parking and water.

Gibbons said he spoke with Mayor Watts, who said the city is comfortable with this document.

Council members had questions concerning water rights on the fairgrounds and want that issued clearly defined in the agreement.

Lemon and Mike Twitchell said there is a well on the racetrack property. Lemon said utilities are around \$60,000.00 a year and Twitchell indicated the major portion of that is electrical.

Petersen said Section 9 is ambiguous and needs specificity. He asked if Logan City wanted Section 7? Gibbons said they did. Petersen also said the document refers to exhibits which are not attached and the Council needs to see those exhibits. Petersen also noted the agreement mentions equipment housed/stored on-site, but there is no mention as to whether there is any off-site equipment. There is also nothing concerning unexpended fund balances and that should be considered. Lastly, Petersen says the resolution specifies the agreement will be authorized by the County Executive and the Council Chairman, but the agreement actually only requires the Executive's signature.

Gibbons suggested that Section 8, parking, should be changed from switching parking from parallel to angled during events to simply having painted angled parking permanently.

Lemon thanked the Council for their input and he will continue to work on the final agreement.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2007-26 – Authorizing Executive to execute an agreement between Logan City and Cache County regarding the County Block** – *No action taken.* Lemon said this has been presented to Logan City, but he has received no response yet. Gibbons said the resolution will be moved to the August 14, 2007 Council meeting agenda.
- **Final Plat Approval – Speth Road Subdivision** – Runhaar said this is a 4-lot subdivision in an agricultural zone and is presented on a consent agenda.

(Attachment 2)

ACTION: Motion by Council member Petersen to waive the rules and approve the Final Plat for Speth Road Subdivision with the stipulation that residential fire sprinklers be required. Chambers seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Cooper Subdivision** – Runhaar said this is a 4-lot subdivision with one lot being dry (no water). The dry lot will remain in greenbelt. If that lot ever has a request to build on it, then a request to amend the subdivision will be required and water will be brought in. The Assessor's office is in agreement with this greenbelt recommendation.

(Attachment 3)

ACTION: Motion by Council member Zilles to waive the rules and approve the Final Plat for the Cooper Subdivision. Robison seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Green Canyon Paradise Estates** - Runhaar said this is a 5-lot subdivision east of Paradise. This is a steep site with much of the property in a flood plain; however, a recent engineering review showed that the flow rates for the flood plain are much lower than calculated. There are extensive engineering requirements and much of those have been met already.

Zilles asked what would happen to property below this proposed subdivision when the flood plain becomes more channeled by the changes to the flood plain. Runhaar indicated the water is already channeled just below this area, so there should not be problems.

Zilles also asked what liability the county might have if there are flood problems?

Runhaar said the engineers hold much of the liability in such cases.

Robison questioned why the Council should even consider approving a subdivision with so many potential flood problems when Logan City has had to deal with the Country Manor Subdivision flooding for many years?

Gibbons indicated this is a dry canyon and the flood problems would not be the same.

Questions were asked about fire protection. Chief Roberts said fire trucks can access the property.

(Attachment 4)

ACTION: Motion by Vice Chairman Hansen to waive the rules and approve the Final Plat for Green Canyon Paradise Estates. Chambers seconded the motion. The motion passed, 6 aye – Chambers, Gibbons, Hansen, Petersen, Yeates & Zilles and 1 nay – Robison.

Yeates asked if Runhaar had checked for gravel deposits on the Green Canyon Paradise Estates? Runhaar said he would check the mineral overlay maps.

- **Discussion – Staffing Request-Cache County Sheriff** – Sheriff Nelson said he had met with Executive Lemon two months ago to present his dilemma of a six-month average increase in calls for service of twenty-one percent. The Sheriff's office is also doing transcription work on major case interviews for the County Attorney's Office that takes many hours of work. His staff is overwhelmed and he is requesting an additional administrative patrol sergeant and an additional full-time secretary.

Council members suggested only a secretary to get caught up and then address the administrative patrol sergeant position during the budget process, a temporary administrative patrol sergeant to help get caught up, or a part-time secretary. Sheriff Nelson said a secretary could not do what an administrative patrol sergeant does, because he or she would not have the law enforcement background necessary to analyze reports.

The Council asked what the nature of the increased service calls were? Sheriff Nelson responded it is an across the board increase.

Gibbons asked Executive Lemon to review the request and funding and return with a recommendation for the Council at the August 14, 2007 Council meeting.

OTHER BUSINESS

- ✓ **Wellsville Founders' Day Parade – September 3, 2007-10:00 a.m.** – Vice Chairman Hansen, Yeates, Zilles and Executive Lemon will attend.

COUNCIL MEMBER REPORTS

Brian Chambers asked the Council to schedule a presentation on the Mental Health Court for the Council in September. Possible presenters would be Lieutenant Brian Locke, Tim Scott and Judge Tom Willmore. Chairman Gibbons said this will be scheduled for the September 25, 2007 Council meeting.

Kathy Robison reported that, in conjunction with the 150th Anniversary of Cache County, the Fair Board will be honoring the Council prior to the rodeo on Saturday, August 11, 2007. Clerk Zollinger will notify Pat Parker of the exact time.

Robison attended the NACO Conference and found the presentations helpful.

John Hansen said water was a hot topic at the NACO conference. Meth was also discussed and Hansen has received calls from landlords asking what the county is doing about the meth problem? Hansen asked if there is a list for landlords that would indicate things to watch for? Attorney Linton said the Bear River Health Department could generate a list for the public. Chairman Gibbons recommended asking Dr. Redd to bring a list of several items to be aware of.

Cory Yeates suggested Vice Chairman Hansen plan a Council summer party.

Gordon Zilles indicated that Planning and Zoning will have a major discussion on large subdivisions on August 2, 2007 at approximately 7:00 p.m. and invited the Council to attend.

Chairman Gibbons said he has heard advertisements on the radio about transit and suggested the county needs to get the word out to the public regarding the ballot measure the Council approved concerning roads.

Petersen agreed and said the message points the county needs to get to the public are:

1. The Transit District agrees that about 3% of the population rides the bus.
2. Federal statistics show that the average CV Transit bus carries 5.2 riders.
3. The Transit District has projected that if the proposal passes, they will double their budget and increase ridership by 20% which means those additional riders are costing \$9.00 a piece.
4. To add an additional bus to the system eleven cars must be removed from the road before pollution is reduced.

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Petersen said the Chamber of Commerce will make a decision as to which transit proposal it is going to support on August 22, 2007. Wednesday, August 22, 2007 is the Chamber's Board meeting and Petersen asked Lemon and Gibbons to attend.

Lemon said the Transit District is currently serving 3% of the population, so if ridership increased 20%, 3.6% of the population would be served. Gibbons said he doubts that ridership would increase 20%.

ADJOURNMENT

The Council meeting adjourned at 7:05 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Darrel Gibbons
Council Chairman

PRECINCTS/POLLING PLACES

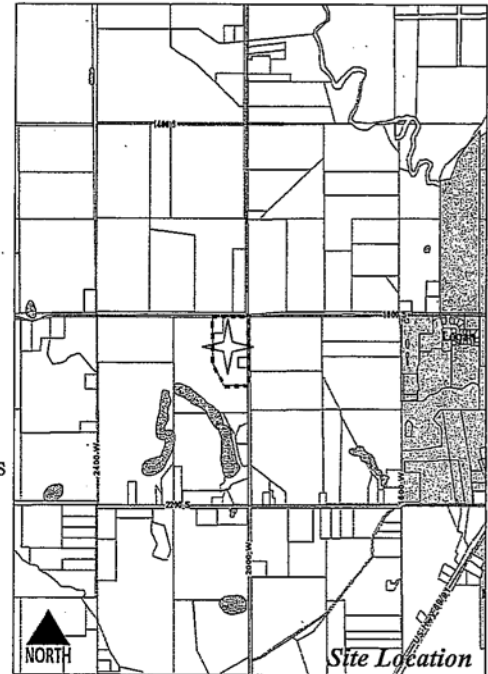
Precinct	Polling Place
Logan 01/07	Logan Senior Citizen Center (gym) 240 N 100 East Logan, UT 84321
Logan 02/03/33	Cache Valley Learning Center 75 S 400 West Logan, UT 84321
*Logan 04/25 (was Terrace Grove)	Cache West Stake Center 825 N 200 West Logan, UT 84321
Logan 05/06	Sunshine Terrace 225 N 200 West Logan, UT 84321
Logan 08/10	Whittier Community Center 290 N 400 East Logan, UT 84321
Logan 09/24	Wilson Elementary School 89 S 500 East Logan, UT 84321
Logan 11/15/23	Adams Elementary School (media center) 530 N 400 East Logan, UT 84321
Logan 12/13/19/20/21	Lundstrom Student Center 1295 E 1000 North Logan, UT 84341
Logan 14/22	8 th – 25 th Ward LDS Church 325 Lauralin Drive Logan, UT 84321
Logan 16/18/26/28	Central Stake Center 1255 N 600 East Logan, UT 84341
Logan 17/30/31	Cache Stake Center 250 W 1200 North Logan, UT 84341
Logan 27/32	Stevens-Henager (large classroom directly off parking lot on west) 755 S Main Logan, UT 84321
Logan 29	Eastridge LDS Church 1350 Eastridge Drive Logan, UT 84321
Amalga	Town Hall 6590 N 2400 West Amalga, UT 84335
Benson	Benson LDS Church 3432 N 3000 West Benson, UT 84335
Clarkston	Town Hall 50 S Main Clarkston, UT 84305
College/Young	College/Young LDS Church 2394 W 2200 South College Ward, UT 84339

Cornish	Town Hall 14300 N 4800 West Cornish, UT 84308
Hyde Park 01/02	City Office 113 E Center Hyde Park, UT 84318
*Hyrum 01/02/03/04/05 (Also used Sr Cit Center last yr)	City Office 83 W Main Hyrum, UT 84319
Lewiston 01/02	City Office 29 S Main Lewiston, UT 84320
Mendon 01/02	Historic Mendon Station 95 N Main Mendon, UT 84325
Millville 01/02	Providence South Stake Center 360 E 450 North Millville, UT 84326
Newton	Town Hall 51 S Center Newton, UT 84327
*Nibley 01/02 (was Nibley Elementary)	Nibley 2 nd Ward LDS Church 360 W 3200 South Nibley, UT 84321
North Logan 01/02/03/04	North Logan Library 475 E 2500 North North Logan, UT 84341
*North Logan 05/06 (was NLG City Office)	Cache School District Technology Training Center 2035 N 1200 East North Logan, UT 84341
Paradise	Town Hall 9035 S 100 West Paradise, UT 84328
*Providence 01/02/03/04/05 (was Cobblestone Clubhouse and Spring Creek Middle School)	Providence 1 st Ward LDS Church 420 W 100 North Providence, UT 84332
Richmond 01/02/Cove	Community Building 6 W Main Richmond, UT 84333
River Heights 01/02	City Office 520 S 500 East River Heights, UT 84321
Smithfield 01/02/03/04/05	Armory 50 E 100 North Smithfield, UT 84335
Smithfield 06/07	Smithfield Fire Station 325 W 100 North Smithfield, UT 84335
Trenton	Town Hall 17 E Main Trenton, UT 84338
Wellsville 01/02/03/04	4 th – 8 th Ward LDS Church 49 W 200 South Wellsville, UT 84339

Development Services Cache County Corporation

Project Name: Speth Road Subdivision
Agent: Tamara Adams
Request: 4-Lot Subdivision
Type of Action: Quasi-Judicial
Current Zoning: Agriculture (A)
Project Address: 1871 South 2000 West (College Ward)
Tax ID: 03-009-0073
03-009-0084
03-009-0085

Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture
West – Agriculture



PROJECT

Request: The applicant is requesting a subdivision to create one additional building lot on the 1970 parcel. Lots 2 and 4 were created previously through two Conditional Use Permits. There are currently homes on Lots 2, 3, and 4. Lot sizes are as follows: Lot 1 is 4.46 acres, Lot 2 is 0.89 acre, Lots 3 is 5.88 acres, and Lot 4 is 1.00 acre. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/ lot size requirements of §17.09.080 (there will be four lots from the original 1970 parent parcel).

Access: This subdivision will be serviced from 1800 South and 2000 West, both County roads. County Road 1800 South is a 23-foot wide paved surface. County Road 2000 West is a 25-foot wide paved surface. The Road Department recommendation is to accept the access to the proposed subdivision from the county roads.

Water & Septic: The applicant has obtained a water right for Lot 1. Lots 2, 3, and 4 have existing water rights. Lots 2 and 3 share a well that is located on Lot 2. An easement for the water line from Lot 3 to Lot 2 has been recorded and will be shown on the final survey plat.

The Bear River Health Department has found that conditions on Lot 1 adequate for a septic system. All other lots have existing septic systems. Each home will be required to obtain a permit and install the septic system in accordance with R317-4 Utah Administrative Code. Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

Service Provision: Water supply tenders from Logan Fire are 4.2 miles away. Access is adequate from 2000 West and 1800 South. The bus stop is located at 1966 South 2000 West, approximately one block from the property. Garbage cans must be placed on county road 1800 South or 2000 West and allow sufficient space along the road for refuse and recycle containers.

AGENCY AND COUNTY DEPARTMENT RECOMMENDATIONS

Fire Department:

- Due to the distance from the fire department, a lack of water supply, and unavailability of fire hydrants in the area, residential fire sprinklers are recommended.

PUBLIC COMMENTS

Notices were mailed to 4 property owners located within three hundred feet of the subject property. At the time this report was published, staff had received no comments.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission make a motion to recommend approval to the County Council of the Speth Road Subdivision, a four (4) lot subdivision for property located at approximately 1871 South 2000 West (College Ward), TIN #03-009-0073, 03-009-0084, and 03-009-0085.

Standard Stipulations:

1. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to and within the development area with an easement or dedication to be recorded on the final survey plat.
2. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be between 100 and 200 feet from any water way or well unless otherwise designated by the Health Department. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
3. All trash containers shall be placed on county roads 1800 South or 2000 West for collection.
4. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.

RECOMMENDED FINDINGS OF FACT

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

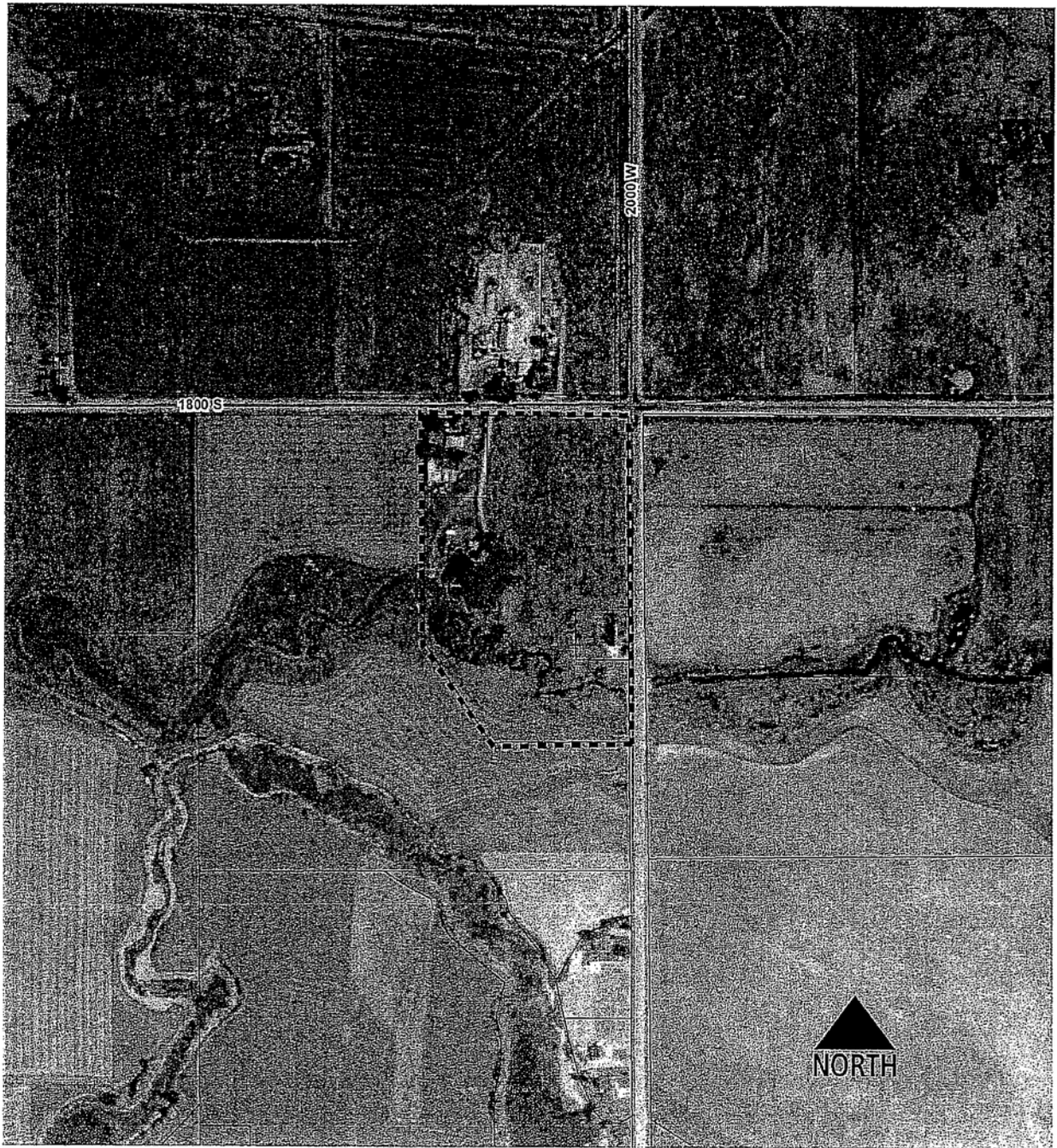
1. The Speth Road Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Speth Road Subdivision has been revised and amended by the conditions of project approval to conform to the requirements 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 17 of the Cache County Code.
4. The Speth Road Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. County Roads 1800 South and 2000 West, the roads that provides access to the subject property, have an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,
Jay Baker

Associate Planner I

Report Published: June 26, 2007

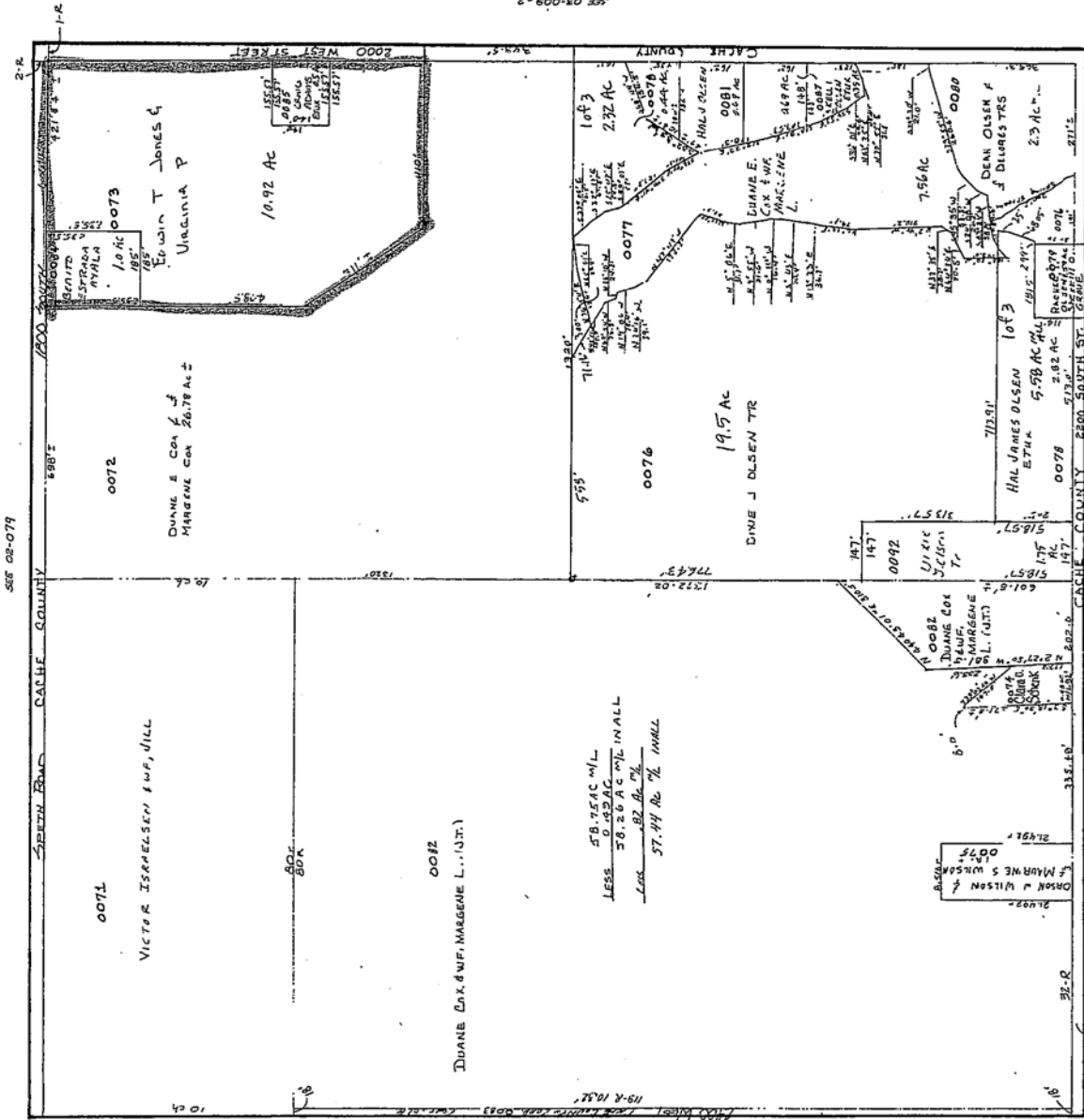
This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional 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.



Section 18 Township 11 North Range 1 East

Scale 1 Inch = 3 CH

TAX UNIT 128



SEE 03-009-3

SURVEY CERTIFICATE

BOOK 1, PAGE 1

BOUNDARY DESCRIPTION

PART OF THE UNDIVIDED QUARTERS OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 11 NORTH, RANGE 1 EAST, S1.B. & M. CONTAINING 18.42 ACRES +/-.

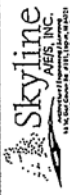
CONTAINING 18.42 ACRES +/-.

OWNER/OWNER'S ADDRESS: 1825 SOUTH 2000 WEST, WHELPLEY, UTAH 84359

OWNER: JAMES JAMES & JAMES BOOTH, 1020 N. WEST 1000 SOUTH, LOGAN, UTAH 84321

OWNER: JAMES JAMES & JAMES BOOTH, 1020 N. WEST 1000 SOUTH, COLLAGE WARD, UTAH 84321

- 1. THE PURPOSE OF THIS SURVEY IS TO DIVIDE THE LAND, THE PART OF THE UNDIVIDED QUARTERS OF THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 11 NORTH, RANGE 1 EAST, S1.B. & M. CONTAINING 18.42 ACRES +/- INTO THE LOTS AND BLOCKS SHOWN HEREON. 2. THE SIZE OF EACH LOT AND BLOCK IS SHOWN HEREON. 3. THE BOUNDARY LINES OF EACH LOT AND BLOCK ARE SHOWN HEREON. 4. THE CORNER MARKS OF EACH LOT AND BLOCK ARE SHOWN HEREON. 5. THE ADJACENT LANDS AND OWNERS THEREOF ARE SHOWN HEREON. 6. THE ADJACENT STREETS AND ALLEYS ARE SHOWN HEREON. 7. THE ADJACENT TOWNSHIP AND RANGE ARE SHOWN HEREON. 8. THE ADJACENT COUNTY ARE SHOWN HEREON. 9. THE ADJACENT STATE ARE SHOWN HEREON. 10. THE ADJACENT FEDERAL LANDS ARE SHOWN HEREON.



SPETH ROAD SUBDIVISION

FINAL PLAT

Table with columns: Date, Surveyor, County, State, and other details.



SCALE: 1 INCH = 80 FEET

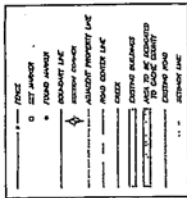


Table with columns: Lot No., Area, and other survey data.

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF KANE, I, JAMES JAMES & JAMES BOOTH, the undersigned, do hereby acknowledge that I have read and understand the contents of the foregoing plat and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned, and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned, and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned.

OWNER'S DECLARATION

I, the undersigned, do hereby declare that I am the owner of the land shown on the foregoing plat and that I have the right to dispose of the same as I see fit.

APPROVAL AS TO FORM

APPROVED AS TO FORM: _____ DATE: _____

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF KANE, I, JAMES JAMES & JAMES BOOTH, the undersigned, do hereby acknowledge that I have read and understand the contents of the foregoing plat and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned, and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned.

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED BY THE COUNCIL OF THE TOWNSHIP OF _____ DATE: _____

COUNTY SURVEYOR'S CERTIFICATE

I, COUNTY SURVEYOR, have examined the plat and find it to be correct and conform to the provisions of the laws of the State of Utah.

MAYOR'S APPROVAL AND ACCEPTANCE

APPROVED BY THE MAYOR OF THE CITY OF _____ DATE: _____

ACKNOWLEDGMENT

STATE OF UTAH, COUNTY OF KANE, I, JAMES JAMES & JAMES BOOTH, the undersigned, do hereby acknowledge that I have read and understand the contents of the foregoing plat and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned, and that I have signed and acknowledged the same in my own presence and in the presence of the undersigned.

COUNTY RECORDER'S NO.

RECORDED AND FILED IN _____ DATE: _____

COUNTY RECORDER

I, COUNTY RECORDER, have examined the plat and find it to be correct and conform to the provisions of the laws of the State of Utah.

DUANE E. MARGENIE DOX 63-688-0072

GENERAL NOTES: 1. THIS SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE AND CORRECT. 2. I HAVE COMPLIED WITH ALL THE LAWS AND REGULATIONS OF THE STATE OF UTAH RELATIVE TO THE MAKING OF SURVEYS. 3. I HAVE BEEN DULY LICENSED BY THE STATE OF UTAH TO MAKE SURVEYS. 4. I HAVE BEEN DULY BONDED BY THE STATE OF UTAH TO MAKE SURVEYS. 5. I HAVE BEEN DULY REGISTERED BY THE STATE OF UTAH TO MAKE SURVEYS. 6. I HAVE BEEN DULY QUALIFIED BY THE STATE OF UTAH TO MAKE SURVEYS. 7. I HAVE BEEN DULY EXAMINED BY THE STATE OF UTAH TO MAKE SURVEYS. 8. I HAVE BEEN DULY TESTED BY THE STATE OF UTAH TO MAKE SURVEYS. 9. I HAVE BEEN DULY EVALUATED BY THE STATE OF UTAH TO MAKE SURVEYS. 10. I HAVE BEEN DULY APPRAISED BY THE STATE OF UTAH TO MAKE SURVEYS. 11. I HAVE BEEN DULY REVIEWED BY THE STATE OF UTAH TO MAKE SURVEYS. 12. I HAVE BEEN DULY APPROVED BY THE STATE OF UTAH TO MAKE SURVEYS. 13. I HAVE BEEN DULY ACCEPTED BY THE STATE OF UTAH TO MAKE SURVEYS. 14. I HAVE BEEN DULY RECOGNIZED BY THE STATE OF UTAH TO MAKE SURVEYS. 15. I HAVE BEEN DULY RESPECTED BY THE STATE OF UTAH TO MAKE SURVEYS. 16. I HAVE BEEN DULY HONORED BY THE STATE OF UTAH TO MAKE SURVEYS. 17. I HAVE BEEN DULY FEARED BY THE STATE OF UTAH TO MAKE SURVEYS. 18. I HAVE BEEN DULY LOVED BY THE STATE OF UTAH TO MAKE SURVEYS. 19. I HAVE BEEN DULY SERVED BY THE STATE OF UTAH TO MAKE SURVEYS. 20. I HAVE BEEN DULY PROTECTED BY THE STATE OF UTAH TO MAKE SURVEYS. 21. I HAVE BEEN DULY DEFENDED BY THE STATE OF UTAH TO MAKE SURVEYS. 22. I HAVE BEEN DULY ATTACKED BY THE STATE OF UTAH TO MAKE SURVEYS. 23. I HAVE BEEN DULY KILLED BY THE STATE OF UTAH TO MAKE SURVEYS. 24. I HAVE BEEN DULY BURIED BY THE STATE OF UTAH TO MAKE SURVEYS. 25. I HAVE BEEN DULY BURNED BY THE STATE OF UTAH TO MAKE SURVEYS. 26. I HAVE BEEN DULY DROWNED BY THE STATE OF UTAH TO MAKE SURVEYS. 27. I HAVE BEEN DULY HANGED BY THE STATE OF UTAH TO MAKE SURVEYS. 28. I HAVE BEEN DULY BEHEADED BY THE STATE OF UTAH TO MAKE SURVEYS. 29. I HAVE BEEN DULY QUARTERED BY THE STATE OF UTAH TO MAKE SURVEYS. 30. I HAVE BEEN DULY TORTURED BY THE STATE OF UTAH TO MAKE SURVEYS. 31. I HAVE BEEN DULY MUTILATED BY THE STATE OF UTAH TO MAKE SURVEYS. 32. I HAVE BEEN DULY CASTRATED BY THE STATE OF UTAH TO MAKE SURVEYS. 33. I HAVE BEEN DULY IMPEACHED BY THE STATE OF UTAH TO MAKE SURVEYS. 34. I HAVE BEEN DULY CONVICTED BY THE STATE OF UTAH TO MAKE SURVEYS. 35. I HAVE BEEN DULY EXECUTED BY THE STATE OF UTAH TO MAKE SURVEYS. 36. I HAVE BEEN DULY BURNED ALIVE BY THE STATE OF UTAH TO MAKE SURVEYS. 37. I HAVE BEEN DULY HUNG BY THE STATE OF UTAH TO MAKE SURVEYS. 38. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 39. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 40. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 41. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 42. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 43. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 44. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 45. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 46. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 47. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 48. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS. 49. I HAVE BEEN DULY INNOCENT BY THE STATE OF UTAH TO MAKE SURVEYS. 50. I HAVE BEEN DULY GUILTY BY THE STATE OF UTAH TO MAKE SURVEYS.

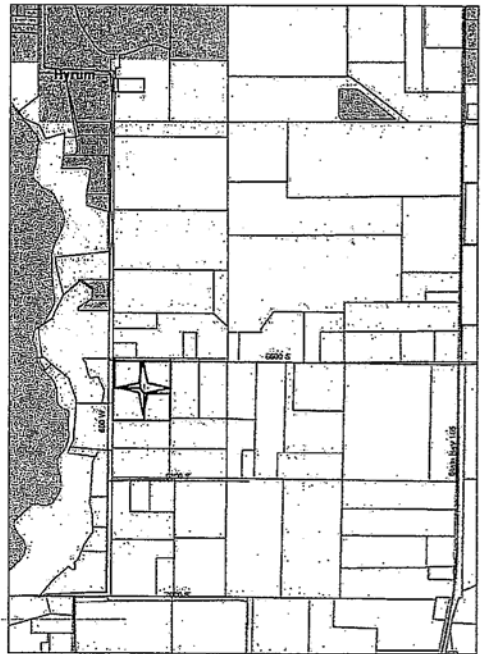
SPETH ROAD SUBDIVISION PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 11 NORTH, RANGE 1 EAST, S1.B. & M.

NEED CHAPTER COVER OF BOOKS 1 & 2 IN THE COUNTY OF KANE, UTAH.

Development Services Cache County Corporation

Project Name: Cooper 4-Lot Subdivision
Agent: Dennis Cooper
Request: 4-Lot Subdivision
Type of Action: Quasi-Judicial
Current Zoning: Agriculture (A)
Project Address: 528 West 6600 South (Hyrum)
Tax ID: 01-080-0075
01-080-0080
01-080-0005
01-080-0076

Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture/Single Family Homes
South – Agriculture
East – Agriculture/Single Family Homes
West – Single Family Homes



General Location

PROJECT

History: In June, 1997 a Conditional Use Permit was granted to Justin and Shauna Wiberg to divide parcels 01-080-0075 and 01-080-0076 from 01-080-0005 (the 1970 parent parcel). At that time only parcel 01-080-0075 was designated as a buildable lot. Development was not allowed on parcel 01-080-0076 because there was no access. Parcel 01-080-0005 was designated a remainder parcel. Since 1997 the remainder parcel has been divided into two parcels without approval from the County Land Use Authority. An opinion issued by the County Attorney's office states that "any development of the remainder parcels would need to be obtained by following the provisions of the County's subdivision ordinance."

This subdivision request is being continued from the June 7, 2007 Planning Commission meeting. The reason for continuance was because Lot 4 had not acquired adequate water. Adequate water has still not been provided in part because the landowner does not wish to develop the lot at this time. Staff recommends that Lot 4 be labeled as a non-buildable agricultural parcel. If the lot is to be developed late it will require a subdivision amendment in compliance with state and local laws.

Request: The applicant is requesting a subdivision to redesignate Lots 2, 3, and 4 as buildable lots. There is an existing home on Lot 1 and an existing shed on Lot 2. The proposed lot sizes are 1.89 acres (Lot 1), 2.0 acres (Lot 2), 2.76 acres (Lot 3), and 2.77 acres (Lot 4). The lot sizes on all lots meet the minimum lot size requirements for a subdivision in the Agricultural zone as provided in §17.09.040.

Access: Lots 1 and 3 will gain access from County Road 6600 South. Lot 2 will gain access via a private drive through Lot 1. Lot 4 will be accessed from County Road 600 West. Both County roads have a paved surface width of at least 20 feet. Staff is recommending that the applicant record a written easement that reaffirms the County's right-of-way on the existing roads.

Water & Septic: Lots 1 and 2 are in compliance with existing wastewater code. Lots 3 and 4 have been determined feasible for septic systems. Septic systems for these two lots will require a maximum trench depth limited to 10 feet. All septic systems must be located a minimum of 100 feet from ditches, streams, or deep wells, and 200 feet from shallow wells and culinary springs.

Culinary water will be provided by Hyrum City for Lots 1, 2, and 3. Staff received no documentation of a culinary water supply for Lot 4. Because of its size Lot 4 should not be considered as a dry lot. Staff recommends continuation until proof of culinary water is supplied for Lot 4.

Service Provision: Fire tenders from Hyrum are 2.0 miles from the property. Water supply is provided by hydrants in the area. A re-inspection of private drives is required before release of building permits. The

school bus stop is located at 600 West 6600 South. All trash containers must be placed on a county road for collection.

PUBLIC COMMENTS

Notices were mailed to 8 property owners located within three hundred feet of the subject property and to Hyrum City. At the time this report was published no public comments had been received.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission approve a motion to recommend approval to the County Council of the Cooper 4-Lot Subdivision for property located at approximately 528 West 6600 South (Hyrum), TIN # 01-080-0075, 01-080-0080, 01-080-0005, and 01-080-0076.

Standard Stipulations:

1. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to and within the development area with an easement or dedication to be recorded on the final survey plat.
2. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be 100 to 200 feet from any water way or well unless otherwise designated by the Health Department.
3. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
4. All trash containers shall be placed on County Road 6600 South or 600 West for collection.
5. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.

Site Specific Stipulations:

6. Lot 4 will be labeled as a non-buildable agricultural parcel on the final survey plat. The subdivision may be amended in the future to make Lot 4 developable. The amendment shall be in conformance with State code and the County Ordinance.

RECOMMENDED FINDINGS OF FACT

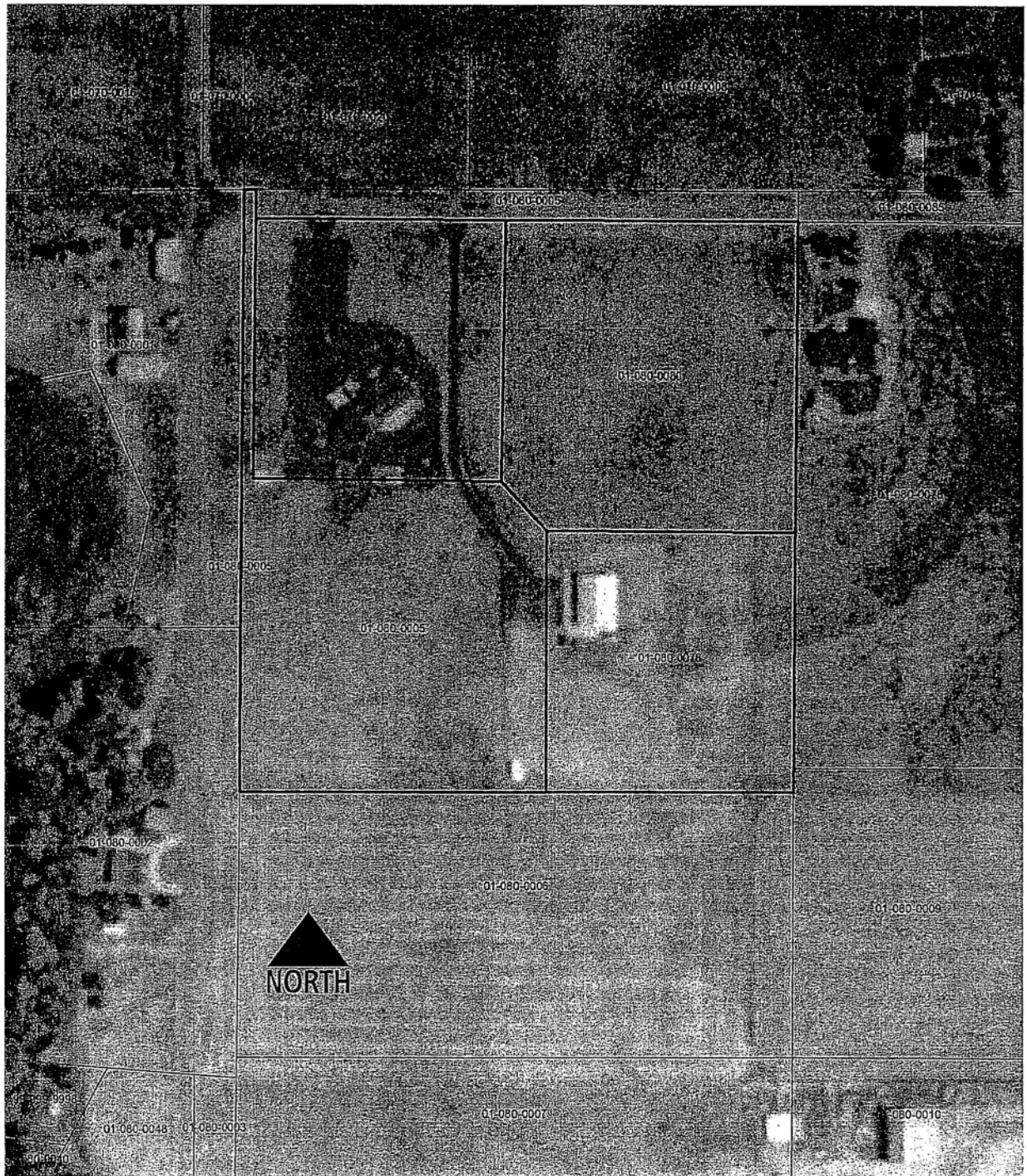
The Planning Commission bases its decision on the following findings supported in the administrative record for this project.

1. The Cooper 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 Cooper 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 17 of the Cache County Code.
4. The Cooper Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. County Roads 6600 South and 600 West, the roads that provides access to the subject property, have an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,

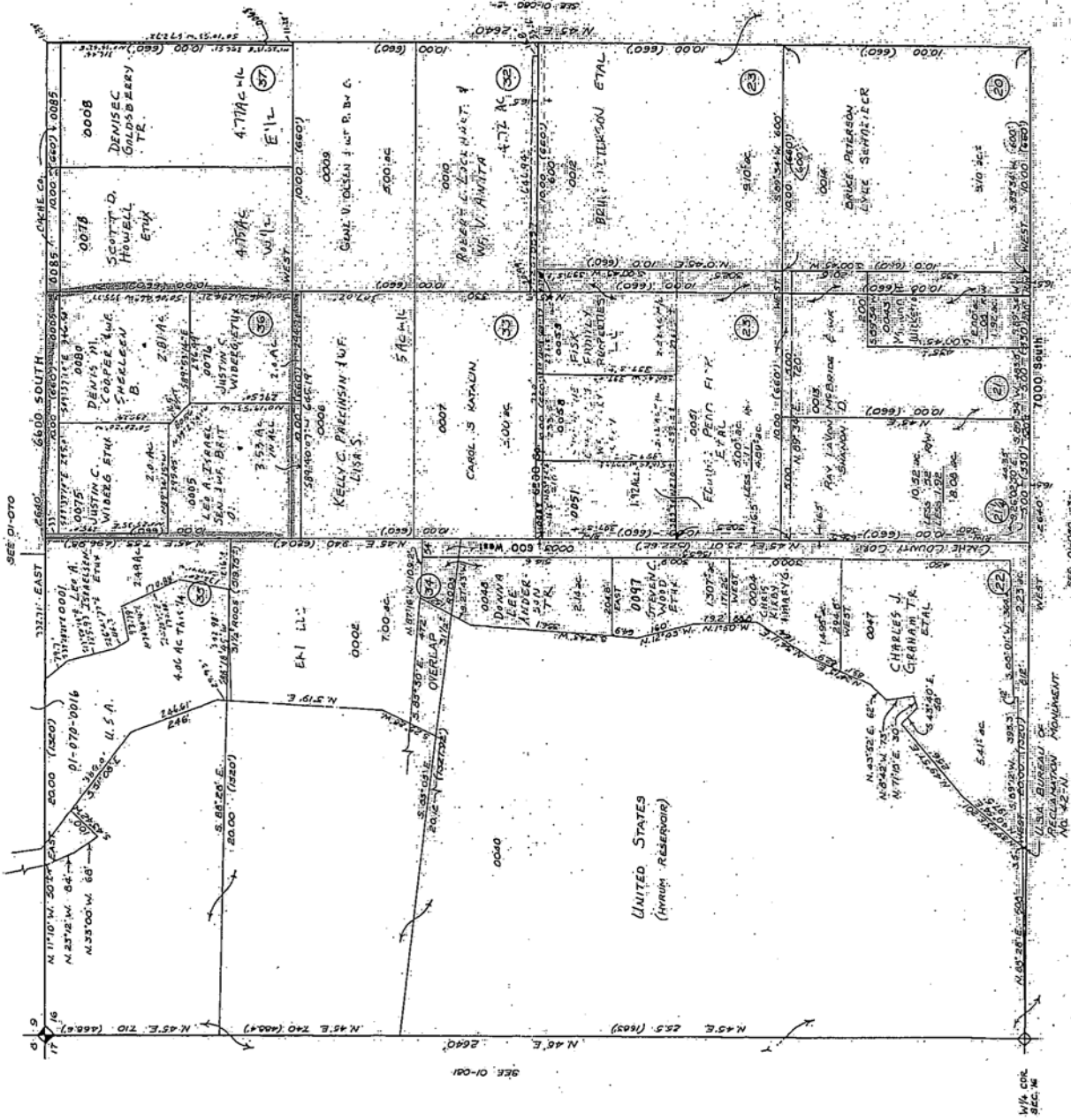
Jay Baker
Associate Planner I
Report Published: June 28, 2007

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.



SCHOOL Section 16 Township 10 North Range 1 East

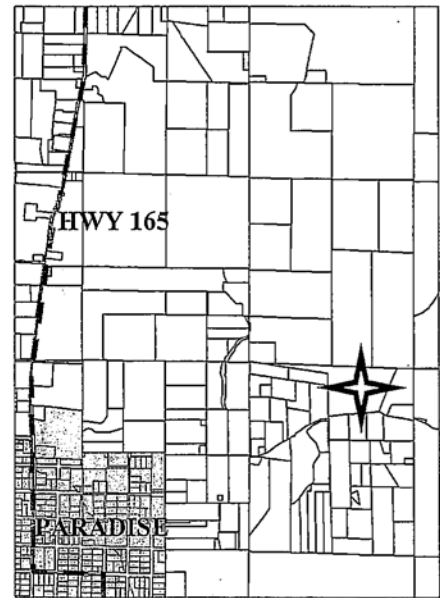
NW 1/4 Scale 1 Inch = 200 FEET TAX UNIT 28



Denise Sheridan Cooper Hyrum 245-6410

Development Services Cache County Corporation

Project Name: Green Canyon Paradise Estates
Agent: Aaron Wiser
Request: 5-Lot Subdivision
Type of Action: Quasi-Judicial
Current Zoning: Agriculture (A)
Project Address: 1325 East 8600 South
Tax ID: 01-092-0002
Staff Recommendation: Recommend Approval with Stipulations
Surrounding Uses: North – Agriculture
South – Single Family Dwellings
East – Agriculture
West – Agriculture/Single Family Dwelling



Site Location

PROJECT

Request: The applicant is requesting a subdivision to create four (4) building parcels and one dry lot. Lot sizes are as follows: Lot 1 is 10.01 acres, Lot 2 is 5.58 acres, Lots 3 is 5.51 acres, Lot 4 is 6.22 acres, and Lot 5 (dry lot) is 25.04 acres. The proposed subdivision meets the minimum lot size requirements of §17.09.040 and the number of lots/lot size requirements of §17.09.060 (there will be five lots from the original 1970 parent parcel).

Issues: Lots 2 and 3 are covered by slopes equal to or greater than 30% and mapped FIRM floodplain, leaving no buildable area. Approximately 95% of Lots 1 and 4 are in the floodplain or on a 30% or greater slope, leaving marginal building areas. Cache County Ordinance §17.18.060(A) states that "no building or structure shall be constructed on any areas where the rise or fall of the land is equal to or exceeds thirty percent over a horizontal distance of 100 feet or greater." Further §17.18.060(C) states that areas within the mapped floodplain as identified by the Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) can be restricted from uses which are dangerous to health, safety, and property due to water or erosion hazards.

The applicant has been working with the County Engineer to resolve the floodplain issues. The engineering review showed that flow rates used to delineate the flood plain are unrealistically high. New engineering models were run to determine reasonable flow rates for 10, 100, and 500 year flood events. The proponent has agreed in writing to the proposed solutions. The letter from the proponent is attached to this report as Exhibit A.

Access: This subdivision would be serviced from 8600 South, a county road. The road is 16 feet wide and gravel with some portions being 19 feet wide. During times of water runoff portions of the road are washed out. The Road Department recommendation is to reject the subdivision based on access unless the road is widened to 20 feet and storm water drainage problems are resolved. Exhibit A also addresses the road issues of drainage and runoff.

Water & Septic: The applicant has applied to State of Utah Division of Water Rights for a change of use to obtain culinary water rights for all lots except Lot 5. The subdivision would not be recorded until there are approved culinary water rights for Lots 1-4.

The Bear River Health Department has found that the soils on all of the lots are suitable for septic systems with a maximum trench depth limited to 24 inches. A percolation test on each lot will be required prior to obtaining a septic permit. Due to the floodplain in the area, the building envelope will include the wastewater drainfield with an approximate dimension of 50 feet X 100 feet. One foot of sandy loam will be placed over the existing ground where the drainfield is located to prevent stormwater from running

across the drainfield. Each home will be required to obtain a permit and install the septic system in accordance with R317-4 Utah Administrative Code. Any new septic system shall be between 100 and 200 feet from any water ways or wells, as determined by the Bear River Health Department.

Service Provision: Water supply tenders from Paradise are 2.4 miles away. Access from 8600 South is not adequate. The road needs to be widened to 20 feet of hard surface and an adequate turnaround at the east end of the subdivision will be required. Stormwater issues will need to be addressed in conjunction with the road widening. Each new home will require additional review when their location on the lots is determined. The bus stop is located at 8400 South 1200 East, one-and-a-quarter blocks from the property.

Garbage cans must be placed on county road 8600 South and allow sufficient space along the road for refuse and recycle containers. Owners of these lots will not be allowed to use the 300 gallon containers located west of the proposed subdivision. The road and turnaround will need to be improved to allow for all weather use. The brush and trees on the side of the road will need to be trimmed back and up to allow for large truck use. The Cache County Service Area #1 is concerned that snowmobile trailers parked in the turnaround during winter months may interfere with turn around access.

AGENCY AND COUNTY DEPARTMENT RECOMMENDATIONS

Fire Department:

- Due to the distance from the fire department, a lack of water supply, and unavailability of fire hydrants in the area, residential fire sprinklers are recommended.
- This area may be considered to be in the Urban/Wildland interface area and should conform to requirements of the International Fire Code §304.1.2 Vegetation section as amended in R652-122-200 U.A.C.

PUBLIC COMMENTS

Notices were mailed to 9 property owners located within three hundred feet of the subject property and to the town of Paradise. At the time this report was published written comment was received from one adjacent landowner who expressed concerns regarding safety on County Road 8400 South, potential flood damage, the effect of the development on the ability to irrigate surrounding land, availability of culinary water, placement of trash containers, and the possibility of future subdivision of the lots.

STAFF RECOMMENDATIONS

Action: Staff recommends that the Planning Commission make a motion to recommend approval to the County Council of the Green Canyon Paradise Estates Subdivision, a five (5) lot subdivision for property located at approximately 1325 East 8600 South (Paradise), TIN #01-092-0002.

Standard Stipulations:

1. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to and within the development area with an easement or dedication to be recorded on the final survey plat.
2. All County Roads adjacent to the development area shall be improved to 20 feet of typical hard surface, the cost of which shall be paid by the proponent.
3. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200 feet from any water way or well unless otherwise designated by the Health Department.
4. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
5. All trash containers shall be placed on County Road 8600 South for collection.
6. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.

Site Specific Stipulations:

7. The proponent agrees to meet all conditions of the attached Exhibit A, a letter dated May 30, 2007 from the proponent regarding the flood plain and County Road 8600 South.

8. Drainage and washout issues on 8600 South will be addressed with adequate road design and construction. The road design shall be reviewed by the County Engineer with the cost of such review being paid by the applicant.
9. A turnaround adequate for all County service vehicles will be constructed on the east end of the subdivision. The turnaround will be reviewed for adequacy by the County Fire Department.
10. The proponent shall trim all trees and shrubs along 8600 South up and back to provide adequate clearance for all service vehicles.
11. The applicant shall submit an Engineered Geotechnical Report to the County which shall be reviewed by the Utah Geological Survey for completeness, accuracy, and appropriate recommendations. The report shall contain all points listed in County Code §17.18.070.
12. All natural hazards identified by the geotechnical report shall be recorded as a restrictive covenant running with the land.
13. All structures, construction, or excavation proposed within the mapped floodplain or the County's 100 foot buffer shall require an Elevation Certificate from a State Certified Surveyor.

RECOMMENDED FINDINGS OF FACT

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

1. The Green Canyon Paradise Estates 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. Green Canyon Paradise Estates 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 17 of the Cache County Code.
4. The Green Canyon Paradise Estates Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 8600 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

Respectfully submitted,
Jay Baker

Associate Planner I

Report Published: May 30, 2007

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.

PARADISE TOWN

Paradise, UT 84328-0286
(435)245-6737

March 27, 2007

Cache County Planning Commission
170 North Main Room 305
Logan, UT 84321

Planning Commission Members,

The following are concerns of the Paradise Town Council and Planning Commission regarding the proposed Green Canyon Paradise Estates Subdivision.

Growth outside the corporate limits stresses the infrastructure of the Town in the following ways:

Existing roads have additional use.

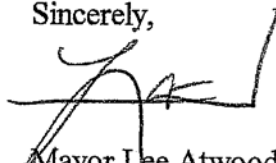
Parks and recreation have increased use.

Fire protection and emergency medical services are expanded.

Most of the cost for these items are paid for by the Town of Paradise and its' residents. The proposed subdivision is outside the corporate limits of Paradise, so there would be no revenue from the property owners of this subdivision to help off set the impacts and costs associated with this development.

The Council is not entirely against development outside the corporate limits, just concerned about enough revenue to provide adequate services to all the property owners in and around Paradise. Thank you for your consideration of the above concerns.

Sincerely,



Mayor Lee Atwood
Paradise Town Council

EXHIBIT A



ENGINEERS • SURVEYORS • PLANNERS

May 30, 2007

JUB Engineers
C/o Lynn Zollinger
1047 South 100 West, Suite 130
Logan, Utah 84321

RE: Green Canyon Paradise Estates Flood Plain

Dear Lynn,

This letter is to respond to your May 21, 2007 review letter of the Green Canyon Estates.

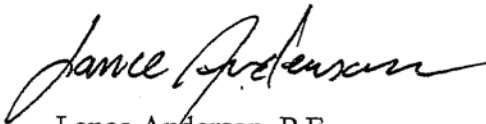
- I reevaluated the flood plain using 100 cfs for the 100-year flood event and 170 cfs 500-year flood event.
- I have attached new drawings showing the centerline of the road design for 30 mph.
- The attached drawings show the new right-of-way with 33 feet on north side of centerline.
- Also, the attached preliminary plat shows the new right-of-way dedication.
- The proposed culvert on 8600 South is 36" HDPE culvert with 1.5 feet of freeboard. The wing walls have been adjusted to divert water into the culvert upstream and protect the downstream bank.
- The proposed culvert is 36" HDPE.
- The proposed plan is to rip rap the south side of the road where the existing ditch runs parallel with the road to protect the road embankment.
- As mentioned the culvert will have a minimum of 1.5 feet of freeboard for the 100-year flood event. The 500-year storm event will overtop the road.
- The attached drawings have the new road profile (vertical alignment) that show the centerline being higher than adjacent properties.
- The proposed road cross section is a minimum of 22 feet of asphalt with a clear zone of seven feet. The culvert structure will be located outside of the clear zone.
- As shown on the drawings the flood plain is defined to the 50-foot setback from the stream. I have attached calculations for the flood plain showing where the flood plain elevation (100-yr and 500-yr) is shown within this 50-foot setback. The attached calculations show the proposed stream channel. The proposed cross section of the stream channel is 2.5 wide with a 2:1 stream bank slope with the 50-foot setback from the stream bank at 1.5 feet above the stream bank. The proposed stream channel will ensure the

building pads and dwelling units are 1.5 feet above the 100-year flood event and 0.92 feet above 500-year flood event (see attached calculations).

- To ensure all dwelling structures are located 1.5 feet above the 100-year flood event a LOMR-F will be required of each lot owner before building permit is issued. A LOMR-F is a certificate of the flood plain elevation and the dwelling structure finish floor elevation. The certificate is prepared by a licensed surveyor or engineer to verify the elevations. The certificate is filled out before construction begins to set the finish floor elevation. After the dwelling structure is completed the finish floor elevation is verified and the final LOMR-F is submitted to the county and FEMA.
- The developer will submit for a stream alteration permit from the State of Utah Division of Water Rights. The permit will propose the stream cross section with rip rap (using existing material) in the bottom stream channel.
- A proposed berm on the north property boundary, as shown on the plans, will direct the 100-year storm event into the stream channel. The berm will be a minimum of three feet.
- As shown on the plans a proposed 50-foot turnaround will be constructed for turning around at the end of the development.

If you have any questions please call.

Sincerely,



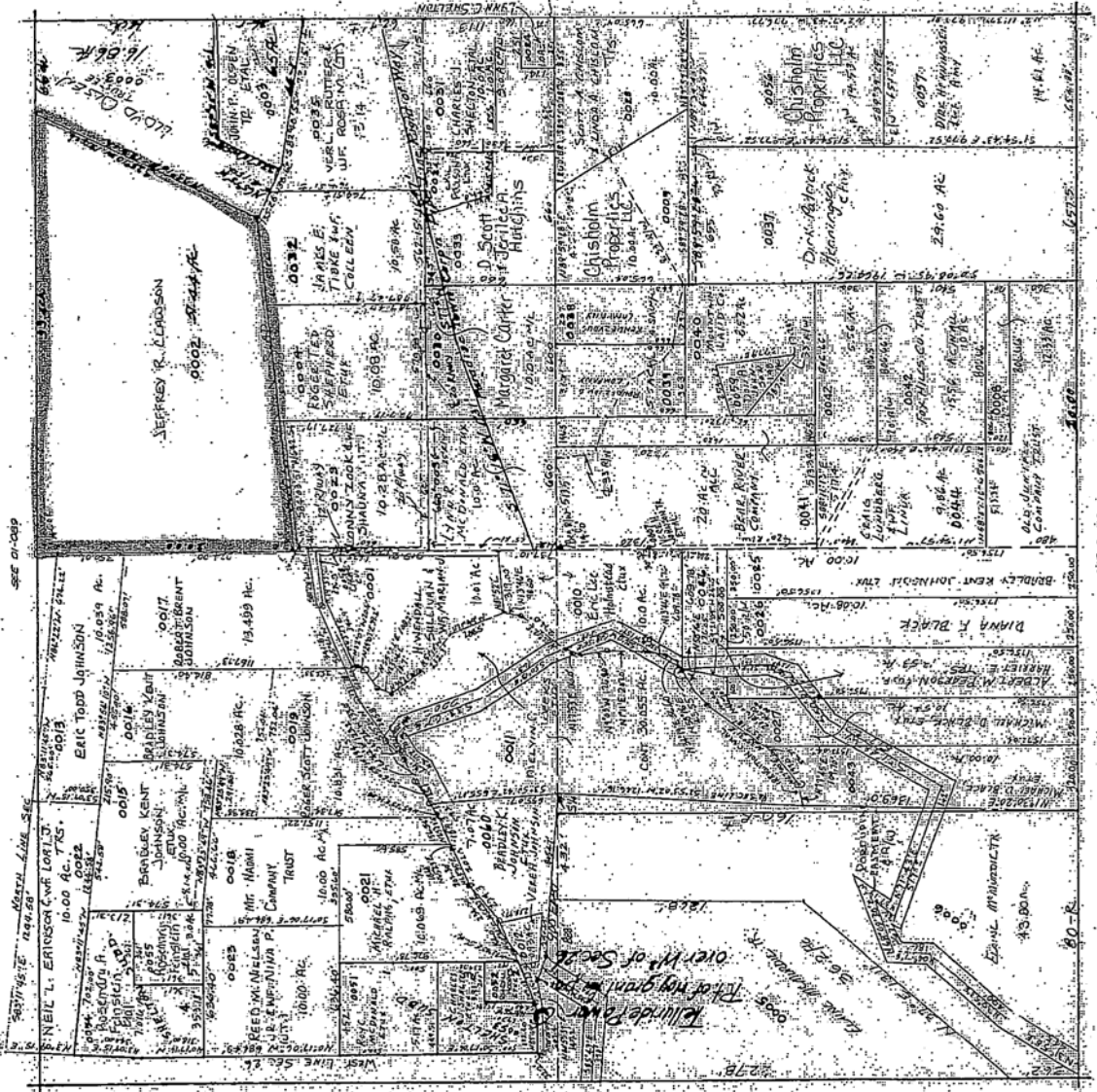
Lance Anderson, P.E.

01-092

SECTION 26, TOWNSHIP 10 NORTH, RANGE 1 EAST

SCALE 1 INCH = 6 CHAINS

TAX UNIT 01



SEE 01-101

SEE 01-09

SEE 01-093

1 Cache County Planning Commission (CCPC)

2

3 Minutes for 07 June 2007

4

5 **Present:** Wendell Morse, Josh Runhaar, Jay Baker, Chris Sands, Lee Nelson, Troy Allen,
6 Lamar Clements, George Daines, Gordon Zilles; Lynn Lemon, Shawn Bunnell

7

8 **Start Time: 05:33:49**

9

10 Nelson welcomed, and gave opening remarks.

11

12 Approval of Agenda

13

14 Clements moved to approve the agenda as printed. Sands seconded; passed 4, 0.

15

16 Approval of Minutes

17

18 Clements moved to accept the 3 May 07 minutes as printed Sands seconded; passed 4, 0.

19

20 The motion to approve the 28 Aug 06 Special Meeting Minutes was delayed until next
21 meeting to be reviewed by more Planning Commissioners.

22

23 **05:37:35 PM**

24

25 ~~Item # 1 Cooper Subdivision~~

26

27 Baker introduces Cooper's request and reviews staff report.

28

29 **Issues discussed:** water requirements on subdivisions; Dry lots are usually large,
30 remainder lots where farming is feasible; Water rights expiration period, Plat labeling
31 options, dry lot, restricted, or unbuildable; A signed agreement tied to the land allowing
32 lot 4 to be developed once water is obtained.

33

34 **Sherleen Cooper** The desire was to legalize previously divided land. We had hoped that
35 lot 4 could be a dry lot.

36

37 **Leo Israelsen** is working on getting water. Paradise irrigation Co may not allow water to
38 be transferred from irrigation to culinary. He doesn't want to hold up the Coopers, but
39 understands an agreement would be important.

40

41 **Allen** our ordinance tends to force people to develop because it becomes uneconomical to
42 sit on land.

43

44 Clements moved to continue Cooper Subdivision to next meeting. Allen seconded; passed
45 4, 0.

46

1 06:06:58 PM

2
3 Item # 2 Green Canyon Paradise Estates

4
5 **Baker** introduces Aaron Wiser's request and reviews staff report. Staff recommends
6 approval.

7
8 **Issues discussed:** County responsibility to maintain roads; a special assessment district
9 possibility to help fund road maintenance; determining when to deny further development
10 based on poor road conditions; smart subdivision design.

11
12 **Allen** Stipulation # 2 about county roads should specify which roads.

13
14 **Wendall Sullivan** had several concerns

- 15 1. He is not opposed to development, he just wants it done correctly.
- 16 2. The road west of my property is only 17 feet wide at parts, and very steep, it
17 needs improvement. There has been confusion about the road name. In 1979 it
18 was 8600 S, then 8400 S, now it's 8500 S.
- 19 3. I have a right to Green Canyon water. The braided channels need to be
20 maintained.
- 21 4. Road adjacent to lot 5 had damage from water runoff.

22
23 **Lemon** This stretch of road would be very expensive due to grade, access, and canal.

24
25 **Clements** moved to recommend to the County Council approval of Green Canyon
26 *Paradise Estates with stipulations. Allen seconded; passed 4, 0.*

27
28 **STAFF RECOMMENDATIONS**

29 *Action:* Staff recommends that the Planning Commission make a motion to recommend approval to the County Council of the Green
30 Canyon Paradise Estates Subdivision, a five (5) lot subdivision for property located at approximately 1325 East 8600 South (Paradise),
31 TIN #01-092-0002.

32 *Standard Stipulations:*

- 33 1. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to and within the development area
34 with an easement or dedication to be recorded on the final survey plat.
- 35 2. County road 8600 South shall be improved to 20 feet of typical hard surface, the cost of which shall be paid by the
36 proponent.
- 37 3. Any new septic systems shall meet the requirements of the Bear River Health Department and shall be a minimum of 200
38 feet from any water way or well unless otherwise designated by the Health Department.
- 39 4. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
- 40 5. All trash containers shall be placed on County Road 8600 South for collection.
- 41 6. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on
42 the lots.

43 *Site Specific Stipulations:*

- 44 7. The proponent agrees to meet all conditions of the attached Exhibit A, a letter dated
45 May 30, 2007 from the proponent regarding the flood plain and County Road 8600 South.
- 46 8. Drainage and washout issues on 8600 South will be addressed with adequate road design and construction. The road design
47 shall be reviewed by the County Engineer with the cost of such review being paid by the applicant.
- 48 9. A turnaround adequate for all County service vehicles will be constructed on the east end of the subdivision. The turnaround
49 will be reviewed for adequacy by the County Fire Department.
- 50 10. The proponent shall trim all trees and shrubs along 8600 South up and back to provide adequate clearance for all service
51 vehicles.
- 52 11. The applicant shall submit an Engineered Geotechnical Report to the County which shall be reviewed by the Utah
53 Geological Survey for completeness, accuracy, and appropriate recommendations. The report shall contain all points listed
54 in County Code §17.18.070.
- 55 12. All natural hazards identified by the geotechnical report shall be recorded as a restrictive covenant running with the land.

- 1 13. All structures, construction, or excavation proposed within the mapped floodplain or the County's 100 foot buffer shall
2 require an Elevation Certificate from a State Certified Surveyor.
3

4 **RECOMMENDED FINDINGS OF FACT**

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

- 6 1. The Green Canyon Paradise Estates Subdivision has been revised and amended by the conditions of project approval to address
7 the issues and concerns raised within the public and administrative records.
8 2. Green Canyon Paradise Estates Subdivision has been revised and amended by the conditions of project approval to conform to the
9 requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
10 3. The subdivision approval is issued in conformance with Title 17 of the Cache County Code.
11 4. The Green Canyon Paradise Estates Subdivision is compatible with surrounding land uses and will not interfere with the use and
12 enjoyment of adjoining or area properties.
13 5. 8600 South, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the
14 proposed use.

15
16 **06:35:50 PM**

17
18 **Item # 3 Fire Department Presentation**

19
20 **Craig Humphreys** briefs Planning Commission about residential sprinklers.

21
22 **Issues discussed:** Fire Department response time; insurance reduction for installing;
23 frozen pipes, water damage; and the interior wall design to mitigate; perceived high cost
24 of installation; installed only by certified person; selective or spot installation in high
25 probability areas; Possible option or trade off in ordinance for sprinklers instead of
26 hydrant; educating the public about sprinkler systems; Sprinkler pipe is different than
27 regular culinary pipe; A square foot limit may be an option to require sprinklers only for
28 very large homes.

29
30 **Humphreys** I have and will continue recommending sprinklers; choice is necessary.

31
32 **Aaron Wiser** as a developer I am in favor of the option to install sprinkler instead of
33 hydrants. There would be less upfront cost.

34
35 **07:43:00 PM**

36
37 **Item # 4 Discussion - §17.16 Group Living Facilities**

38
39 **Runhaar** updated Planning Commission about public comment and research regarding
40 group living facilities. Uinta Academy has been turned down because their State License
41 defines them as a Residential Treatment Facility, which isn't allowed in the Ag Zone.

42
43 **Clements:** I believe the neighbors fear the unknown.

44
45 **Issues Discussed:** using a tiered description system instead of linear for definitions and
46 use chart; using a reference to State definitions, instead of listing in the County Ordinance;
47 neighborhood character.

48
49 **08:15:00 PM**

1 **Item # 5 Discussion – Title 17 Administrative Sections, Definitions, & Use Categories**

2
3 **Runhaar** updated Planning Commission about LUDMA (Land Use Development
4 Management Act). The Administrative sections of the ordinance will need to be rewritten.
5 Boundary Line Adjustment and Lot split authority can be given to Zoning Administrator.

6
7 **Meeting adjourned.**

8
9 **08:24:15 PM**

10
11 For more detailed discussion see DVD 07 June 2007