

**CACHE COUNTY COUNCIL MEETING**  
**April 08, 2008**

The Cache County Council convened in a regular session on April 08, 2008 in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

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

**The following individuals were also in attendance:** Gladys Ann Atwood, Dave Bigelow, Cindy Bilskie, Cathy Bullock, Mike Bullock, Duane Chadwick, John Chadwick, Garth Day, Sandy Emile, Joe Fuhriman, Nicol Gagstetter, Julie Hollist, Sharon L. Hoth, Jim Huska, Shauna Kerr, Sheriff Lynn Nelson, David Nielsen, Pat Parker, Robert Pate, Dave Rayfield, Chief Gary Roberts, Josh Runhaar, Jim Smith, Laraine Swenson, Lori Weigel, **Media:** Charles Geraci (Herald Journal), Brandon Loomis, (Salt Lake Tribune), 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**

Executive Lemon indicated that Item 10b. – *Approval of Increase in fees for Agricultural Protection Area* - has been moved to the April 22, 2008 County Council agenda and Chairman Hansen noted that Paula Watkins has requested that Item 11d. – *Mendon Cottage Library/Mendon City Request for financial assistance* – be moved to the April 22, 2008 County Council agenda.

**ACTION: Motion by Council member Petersen to approve the revised agenda. Yeates seconded the motion. The vote was unanimous, 7-0.**

**REVIEW AND APPROVAL OF MINUTES**

**ACTION: Motion by Council member Gibbons to approve the minutes of the March 25, 2008 Council meeting as written. Robison seconded the motion. The vote was unanimous, 7-0.**

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** There were no warrants.

**OTHER ITEMS**

- Logan Canyon Tubing Access** – Lemon said he received an email from Jeff Gilbert, CMPO, noting that UDOT has posted no parking signs by the canal. Gilbert wants to know if Cache County wants to hold a Public Hearing on the issue of tubing in the canal. The consensus of the Council was that UDOT made the decision to post the no parking signs and the County will not hold a Public Hearing.
- Ruby Pipeline – South Route** – Lemon noted that the proposed route goes through a lot of private property in the south end of Cache County. Lemon met with Senator Hatch's and Senator Bennett's and Congressman Bishop's offices and they recommend joining with Box Elder County in opposing the proposed south route. Lemon said that the original north route went through an established utility corridor and feels that is a better option.

**ACTION: Motion by Council member Yeates stating that the Cache County Council is opposed to the proposed south route of the Ruby Pipeline. Zilles seconded the motion. The vote was unanimous, 7-0.**

- Property Tax Hardship Request** – Lemon reviewed the circumstances relative to the request and said the applicant has authorized regular payments to be made from the applicant's bank account until the tax is paid. Lemon recommends approval.

**ACTION: Motion by Council member Petersen to approve the Property Tax Hardship Request. Gibbons seconded the motion. The vote was unanimous, 7-0.**

- Hyrum Library Open House** will be May 23, 2008 at 7:00 p.m. and the Council is invited to attend.

**ITEMS OF SPECIAL INTEREST**

- **Proclamation – National County Government Week April 6-12, 2008** – Chairman Hansen asked Vice Chairman Petersen to read the Proclamation.

(Attachment 1)

**ACTION: Motion by Council member Petersen to adopt the Proclamation – National County Government Week April 6-12, 2008. Robison seconded the motion. The vote was unanimous, 7-0.**

- **Employee of the Month** was presented to Mike Bullock of the Cache Valley Visitors Bureau by Jim Smith.
- **Chamber of Commerce Economic Report** – Sandy Emile updated the Council on the operations of the Chamber of Commerce including a power point presentation.

*Tape 1, Side B*

- **Cache County Sheriff Annual Report** – Sheriff Lynn Nelson gave a brief review of the Sheriff's Department noting that during the last five years the population has increased 5%, but calls for service have increased 46% and serious crimes have increased 42%.

- **Nature Conservancy Public Opinion Survey Results** - Nicol Gagstetter introduced Lori Weigel who reviewed the results of the survey conducted January 29-30, 2008. The results indicate strong support for an open space ballot question. Specifically, the survey asked if those surveyed would be in favor of a \$20,000,000.00 bond to protect and preserve land, etc.

Council members Petersen, Robison and Chambers expressed support for placing this question on the November 2008 ballot.

Council member Gibbons said he did not recall the \$20,000,000.00 figure when the Nature Conservancy approached the Council last fall about the survey.

Executive Lemon said that voters need to know the dollar impact on their property taxes and asked that language indicating the amount of property tax increase that would result from passing the bond needs to be included on the ballot. Shauna Kerr, Nature Conservancy, said the law will not allow that. The ballot language is specified by law. Lemon and Council members asked about placing an ad in the newspaper to inform voters of the cost. Kerr replied the Council could not do so. The Voters Guide can contain that information and the County can have input into what information is in the Guide. Lemon asked if the County could hold a Public Hearing on the proposed ballot issue. Kerr never responded verbally to Lemon's question.

Chairman Hansen asked who would be responsible to educate the public regarding the issue if it is placed on the November 2008 ballot. Kerr said the Nature Conservancy would use private funding for that purpose.

#### **INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Resolution No. 2008-07 – A Resolution approving a Ballot Measure for the 2008 General Election Regarding Issuance of a Bond Whose Proceeds would be used to Preserve Critical Lands in Cache County (NO ACTION TAKEN)**– Chairman Hansen asked the Council to continue the discussion on this question.

Lemon reiterated that there needs to be explanation to the public of the approximate increase in property tax if this is approved.

Gibbons voiced concerns about asking the voters to vote on an issue that would raise their taxes when the road tax has just been adopted, the price of fuel is skyrocketing and there are other economic concerns. Initiative A was soundly defeated statewide and he said he would not support placing this on the November 2008 ballot.

Petersen said the survey results indicate this is an issue of sufficient importance to place on the ballot for all citizens to vote on.

Zilles said his experiences as he has met with the Planning and Zoning Board cause him to favor letting this be on the ballot for people to vote on.

Chairman Hansen noted that land preservation, open space, etc. have certainly been longtime topics in the county and agrees with Lemon's observation that the voters need to have the dollar specific tax increase information.

Robison agreed that the tax increase information is needed even for the Council to be able to make a decision on this Resolution and asked that this information be available to the Council when this item is discussed at the April 22, 2008 Council meeting.

*Tape 2, Side A*

Gibbons said he would like to know how this would affect small business also.

Chambers asked if, hypothetically, the county bought property, can money from the funds raised from the \$20,000,000.00 bond be used to enhance property? Kerr said it can be.

Chairman Hansen thanked Weigel, Gagstetter and Kerr for their presentation and noted this will be an agenda item on April 22, 2008.

**Vice Chairman Petersen left the meeting.**

### **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**PUBLIC HEARING SET:** April 22, 2008 – 6:00 p.m. – Chris and Jennifer Griffin – 19.85 Acres – AG Protection Area.

**ACTION: Motion by Council member Yeates to set a Public Hearing for April 22, 2008 at 6:00 p.m. – Chris and Jennifer Griffin – 19.85 Acres-AG Protection Area. Gibbons seconded the motion. The vote was unanimous, 6-0. Petersen absent.**

**Vice Chairman Petersen returned to the meeting.**

### **PENDING ACTION**

- Ordinance No. 2007-05 - Agricultural Subdivisions (NO ACTION TAKEN)**
- Approval of Policies and Procedures for Cache County Fairgrounds and Approval of Amended Fee Schedule for Cache County Fairgrounds** – Robison said that most of the changes deal with horse stall rental and use of the indoor arena. After meeting with groups who use these facilities, Robison recommends approval of these policies and procedures and fees on a trial basis for this season.

Yeates asked if a figure for a maximum deposit had been arrived at? Robison and Zollinger said it is \$2,500.00 and that will be on the Policies and Procedures as well as the Amended Fee Schedule.

**(Attachment 2)**

**ACTION: Motion by Council member Gibbons to approve the Policies and Procedures for Cache County Fairgrounds and the Amended Fee Schedule for Cache County Fairgrounds. Yeates seconded the motion. The vote was unanimous, 7.0**

**BUDGETARY MATTERS**

◆ **Intra-Departmental Transfers**

CPDO

Transfer \$1,000.00 from Professional & Technical; \$1,000.00 from Software Packages and \$425.00 from Quality Growth-AG Protection to Misc Services to purchase ad space in the Cache Valley Images Magazine.

**(Attachment 3)**

Council member Yeates expressed displeasure over using taxpayers' money to advertise. Runhaar explained the ad is to furnish contact information on the Countywide Planning Office for businesses moving to Cache County.

**ACTION: Motion by Council member Gibbons to approve the Budget Transfer of \$2,425.00 to purchase ad space in the Cache Valley Images Magazine. Zilles seconded the motion. The motion passed 6 aye – Chambers, Gibbons, Hansen, Petersen, Robison & Zilles and 1 nay – Yeates.**

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Final Plat Approval – Cherry Creek Canyon Subdivision** – Runhaar explained this is a 4-lot subdivision at 11000 North 3200 East (Richmond). These lots will be for seasonal use.

**(Attachment 4)**

**ACTION: Motion by Council member Gibbons to waive the rules and approve the Final Plat for Cherry Creek Canyon Subdivision with the recommended stipulations. Chambers seconded the motion. The vote was unanimous, 7-0.**

- **Final Plat Approval – Robert A. Pate Subdivision** – Runhaar said this is a 4-lot subdivision at 2310 West 600 South (Young Ward). Lot 1 is an agricultural lot, Lots 2 and 3 have existing homes and Lot 2 is for development.

**(Attachment 5)**

**ACTION: Motion by Council member Zilles to waive the rules and approve the Final Plat for the Robert A. Pate Subdivision with the recommended stipulations. Yeates seconded the motion. The vote was unanimous, 7-0.**

- **Request for Support in naming mountain – “Cook Mountain”** – Lemon indicated he had given the Council the letter requesting the name as well as a sample letter to be sent to the U.S. Geological Survey approving the name.

**ACTION: Motion by Council member Yeates to forward a letter in support of the name “Cook Mountain” to the appropriate authority. Zilles seconded the motion. The vote was unanimous, 7-0.**

**OTHER BUSINESS**

- ✓ **Smithfield Health Days Parade – May 10, 2008 – 10:00 a.m.** – The Council asked Pat Parker to forward their regrets concerning the parade as they will all be out of town at state political party conventions.

**COUNCIL MEMBER REPORTS**

**Darrel Gibbons** reported that he and Chairman Hansen met with Intermountain Health Care and Sunshine Terrace and will return at a future date with recommendations relating to tax exemption status.

**Brian Chambers** asked Gibbons the status of the Box Elder Landfill issue. Gibbons said there has been a challenge to the Referendum sent to the Supreme Court and will, hopefully, come before the Court next month.

**Kathy Robison** reported that Vice Chair Petersen sent out a hundred surveys on the countywide library issue to Councils and Mayors and has received about fifty back. Jay Monson has drafted a proposal on the countywide library for presentations to the Regional and City Councils.

**Gordon Zilles** referred the Council to an article on the non-profit status of hospitals as worthy of review.

**Chairman Hansen** said he, Chambers and Zilles went to the meeting on property conservation easements and it was well attended.

The Council meeting adjourned at 7:15 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

\_\_\_\_\_  
**APPROVAL:** John A. Hansen  
Chairman

CACHE COUNTY  
CORPORATION

**M. LYNN LEMON**  
COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN  
LOGAN, UTAH 84321  
TEL 435-755-1850  
FAX 435-755-1981

**COUNTY COUNCIL**

DARREL L. GIBBONS  
JOHN A. HANSEN  
CORY YEATES  
H. CRAIG PETERSEN  
KATHY ROBINSON  
BRIAN CHAMBERS  
GORDON A. ZILLES

**PROCLAMATION**

Whereas, counties Care for Kids and provide critical services to the children and families that live in our great country; and,

Whereas, counties provide medical services, public safety, and educational development, immunization to keep kids healthy. Counties provide needed elderly services and healthcare to the disabled and the needy. When natural or man-made disaster strikes, county emergency service keep children and their families safe and informed until order can be restored; and,

Whereas, counties provide many services that make America's communities stronger, safer places to live and raise families; and,

Whereas, counties have a long history of caring and providing for their citizens and are the citizen's local government voice, providing solutions that bring communities together.

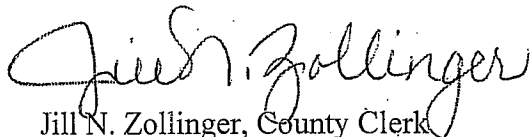
NOW THEREFORE, in recognition of the leadership, innovation and valuable service provided by our nation's counties, be it resolved that the Cache County Council and the Cache County Executive, County of Cache, State of Utah hereby proclaims April 6 - 12, 2008 as

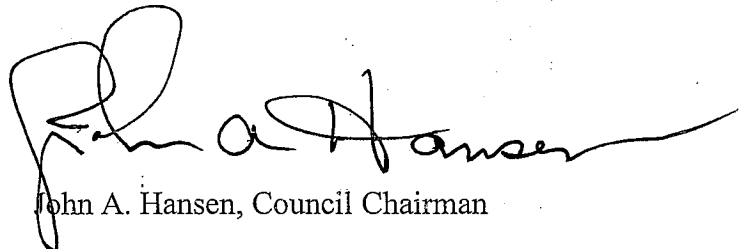
**NATIONAL COUNTY GOVERNMENT WEEK**

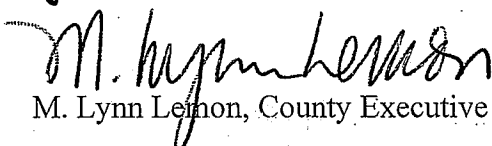
and urges all citizens to visit county government offices and become more aware of the importance of the services rendered.

In witness thereof, as Chairman of the County Council and County Executive, we have hereunto set our hand this 8<sup>th</sup> day of April, 2008.

Attest:

  
Jill N. Zollinger, County Clerk

  
John A. Hansen, Council Chairman

  
M. Lynn Lemon, County Executive

RECOMMENDED



**Cache County**  
**Rate Schedule**  
 179 North Main St. • Suite 202 • Logan, Utah 84321  
 (435) 755-1700 • (435) 755-1991



Facility	Fee	Units	Deposit
4-H Building	\$ 100.00	Daily	\$ 250.00
Arena Riding Pass (Family - annual)	\$ 110.00	Yearly	
Arena Riding Pass (Family - seasonal)	\$ 80.00	Seasonal	
Arena Riding Pass (Individual - annual)	\$ 80.00	Yearly	
Arena Riding Pass (Individual - one time use)	\$ 10.00	One Time Use	
Arena Riding Pass (Individual - seasonal)	\$ 55.00	Seasonal	
Bleachers (per set)	\$ 15.00	Daily	\$ 200.00
Boardwalk	\$ 300.00	Daily	\$ 300.00
Bowery	\$ 40.00	Daily	\$ 100.00
Cache Arena w/ livestock or motorized vehicle	\$ 45.00	Hourly	\$ 250.00
Cache Arena w/ livestock or motorized vehicle	\$ 400.00	Daily	\$ 500.00
Cache Arena w/o livestock or motorized vehicle	\$ 35.00	Hourly	\$ 250.00
Cache Arena w/o livestock or motorized vehicle	\$ 200.00	Daily	\$ 500.00
Camping	\$ 12.00	Nightly	
Community Arts	\$ 100.00	Daily	\$ 250.00
Cow Barn			
Grader w/ operator (per state contract)	\$ 135.00	Hourly	
Grand Stand	\$ 300.00	Daily	\$ 300.00
Green Space	\$ 75.00	Daily	\$ 250.00
Home Arts	\$ 100.00	Daily	\$ 250.00
Horse Stall & Corral Rental	\$ 75.00	Monthly	\$ 100.00
Horse Stall (includes 1 time bedding)	\$ 15.00	Daily	
Millburger	\$ 300.00	Daily	\$ 300.00
Outdoor Arena w/ livestock or motorized vehicle	\$ 45.00	Hourly	\$ 250.00
Outdoor Arena w/livestock or motorized vehicle	\$ 450.00	Daily	\$ 500.00
Outdoor Arena w/o livestock or motorized vehicle	\$ 35.00	Hourly	\$ 250.00
Outdoor Arena w/o livestock or motorized vehicle	\$ 200.00	Daily	\$ 500.00
Pavilion	\$ 100.00	Daily	\$ 250.00
Pig Barn			
Pit Stop	\$ 300.00	Daily	\$ 300.00
Portable Stage (\$400 added for setup/takedown)	\$ 250.00	Daily	\$ 500.00
Rabbit Barn			
RV Dump Fee	\$ 5.00	Per Dump	
Sheriff Security Fee	\$ 41.00	Hourly	
Staff Fee	\$ 35.00	Hourly	
Tank Truck w/ operator (per state contract)	\$ 95.00	Hourly	
Working Arena	\$ 20.00	Hourly	
Other heavy equipment w/operator (per state contract)			
Maximum deposit is \$2,500.00			



# ORIGINAL



## Cache County

### Rate Schedule

179 North Main St. • Suite 202 • Logan, Utah 84321  
(435) 755-1700 • (435) 755-1991



Facility	Fee	Units	Deposit
4-H Building w/ admission charge	\$ 375.00	Daily	\$ 500.00
4-H Building w/o admission charge	\$ 100.00	Daily	\$ 250.00
Arena Riding Pass (Family - annual)	\$ 110.00	Yearly	
Arena Riding Pass (Family - seasonal)	\$ 80.00	Seasonal	
Arena Riding Pass (Individual - annual)	\$ 80.00	Yearly	
Arena Riding Pass (Individual - one time use)	\$ 10.00	One Time Use	
Arena Riding Pass (Individual - seasonal)	\$ 55.00	Seasonal	
Bleachers (Each set)	\$ 15.00	Daily	\$ 1,000.00
Boardwalk w/ admission charge	\$ 375.00	Daily	\$ 500.00
Boardwalk w/o admission charge	\$ 100.00	Daily	\$ 250.00
Bowery	\$ 40.00	Daily	\$ 100.00
Cache Arena w/ livestock or admission charge	\$ 45.00	Hourly	\$ 250.00
Cache Arena w/ livestock or admission charge	\$ 400.00	Daily	\$ 500.00
Cache Arena w/o livestock or admission charge	\$ 35.00	Hourly	\$ 250.00
Cache Arena w/o livestock or admission charge	\$ 200.00	Daily	\$ 500.00
Camping	\$ 12.00	Nightly	
Community Arts w/ admission charge	\$ 375.00	Daily	\$ 500.00
Community Arts w/o admission charge	\$ 100.00	Daily	\$ 250.00
Cow Barn			
Grand Stand w/ admission charge	\$ 375.00	Daily	\$ 500.00
Grand Stand w/o admission charge	\$ 100.00	Daily	\$ 250.00
Green Space w/ admission charge	\$ 375.00	Daily	\$ 500.00
Green Space w/o admission charge	\$ 75.00	Daily	\$ 250.00
Home Arts w/ admission charge	\$ 375.00	Daily	\$ 500.00
Home Arts w/o admission charge	\$ 100.00	Daily	\$ 250.00
Horse Stall & Corral Rental	\$ 75.00	Monthly	\$ 100.00
Horse Stall (includes 1 time bedding)	\$ 15.00	Daily	
Millburger w/ admission charge	\$ 375.00	Daily	\$ 500.00
Millburger w/o admission charge	\$ 100.00	Daily	\$ 250.00
Outdoor Arena w/ livestock or admission charge	\$ 45.00	Hourly	\$ 250.00
Outdoor Arena w/ livestock or admission charge	\$ 450.00	Daily	\$ 500.00
Outdoor Arena w/o livestock or admission charge	\$ 35.00	Hourly	\$ 250.00
Outdoor Arena w/o livestock or admission charge	\$ 200.00	Daily	\$ 500.00
Pavilion w/ admission charge	\$ 375.00	Daily	\$ 500.00
Pavilion w/o admission charge	\$ 100.00	Daily	\$ 250.00
Pig Barn			
Pit Stop w/ admission charge	\$ 375.00	Daily	\$ 500.00
Pit Stop w/o admission charge	\$ 100.00	Daily	\$ 250.00
Portable Stage	\$ 250.00	Daily	\$ 500.00
Rabbit Barn			
RV Dump Fee	\$ 5.00	Per Dump	
Sheriff Security Fee	\$ 41.00	Hourly	
Staff Fee	\$ 35.00	Hourly	
Working Arena	\$ 20.00	Hourly	

**Maximum deposit is \$2,500.00**

# Cache County Fairgrounds Policies

## Reservation Information

To make a reservation for the Cache County Fairgrounds contact the Cache County Auditor's Office at 435-755-1700. All reservations must be made fourteen days in advance unless special arrangements are made.

\*Special Events: Special Events have priority and bumping privileges over patrons that reserve the arenas on an hourly basis. A Special Event is any event which books more than a 4 hour block of time. A Special Event day is from 12 midnight to 12 midnight. Special events may book beginning the second Monday in April at 9 a.m. for the next calendar year. Special event patrons should evaluate their needs and commitments, there is a cancellation policy regarding refunds. Liability insurance is required and a fee for security may be required depending on the type of event.

Reservations for the Cache Arena will be taken on the first Monday in June at 9 a.m. for the following reservation year. These reservations will be taken in person, on a first come first serve basis. Only one reservation per person, per week will be allowed for hourly users. Deposits must be paid at the time the reservation is made. No phone in reservations will be taken on this day. The reservation year for the Cache Arena will be from the first Monday in June to the first Monday in June of the next year. Reservation times can be made in two hour blocks of time from 5:15 p.m. to 7:15 p.m. or 7:45 p.m. to 9:45 p.m. or one four hour block of time from 5:15 p.m. to 9:15 p.m., Monday - Friday.

A reservation day is from 12 midnight to 12 midnight. If you want a guaranteed setup or tear down day, the facility must be rented at the without livestock or motorized vehicle fee rate.

## Fees and Deposits

Arena fees will be designated by the hour, with/without livestock or motorized vehicles, or as a special event, with/without livestock or motorized vehicles .

Cache Arena fees must be paid by the first day of each month for weekly users. *If the fees are not received by the first day of the month the reservation dates will be dropped and made available for other users.*

All reservations will require a deposit for cleaning and damage repair and a signed lease agreement at the time the reservation is made.

Deposit checks will be cashed and a refund check issued after the reservation date. All cleaning and/or damage expenses will be taken out of the deposit. If damages exceed the deposit amount, user will be billed for the balance. The deposit refund will be issued within 10 business days.

## Cancellation Policy

If a reservation is canceled 30 days prior to the start of the reservation, 100 percent of the deposit will be refunded. If a reservation is canceled 8-29 days prior to the start of the reservation, 50 percent of the deposit will be refunded. Any reservation canceled within 7 days of the start of the reservation will not be eligible for a refund.

## Fairgrounds and Arena Rules

- No alcoholic beverages or smoking allowed as stated by Logan City ordinance.
- All dogs must be on a leash and attended-unless working stock.
- Cache County is not responsible for lost or stolen articles.
- Security may be required, at the discretion of the fairgrounds manager, depending on event.
- Promoters/Patrons are asked to vacate the premises immediately following their scheduled time slot or special event.
- Events that extend between 10 p.m. and 7 a.m. in the Outdoor Arena may not use a PA system.
- Persons/Organizations making reservations for special events will be responsible for collecting all camping and horse stall fees for their group.
- Event organizers will be responsible for appointing a safety monitor for the well being of livestock, participants and all spectators. It will be the responsibility of the safety monitor to monitor the weather and follow through with the lightning policy and procedure. A copy of the policy will be given to the event organizer upon completion of the rental contract. A lightning detection device is available for use upon request.
- Each person using the arenas during open riding time will be required to purchase an open riding pass.
- Passriders will be required to visibly display their pass on their person with the expiration date showing.
- Open riders must be out of the building 45 minutes prior to any scheduled event. Please check the reservation board for scheduled events. Reservations will be posted on a weekly basis. *All scheduled reservations are subject to change without notice.*
- When using the Cache Arena, horses must enter through the east and west doors.
- Horses are not to be ridden in a reckless manner.
- If crossing the path of another horse, courtesy and safety must be used.
- Pass left shoulder to left shoulder in the arena unless working on the inside track (circles, diagonals, etc.).
- Keep the rail clear for riding.
- Do not tie horses in roping box.
- No lunging in the arena when more than three (3) horses are in it, excluding tied horses.
- When lunging, keep the radius of the circle small enough that other riders can still use the track.
- No roping in the arena when more than three (3) horses are in it, excluding tied horses.
- All messes made by your horse/livestock will be your responsibility to clean up.
- Promoters/Patrons are responsible for all cleanup and/or damages to facilities. Required clean up includes litter inside buildings, arenas, alley ways, around outside of buildings and parking areas. Users must clean up after livestock in buildings. Remove jumps, barrels, livestock, etc.
- No motorized vehicles inside the buildings (except for unloading and loading livestock)unless facility is rented for that specific purpose.
- No parking allowed in the Armory Parking Lot.
- Enter track or gain access to the outdoor arena through north end of Fairgrounds.

- Overnight tying of horses to trailers will not be permitted as long as stalls are available. In the event that stalls are not available it will be permissible for horses to be tied to trailers as long as they are on the infield of the racetrack.
- No horses west of track or on grass areas, except when accessing the Cache Arena.
- If you close the outdoor arena gates across the track, open them when you leave.
- Don't tie horses to arena fences or trees.
- Small outdoor arena is not suitable for breaking colts.
- Don't turn horses loose in arenas.
- If lessee chooses to have a guaranteed rain out date(s) they can be purchased in advance for full rental fee with no refund being available.
- Event organizers will be responsible for the immediate removal and disposal of all injured or deceased animals that may occur during their event.
- Lessee shall not without the prior consent of Cache County, assign or sublet any part of the said space.
- Failure to comply with any of the rules listed in this brochure will terminate future use.
- Report any accidents or damage to the Fairgrounds office 750-9896 or the Cache County Executive's office at 435-755-1850. In case of emergency call 911.
- Individual lessons are permitted if there is a signed agreement, a valid open riding pass agreement and trained horses are used.

## Fairgrounds Information

The Cache County Fairgrounds facility is managed by Cache County and includes the following buildings and areas:

Bowery	Covered area. Includes tables and electricity. Seats 100 people.
Cache Arena (Indoor)	Multipurpose indoor arena facility. Electricity, water, limited bleachers, and roping facilities. Occupant load is 2100. Dimensions are 225' x 125'. Door height is 14'. Open year round.
Cow Barn	40 stalls, electricity, and water. 120' x 40'.
Community Building	Building is equipped with display cases.
Concessions	Grand Stand (located by the Outdoor Arena, food booth with a full service kitchen). Millburger (food booth with a full service kitchen). The Boardwalk (food booth with a refrigerator, sink, and outdoor tables). The Pit Stop (food booth with full service kitchen).
Pig Barn	Cement floor to accommodate pens, electricity, and water. Can set up 65 horse stalls. (Summer only). 200' x 60'.
Home Arts	Large group area with tables and display cases.
Pavilion	Includes 20 tables, 160 chairs, and kitchen facilities. Heated. Seats 213 people. 45' x 80'.
Portable Stage	22' x 18' x 4'. \$250 rent per day, plus \$400 setup/takedown fee, plus \$500 deposit.
Race Track	Used for horse training and exercise.
Restrooms	Outdoor Arena, The Pit Stop (ADA accessible, shower

	facilities, closed in the winter). Indoor Cache Arena (ADA accessible, heated, open year round). Fairgrounds Office Building -East end (ADA accessible, open year round).
Rodeo Arena (Outdoor)	Used for rodeos, etc.... Seating capacity of 5100. Dimensions are 250' x 150'.
Round Pen	40' diameter. Used for horse training and exercise.
Working Arena	60' x 80'.
4-H Building	Large work area with show tables for display.

## Fairgrounds Fees

(Fees are subject to change)

Location	Rent	Deposit
Bowery - Daily	\$35	\$100
Building - Daily (4-H, Community, Home Arts, Pavilion, Millburger Concession, Grand Stand Concession, The Pit Stop Concession)	\$300	\$300
Camping - Daily (Per night, per vehicle or tent. Camping is only allowed for those with an area reserved) Camping check in 2 p.m. check out by 12 p.m. next day)	\$12	

## Outdoor Rodeo Arena and Indoor Cache Arena Fees

(Livestock excludes horses)

Outdoor Rodeo Arena/Race Track Fees	Rent	Deposit
Special Event (with livestock or motorized vehicles) - Daily	\$450	\$500
Special Event (without livestock or motorized vehicles) - Daily	\$200	\$500
Outdoor Arena (with livestock or motorized vehicles) - Daily	\$45	\$250
Outdoor Arena (without livestock or motorized vehicles)- Hourly	\$35	\$250

Indoor Cache Arena Fees	Rent	Deposit
Special Event (with livestock or motorized vehicles) - Daily	\$400	\$500
Special Event (without livestock or motorized vehicles) - Daily	\$200	\$500
Indoor Arena (with livestock or motorized vehicles)- Hourly	\$45	\$250
Indoor Arena (without livestock or motorized vehicles)- Hourly	\$35	\$250
Light Fee Coin Operated (for 20 minutes)	\$2	

Working Arena Fees	Rent	Deposit
Hourly	\$20	
Corral Rental - Monthly	\$75	\$100
Arena Riding Pass Fees	Season	Year
Family Pass (immediate household only)	\$80	\$110
Individual Pass	\$55	\$80
One time user fee (good for day of purchase)	\$10	

Seasons are October 1 to March 31 or April 1 to September 30. No prorating on season passes. Yearly Passes expire one year from the date of purchase.

Winter Open Riding Hours (October 1-May 31):	
Monday- Friday	8:00 am - 10:00 pm
Saturday	9:00 am - 10:00 pm
Sunday	9:00 am - 8:00 pm
Summer Open Riding Hours (June 1-September 30):	

All open pass riding is subject to reservations. Please check [www.cachecounty.org/fairgrounds](http://www.cachecounty.org/fairgrounds) for the current reservation schedule. The reservations schedules are subject to change without notice.

Passes may be purchased at the Cache County Auditor's Office: 179 North Main Suite 202, Monday through Friday between the hours of 8 a.m. and 5 p.m. or at the Fairgrounds office.

Pass riders will be required to visibly display their pass on their person with the expiration date showing.

### Horse Stall Information

There are 60 permanent stalls and 100 portable stalls available for rent. Rental fee includes riding privileges for immediate family of lessee of the horse stalled. All monthly stall fees are due by the 5th day of each month. Payments must be remitted, in person or by mail, to Cache County Auditor's Office, Attn: Fairgrounds, 179 North Main Suite 202, Logan, UT 84321.

When reserving horse stalls, event organizer should evaluate their needs and commitments. Cancellation policy will apply which states: If a reservation is canceled 30 days prior to the start of the reservation, 100 percent of the deposit will be refunded. If a reservation is canceled 8-29 days prior to the start of the reservation, 50 percent of the deposit will be refunded. Any reservation canceled within 7 days of the start of the reservation will not be eligible for a refund.

Horse Stall Rental	Rent	Deposit
Rental Fee - Monthly (without bedding)	\$75	\$100
Rental Fee - Daily	\$15	
(With one time sawdust bedding. Additional sawdust is \$8 per bale. Fee per stall, per night. Prorating-\$2.50 per day-applies only to monthly stall rentals.)		

For information on stabling horses visit our website at [www.cachecounty.org/fairgrounds](http://www.cachecounty.org/fairgrounds). To rent a stall contact the Fairgrounds at 435-750-9896.

**REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER**

DEPARTMENT: CPDO  
 DATE: 04-Apr-08

Amount to be transferred -- (rounded to the nearest dollar)

\$ 2,425  
~~\$1,000~~

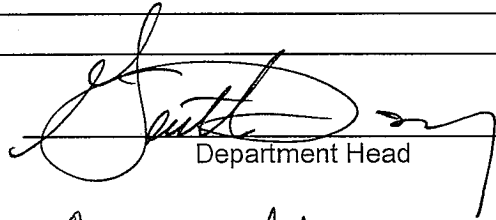
**Transfer From ---**

ACCOUNT	DESCRIPTION	Current Budget	Increase DR	Decrease CR	Amended Budget
27-4181-310	Professional & Technical	\$ 1,000		\$ (1,000)	\$ -
27-4181-311	Software Packages	\$ 1,000		\$ (1,000)	\$ -
27-4181-484	Quality Growth- ag protection	\$ 7,417		\$ (425)	\$ 6,992

**Transfer To ---**

27-4181-620	Misc Services	\$ -	\$ 2,425		\$ 2,425
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
	Totals		\$ 2,425	\$ (2,425)	
	Net adjustment				\$ -

Description of needs and purpose of transfer ---  
 to purchase ad space in the Cache Valley Images Magazine.

  
 Department Head

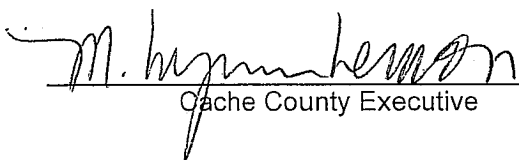
Recommendation:  Approval     Disapproval

Date: 04-Apr-08

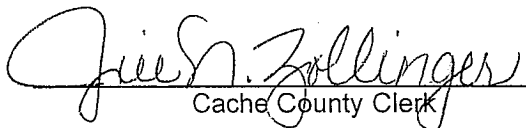
  
 Cache County Auditor

Recommendation:  Approval     Disapproval

Date: 4/4/08

  
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 8<sup>th</sup> day of April, 2008.

  
 Cache County Clerk

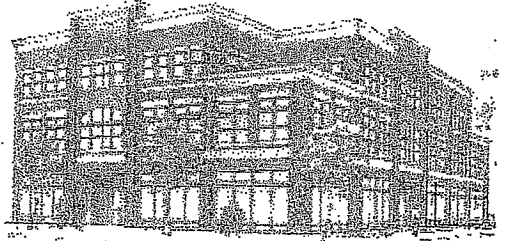
# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

**GARTH DAY**  
DIRECTOR/  
COUNTY WIDE PLANNER

**JOSH RUNHAAR, AICP**  
COUNTY PLANNER/  
ZONING ADMINISTRATOR

**PAUL BERTSON**  
CHIEF BUILDING  
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1630 ♦ FAX (435)755-1987



**APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE**  
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION  
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA.  
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

**RECEIVED**  
 FEB 05 2008  
 BY:

## PROJECT APPLICATION

### REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

### TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

Date Received:	Received By:	Receipt Number:	Application Number:
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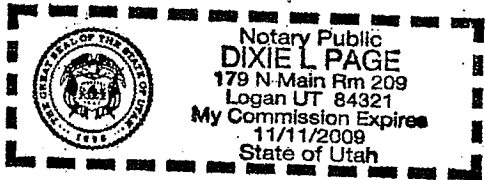
PROJECT INFORMATION	AGENT/OWNER INFORMATION
REQUEST TYPE <u>Subdivision 4-Lot</u>	AGENT NAME <u>Duane G. Chadwick</u>
PROJECT NAME <u>Cherry Creek Canyon</u>	ADDRESS <u>2515 N. 1600 E.</u>
PROJECT ADDRESS <u>two miles east of</u> <u>Richmond, Utah</u>	<u>North Logan, Utah 84341</u>
SERIAL NUMBER(S) <u>18-057-0003</u>	TELEPHONE (DAY) <u>750-5056</u> (CELL) <u>232-8592</u>
<u>18-054-0003 18-054-0006,</u>	OWNER NAME <u>(same as above)</u>
<u>ONE FR 40.</u>	ADDRESS " " "
PROJECT LOCATION <u>two miles east of</u> <u>Richmond, Utah</u>	TELEPHONE (DAY) (CELL)

State of Utah )

County of Cache )

On this 5 day of February, 2008, personally appeared before me, Duane G. Chadwick, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed Duane G. Chadwick  
(Property Owner or Agent)



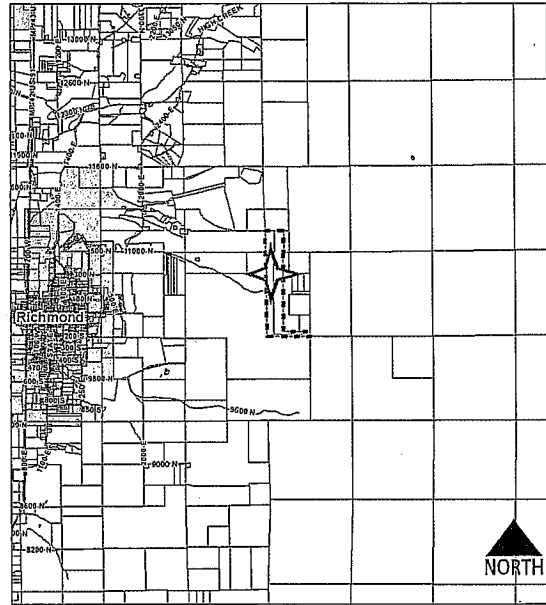
Dixie L. Page 2-5-08  
Notary Public



# Development Services Cache County Corporation

*Project Name:* Cherry Creek Canyon Subdivision  
*Agent:* Duane Chadwick  
*Request:* 4-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Forest Recreation (FR-40)  
*Project Address:* 11000 North 3200 East (Richmond)  
*Tax ID:* 18-057-0003  
18-054-0003  
18-054-0006

*Staff Recommendation:* Approval with Stipulations  
*Surrounding Uses:* North – Mountain land  
South – Mountain land  
East – Mountain land/Cabin  
West – Mountain land



*Site Location*

## PROJECT

*Request:* The applicant is requesting a subdivision to create four (4) building parcels in the Forest Recreation Zone. Lot 1 would be 41.84 acres, Lot 2 would be 40.00 acres, Lot 3 would be 41.84 acres, and Lot 4 would be 40.06 acres. The proposed subdivision is located east of Richmond City. The proposed subdivision meets the minimum lot size requirements of §17.10.040 Cache County Land Use Ordinance.

*Access:* This subdivision would be accessed from County Road 11000 North. County Road 11000 North is a gravel surface that varies in width from 18 feet to 20 feet. The County Road Department recommends accepting the road condition as adequate as it is only servicing seasonal dwellings.

*Water & Septic:* The applicant has permission to obtain from the Richmond city water system. This was done as an agreement in 1984 that allowed Richmond City to locate their main water line through these properties.

The Bear River Health Department has found that soil conditions are such all lots are feasible for onsite septic systems. Additional test will be required when the location of each cabin is determined. 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 for fire protection is only available from water tender trucks from the Richmond Fire Department. The private portion of the access will need to be improved. This subdivision falls within the Wildland-Urban Interface Zone. All structures must comply with the Wildland-Urban Interface Code. Only seasonal dwellings are permitted in the FR-40 Zone, as such no garbage service is provided by the Cache County Service Area #1. All trash must be hauled out by the property owners.

## PUBLIC COMMENTS

Notices were mailed to 3 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 recommend approval to the County Council for the Cherry Creek Canyon Subdivision, a four (4) lot subdivision for property located at approximately 11000 North 3200 East (Richmond), TIN#18-057-0003, 18-054-0003, and 18-054-0006.

*Standard Stipulations:*

1. 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.
2. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
3. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.
4. 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.

*Site Specific Stipulations:*

5. All trash will be hauled out by the property owners.

**RECOMMENDED FINDINGS OF FACT**

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

1. The Cherry Creek Canyon 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 Cherry Creek Canyon 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 Titles 16 and 17 of the Cache County Code.
4. The Cherry Creek Canyon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

Respectfully submitted,  
Jay Baker

Associate Planner I

Report Published: February 27, 2008

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.



0002  
CLINTON WILLARD  
& MARGARET  
HILL  
40.00 AC ±  
Also the NE 1/4 & SE 1/4 Sec. 19

N.R.

N.R.

0006  
JOHN D. CHADWICK ETUX  
40 AC  
6600'  
0003  
MATHEW R. DAINES  
ETUX  
6600' 418 AC

18-057-0002  
0005  
Elines.  
Jonathan  
H. Daines  
TIS  
15.15 AC ±  
70 AC ±  
186 AC  
IN ALL

0007

0015  
HELEN L. HARVATH,

N.R.

80 AC

40 AC  
0013  
10.0 AC  
Elines.  
Jonathan H.  
Daines TIS  
0011  
KRISTIN L. HARVATH  
&  
ELAINES  
DAINES  
10.00 AC TIS.  
0012  
HELEN D  
HARVATH  
10.00 AC

0017

SECTION 29

CITY CORR

David Rainey  
Daines

N.R.

40 AC

18-054-0006  
18-054-0003  
DUANE G. CHADWICK & WIFE, PATRICIA DAINES

40 AC 0016

07

30 AC

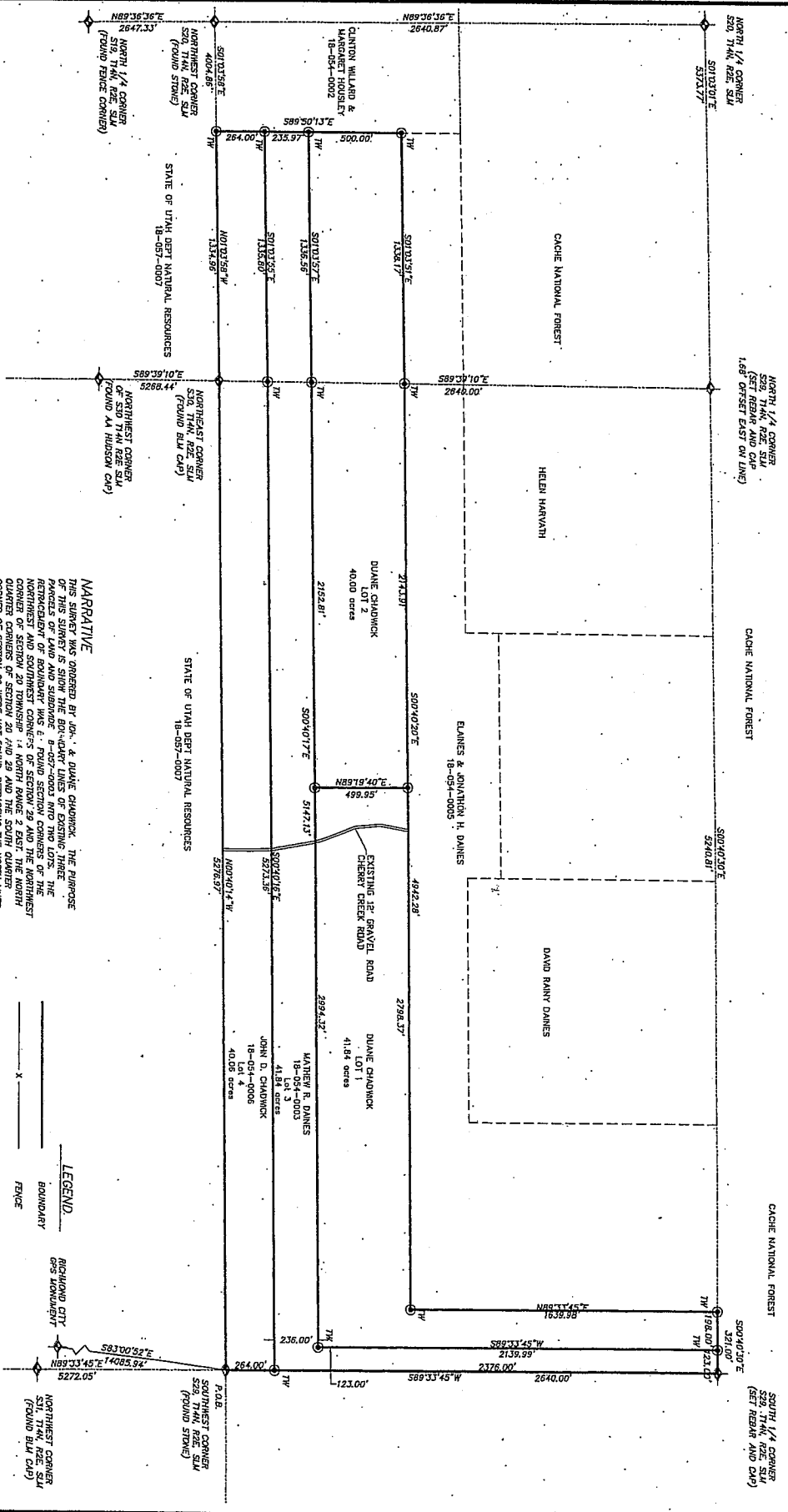
AH  
RAL RESOURCES

16.0 AC

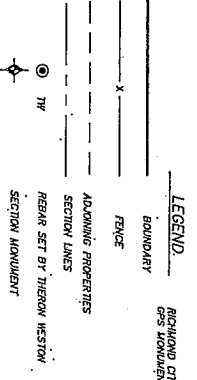
N.R.

PRELIMINARY PLAT  
**CHERRY CREEK CANYON**  
 PART OF SEC. 20 AND 29-T14N, R2E, S14W  
 CACHE COUNTY, UTAH

SCALE  
 1 inch = 500 ft.



**NARRATIVE**  
 THIS SURVEY WAS ORDERED BY JOHN & DUANE CHADWICK. THE PURPOSE OF THIS SURVEY IS TO SHOW THE BOUNDARY LINES OF EXISTING TRACTS OF LAND AND SUBDIVIDE B-027-0000 INTO TWO LOTS. THE NORTHWEST AND SOUTHWEST CORNERS OF SECTION 20 AND THE NORTHWEST CORNER OF SECTION 29 TOWNSHIP 14 NORTH RANGE 2 EAST THE NORTH QUARTER CORNERS OF SECTION 20 AND 29 AND THE SOUTH QUARTER CORNER OF SECTION 29 WERE NOT FOUND. RESPECIFYING THE NORTH LINES OF SECTION 20 AND 29 AND THE SOUTH LINE OF SECTION 29 TO A SINGLE POINT PROJECTION AS WAS DONE IN 1885 SURVEY CORNER MARKS AND EVIDENCE DO TO RUGGED MOUNTAIN TERRAIN. THE BASIS OF PROJECTION FROM THE ROCKWOLD MONUMENT, AS FILED WITH THE MAP IN 1885, BEING USED. THE ROCKWOLD MONUMENT, AS FILED WITH THE MAP IN 1885, BEING USED WITH PLASTIC CAPS MARKED THEREON R. WESTON HAS 4639767. EXCEPTIONS INDICATED.



**COUNTY SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FOUND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ COUNTY SURVEYOR \_\_\_\_\_

**CACHE COUNTY PLANNING COMMISSION**  
 THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON \_\_\_\_\_ 20\_\_\_\_. IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON THE FOLLOWING:

CHAIRPERSON \_\_\_\_\_

**CACHE COUNTY COUNCIL**  
 THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY COUNCIL AT WHICH TIME BY MAJORITY VOTE IT HAS BEEN APPROVED.

CHAIRPERSON \_\_\_\_\_

**BEAR RIVER HEALTH DEPARTMENT APPROVAL**  
 THE SUBDIVISION MARKED HEREON HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

HEALTH DIRECTOR \_\_\_\_\_

**COUNTY RECORDER'S NO.** \_\_\_\_\_ RECORDED AND INDEXED AT THE REQUEST OF \_\_\_\_\_ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

INDEX FILED IN: FILE OF PLATS \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_

**COUNTY ATTORNEY APPROVAL**  
 APPROVED AS TO FORM MAY 9 \_\_\_\_\_ A.D. 2008.

ATTORNEY \_\_\_\_\_

**ENGINEER'S CERTIFICATE**  
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FOUND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.

DATE \_\_\_\_\_ ENGINEER \_\_\_\_\_

**CACHE LANDMARK**  
 THE SUBDIVISION MARKED HEREON HAS BEEN APPROVED BY THE CACHE LANDMARK COMMISSION ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF CACHE  
 I, \_\_\_\_\_ DOHEREY, DO HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE ABOVE DESCRIBED TRACT OF LAND AND I AGREE TO BE SUBDIVIDED INTO LOTS TO BE CHERRY CREEK CANYON.

OWNER: \_\_\_\_\_

IN WITNESS WHEREOF, I HAVE HEREUNTO SIGNED AND CAUSED THESE INSTRUMENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

DUANE CHADWICK  
 JOHN D. CHADWICK  
 JOHN R. DANES

**NOTES:**  
 1. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE BASED ON THE BEAR RIVER HEALTH DEPARTMENT APPROVAL AND THE CACHE COUNTY PLANNING COMMISSION APPROVAL. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.  
 2. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.  
 3. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.  
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 5. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.  
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 9. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.  
 10. THE BOUNDARY LINES SHOWN ON THIS PLAT ARE NOT TO BE CONSIDERED AS A GUARANTEE OF THE ACCURACY OF THE INFORMATION ON FILE IN THIS OFFICE.

**OWNER'S ACKNOWLEDGMENT**  
 I, \_\_\_\_\_ DOHEREY, DO HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE ABOVE DESCRIBED TRACT OF LAND AND I AGREE TO BE SUBDIVIDED INTO LOTS TO BE CHERRY CREEK CANYON.

OWNER: \_\_\_\_\_

IN WITNESS WHEREOF, I HAVE HEREUNTO SIGNED AND CAUSED THESE INSTRUMENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

DUANE CHADWICK  
 JOHN D. CHADWICK  
 JOHN R. DANES

**BOUNDARY**  
 PART OF SECTION 20 AND 29 TOWNSHIP 14 NORTH RANGE 2 EAST THE NORTH QUARTER CORNERS OF SECTION 20 AND 29 AND THE SOUTH QUARTER CORNER OF SECTION 29 WERE NOT FOUND. RESPECIFYING THE NORTH LINES OF SECTION 20 AND 29 AND THE SOUTH LINE OF SECTION 29 TO A SINGLE POINT PROJECTION AS WAS DONE IN 1885 SURVEY CORNER MARKS AND EVIDENCE DO TO RUGGED MOUNTAIN TERRAIN. THE BASIS OF PROJECTION FROM THE ROCKWOLD MONUMENT, AS FILED WITH THE MAP IN 1885, BEING USED. THE ROCKWOLD MONUMENT, AS FILED WITH THE MAP IN 1885, BEING USED WITH PLASTIC CAPS MARKED THEREON R. WESTON HAS 4639767. EXCEPTIONS INDICATED.

**OWNER'S ACKNOWLEDGMENT**  
 I, \_\_\_\_\_ DOHEREY, DO HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE ABOVE DESCRIBED TRACT OF LAND AND I AGREE TO BE SUBDIVIDED INTO LOTS TO BE CHERRY CREEK CANYON.

OWNER: \_\_\_\_\_

IN WITNESS WHEREOF, I HAVE HEREUNTO SIGNED AND CAUSED THESE INSTRUMENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

DUANE CHADWICK  
 JOHN D. CHADWICK  
 JOHN R. DANES

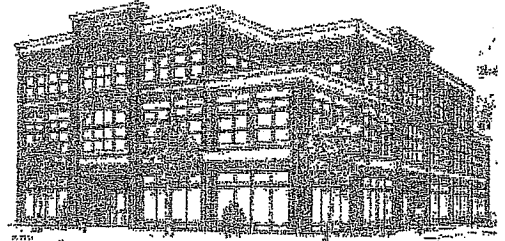
**ACKNOWLEDGMENT**  
 STATE OF UTAH  
 COUNTY OF CACHE  
 I, \_\_\_\_\_ DOHEREY, DO HEREBY ACKNOWLEDGE THAT I HAVE READ AND UNDERSTAND THE ABOVE DESCRIBED TRACT OF LAND AND I AGREE TO BE SUBDIVIDED INTO LOTS TO BE CHERRY CREEK CANYON.

OWNER: \_\_\_\_\_

IN WITNESS WHEREOF, I HAVE HEREUNTO SIGNED AND CAUSED THESE INSTRUMENTS TO BE EXECUTED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_.

DUANE CHADWICK  
 JOHN D. CHADWICK  
 JOHN R. DANES

# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT



**GARTH DAY**  
DIRECTOR/  
COUNTYWIDE PLANNER

**JOSH RUNHAAR, AICP**  
COUNTY PLANNER/  
ZONING ADMINISTRATOR

**PAUL BERNTSON**  
CHIEF BUILDING  
OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1630 ♦ FAX (435)755-1987

**APPLICATIONS ARE DUE BY 3:00 PM ON THE DAY OF THE DEADLINE**  
PLEASE ALLOW STAFF 20-30 MINUTES TO PROCESS THE APPLICATION  
LATE APPLICATIONS WILL BE HELD FOR THE NEXT MEETING'S AGENDA  
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

## PROJECT APPLICATION

### REVIEW AUTHORITY

- CACHE COUNTY COUNCIL
- CACHE PLANNING COMMISSION
- BENSON PLANNING COMMISSION
- BOARD OF ADJUSTMENTS
- ADMINISTRATIVE REVIEW

### TYPE OF APPLICATION

- SUBDIVISION
- CONDITIONAL USE PERMIT
- ZONE CHANGE
- CODE AMENDMENT
- BOUNDARY LINE ADJUSTMENT

Date Received: <u>1-24-08</u>	Received By: <u>MDG JB</u>	Receipt Number: <u>3576</u>	Application Number: <u>ck # 1623 600<sup>00</sup></u>
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### PROJECT INFORMATION

QUEST TYPE 4 lot subdivision

PROJECT NAME Robert Pate Subdivision

PROJECT ADDRESS 2310 West 600 South

PARCEL NUMBER(S) 02-074-0022, 0011, 0016

PROJECT LOCATION Young Ward

### AGENT/OWNER INFORMATION

AGENT NAME Robert Pate

ADDRESS 2222 W. 600 S.  
Logan, Utah 84321

TELEPHONE (DAY) 435-863-2349 (CELL) \_\_\_\_\_

OWNER NAME See lot

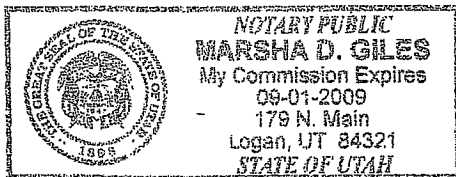
ADDRESS \_\_\_\_\_

TELEPHONE (DAY) \_\_\_\_\_ (CELL) \_\_\_\_\_

State of Utah )  
County of Cache )

On this 24 day of JANUARY, 2008, personally appeared before me, Robert A Pate, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to on this instrument, and acknowledged that they executed the same.

Signed [Signature]  
(Property Owner or Agent)

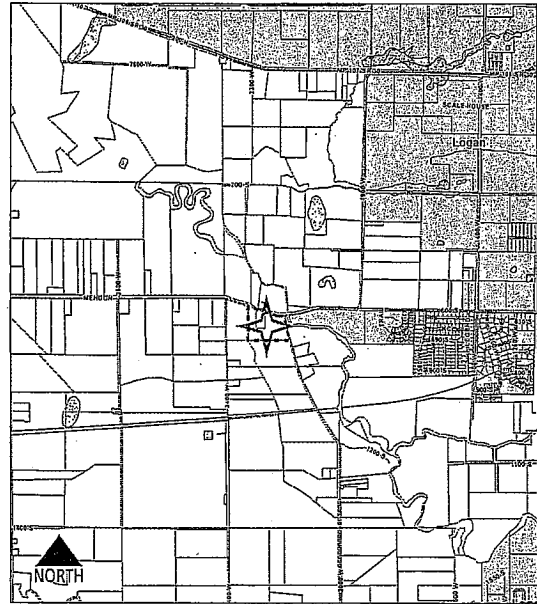


Marsha D Giles  
Notary Public

# Development Services Cache County Corporation

*Project Name:* Robert Pate Subdivision  
*Agent:* Robert Pate  
*Request:* 4-Lot Subdivision  
*Type of Action:* Quasi-Judicial  
*Current Zoning:* Agricultural (A)  
*Project Address:* 2310 West 600 South (Young Ward)  
*Tax ID:* 02-074-0022  
02-074-0011  
02-074-0016

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



*Site Location*

## **PROJECT**

*Request:* The applicant is requesting a subdivision to create four (4) building parcels. Lot 1 would be 9.48 acres, Lot 2 would be 2.10 acres, Lot 3 would be 2.00 acres, and Lot 4 would be 9.27 acres. Lots 3 and 4 were previously approved as building lots. Lot 1 is proposed as an Agricultural Parcel not eligible for residential or commercial development. The proposed subdivision is located west of Logan City in the Young Ward area. The proposed subdivision meets the minimum lot size requirements of §17.10.040 and the number of lots/ lot size requirements of §17.09.080 (there will be five lots from the original 1970 parent parcel).

*Access:* This subdivision would be accessed from County Road 600 South, a 24-foot wide paved surface. The County Road Department recommends accepting the road condition as adequate. Because of the curve in the road near the intersection of 600 North and 2400 West the Road Department and Service providers recommend that access be limited and distant from the intersection. Staff recommends that when Lot 1 is developed access be 2400 West or shared with Lot 2 on 600 North.

*Water & Septic:* Lots 3 and 4 have existing homes on them with existing wells. Lot 1 is proposed to be an Agricultural Parcel and no domestic water is required at this time. Lot 2 has an approved domestic water right.

The Bear River Health Department has found that soil conditions are such Lot 2 is feasible for an onsite septic system. Lots 3 and 4 have existing septic systems that are functioning properly. Lot 4 was not evaluated for septic feasibility at this time. Each new 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 for fire protection is only available from water tender trucks from the Logan City Fire Department. Garbage cans may be placed on the north side of 600 South for collection. The nearest existing bus stop is located at 2400 West 600 South, approximately ½ block from the proposed subdivision.

## **PUBLIC COMMENTS**

Notices were mailed to 12 property owners located within three hundred feet of the subject property and to Logan City. At the time this report was published, staff had received no comments.

## STAFF RECOMMENDATIONS

*Action:* Staff recommends that the Planning Commission recommend approval to the County Council for the Robert Pate Subdivision, a four (4) lot subdivision for property located at approximately 2310 West 600 South (Young Ward), TIN#02-074-0022, 02-074-0011, 02-074-0016.

### *Standard Stipulations:*

1. 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.
2. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.
3. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.
4. 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.
5. All trash containers shall be placed on the north side of County Road 600 North for collection.

### *Site Specific Stipulations:*

6. A joint access shall be designated for Lots 1 and 2 on 600 South. At such time that Lot 1 is developed access will be at this joint access or on 2400 West a minimum of 500 feet from the intersection of 2400 West and 600 North.
7. Lot 1 shall be designated as an Agricultural Parcel on the final plat.
8. The owner of Lot 1 may enter into an agreement with other landowners in the subdivision that they will allow Lot 1 to be developed at such time that the owner of that lot chooses.

## 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 Pate 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 Pate 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 Titles 16 and 17 of the Cache County Code.
4. The Robert Pate Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 600 North, the County Road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

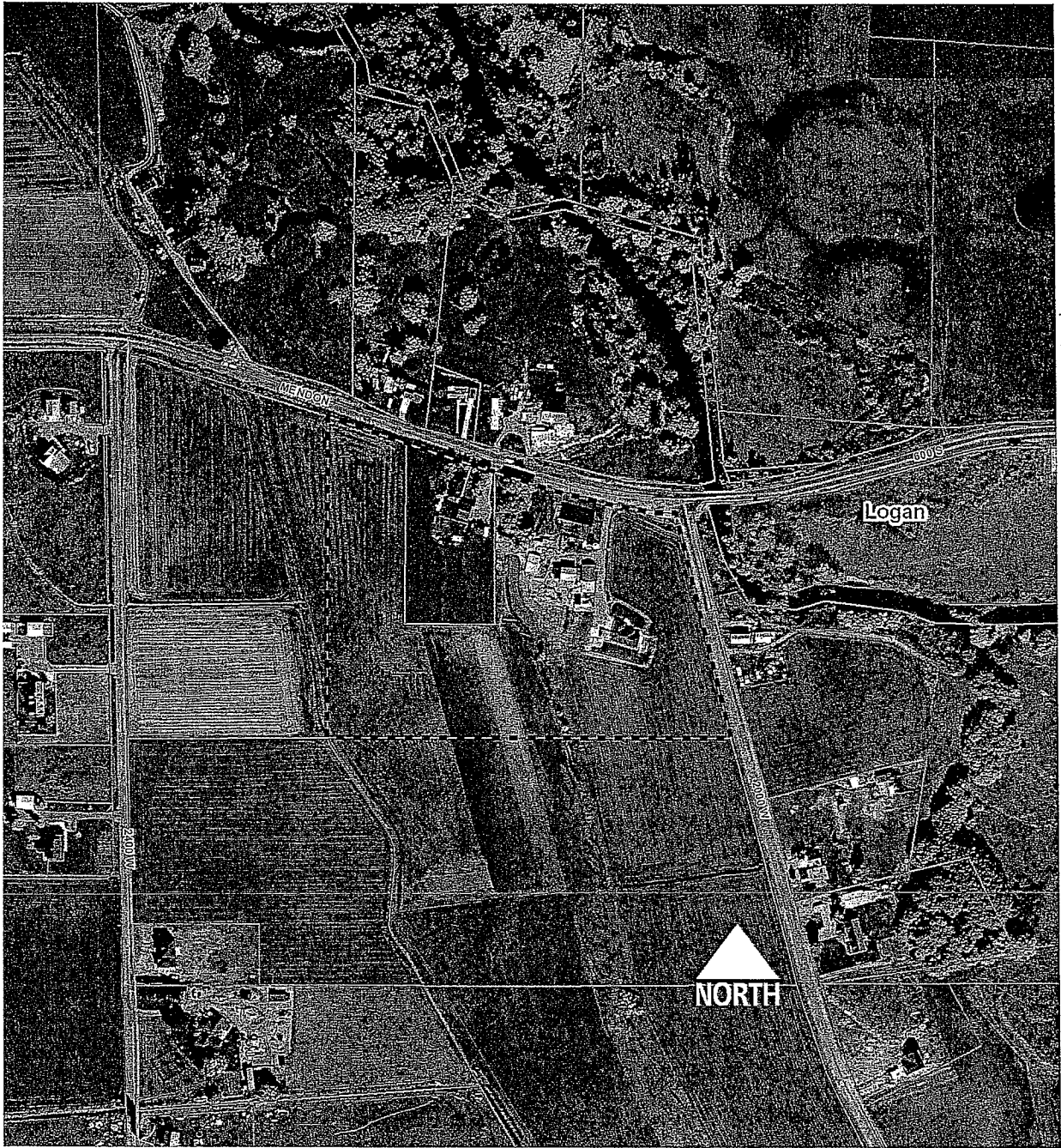
Respectfully submitted,  
Jay Baker

Associate Planner I

Report Published: February 27, 2008

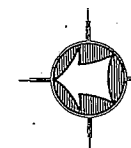
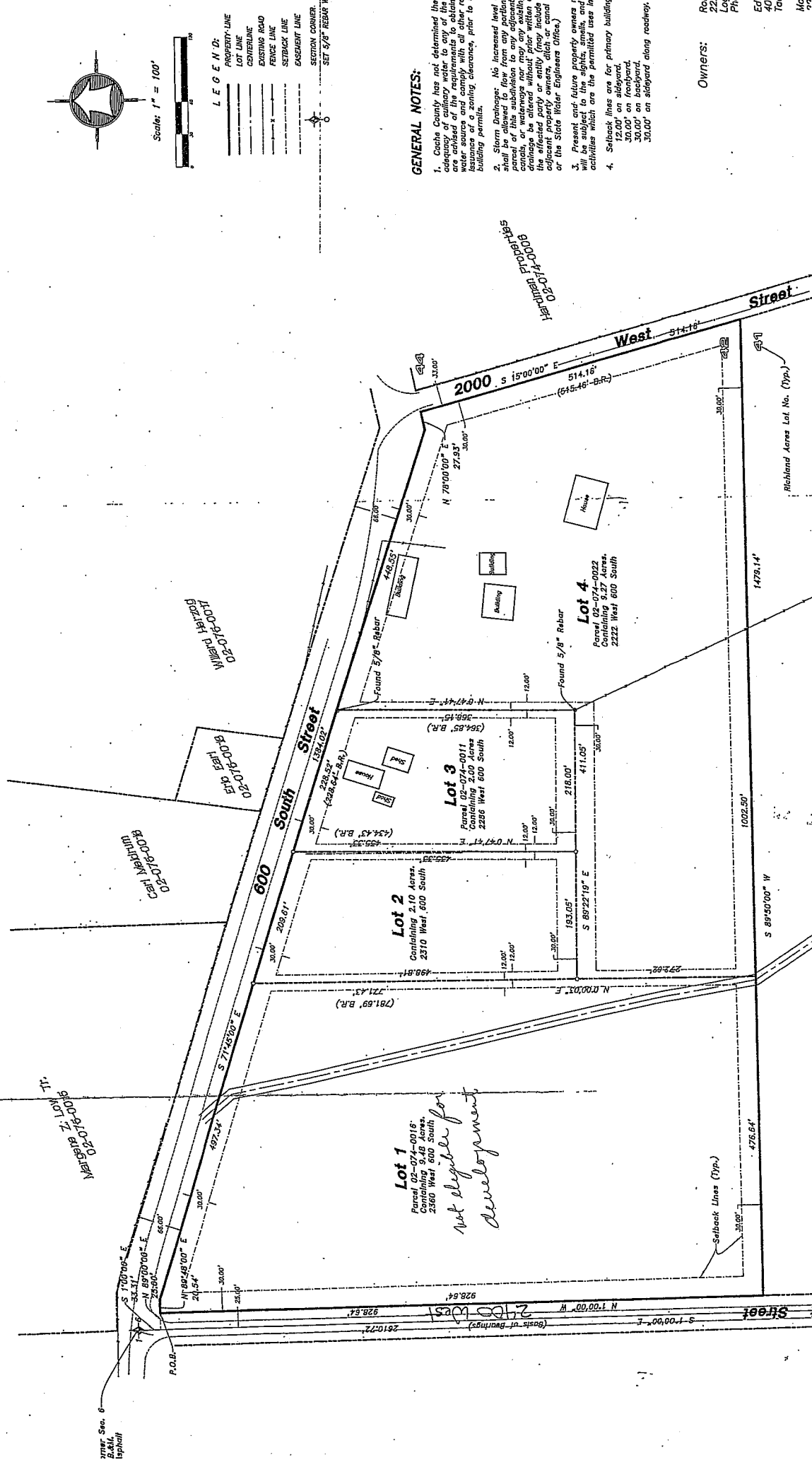
This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional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





# ROBERT PATE SUBDIVISION

A PART OF THE SOUTHWEST QUARTER OF SECTION 6,  
TOWNSHIP 11 NORTH, RANGE 1 EAST, S.L.B. & M.  
ALSO A PART OF LOT 42 RICHLAND ACRES.



- Scale: 1" = 100'
- LEGEND:**
- PROPERTY LINE
  - LOT LINE
  - CENTERLINE
  - EXISTING ROAD
  - FENCE LINE
  - SETBACK LINE
  - EASEMENT LINE
  - SECTION CORNER
  - SET 5/8" REBAR W

- GENERAL NOTES:**
1. Cache County has not delineated the lot lines of this subdivision. The plat is subject to the requirements to obtain water sources and comply with all other regulations of a zoning clearance, prior to the issuance of a zoning clearance, prior to the building permits.
  2. Storm Drainage: No increased level on shall be allowed to flow from any portion of the subdivision. Storm drainage, ditches, canals, or waterways may not be altered or drainage be altered without prior written consent of the affected party or entity (may include adjacent property owners, the State Engineer or the State Water Engineers Office).
  3. Present and future property owners will be subject to the rights, easements, and activities which are the permitted uses in the zoning ordinance.
  4. Setback lines are for primary buildings 12.00' on alleyway, 30.00' on backyard, 30.00' on abutment, 30.00' on abutment along roadway.

Reb  
222  
Leg  
Pto  
Edw  
400  
Toc  
Mor  
225

Owners:

**Lot 1**  
Parcel 02-071-0015  
Containing 0.48 Acres  
2380 West 600 South  
*not eligible for development*

**Lot 2**  
Containing 1.10 Acres  
2370 West 600 South

**Lot 3**  
Parcel 02-071-0011  
Containing 2.00 Acres  
2286 West 600 South

**Lot 4**  
Parcel 02-071-0022  
Containing 3.27 Acres  
2222 West 600 South

2000 s 15°00'00" E  
 514.16'  
 (545.46' - Bar.)

1478.14'  
 Richland Acres Lot No. (Typ.)

1002.50'  
 S 89°50'00" W

476.64'  
 S 1°00'00" E

928.64'  
 W 00°00'00" N

2410.72'  
 (Basis of Bearings)

928.64'  
 S 1°00'00" E

2100 West

2410.72'



1 Clements is this change driven by the EPA? Have they given the city time to change?  
2

3 Mr. Adkins Yes. We have to have a permit due to using the Bear River. We currently are in  
4 violation and have been for 12 years.  
5

6 Sands all cities are eventually going to have to meet new standards. Can the new facility be  
7 increased in size as needs grow?  
8

9 Mr. Adkins yes, to the north.  
10

11 Dent is there access from the road already? Would there be any need for expansion of the road?  
12

13 Ellis arrived.  
14

15 Mr. Adkins currently there are three, but we would like to narrow it down to one access. We  
16 won't need to expand the road.  
17

18 Dent moved to recommend approval for the Richmond City Wastewater Treatment Plant with  
19 staff recommended stipulations and findings of fact. Clements seconded; passed 5, 0. (Ellis  
20 abstained)  
21

#### 22 STAFF RECOMMENDATIONS

23 Action: Staff recommends that the Planning Commission approve a motion to approve the Richmond City Wastewater Treatment Facility  
24 Conditional Use Permit to allow the construction of a sewage treatment facility on Parcel # 09-066-0001 at 150 East State Route 142  
25 (Richmond).

#### 26 Stipulations:

- 27 1. Any further expansion or modification of the facility, or site shall require a new Conditional Use Permit and meet the requirements of the  
28 Cache County Ordinances.
- 29 2. Any outdoor storage on this site shall be kept to a minimum and maintained in an orderly fashion.
- 30 3. Current and future property owners must be aware that they will be subject to the sights, sounds, and smells associated with agricultural  
31 activities which are permitted uses in this area.
- 32 4. The applicant must submit the site plan and construction specifications submitted to the Cache County Zoning Office.
- 33 5. The applicant must obtain all necessary permits for access from the Utah Department of Transportation prior to site development.  
34

#### 35 RECOMMENDED FINDINGS OF FACT

36 The Planning Commission bases its decision on the following findings supported in the administrative record for this project.  
37

- 38 1. The Richmond City Wastewater Treatment Facility CUP has been revised and amended by the conditions of project approval to address the  
39 issues and concerns raised within the public and administrative records.
- 40 2. The Richmond City Wastewater Treatment Facility CUP has been revised and amended by the conditions of project approval to conform to  
41 the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
- 42 3. The conditional use permit issued in compliance with the Standards and Criteria for a Permitted Use within Title 17 of the Cache  
43 County Code.  
44

45 5:47:00  
46

### 47 #2 Cherry Creek Canyon Subdivision (Duane G. Chadwick)

48

49 Baker reviews Duane G. Chadwick's request. Mr. Chadwick is requesting a 4-lot subdivision in  
50 the Forest Recreation Zone. The Bear River Health Department will require onsite septic  
51 systems. The County road currently runs through the entire piece of property. Also, a portion of  
52 the road leading to the lots runs through land owned by the Department of Wildlife Resources  
53 (DWR), not the State Trustlands Administration. The DWR does not wish the road across their

1 piece of land widened. Also, Richmond City has indicated that they will provide water. Site  
2 stipulations 4 and 5 will be strucked.

3  
4 **Ellis** does the County have a 66 ft easement there?

5  
6 **Runhaar** it does and is assumed to be 66 ft. This subdivision is not part of the 1970 parcel.

7  
8 **Ellis** the County road is currently at 18 ft. and the private road access is currently at 20 ft. What  
9 is the policy?

10  
11 **Runhaar** State Trustlands usually helps improve the road. Where this isn't the State Trustlands,  
12 the DWR isn't willing to make the improvements. It is not a reasonable request to make the  
13 property owner bear the full burden of widening the road. Where it is seasonal homes, the fire  
14 department is not going to require the road improvements.

15  
16 **Allen** isn't the 20 ft. road state requirement?

17  
18 **Clements** not necessarily, they will deviate from that in some instances.

19  
20 **Runhaar** these are seasonal homes, not year round. The fire department isn't requiring it due to  
21 this reason.

22  
23 **Allen** how does the urban interface area work?

24  
25 **Runhaar** these will most likely be in that area and the construction of cabins will have to meet  
26 those requirements.

27  
28 **Nelson** the USDA is very interested in the retardant plants. You should talk to those people and  
29 find out what you can do to protect against fire.

30  
31 **Mr. Chadwick** one thing we're lucky about is the bottom of that canyon is maples and maples  
32 don't catch fire as easily as pines do.

33  
34 **Mr. Chadwick, staff, and Planning Commission** discussed issues relating to the width of the  
35 County right-of-way and reaffirming it, road width requirements, road improvements, and wild  
36 land/urban interface requirements.

37  
38 **Dent** what's going to happen with the rest of the lots where they don't meet the standards from  
39 the 1970s parcel and are not 40 acres?

40  
41 **Runhaar** we don't know, we can't make them conform. It will have to be driven by the property  
42 owners to fix those.

43  
44 **Dent** do the other owners realize the situation?

45  
46 **Mr. Chadwick** yes, they are aware of the situation.

1 Nelson while in this planning stage, you might want to consider another access from down below  
2 in case of fire.

3  
4 Mr. Chadwick it's already in place.

5  
6 Dent moved to recommend approval to the County Council for the Cherry Creek 4-lot  
7 Subdivision with staff recommended stipulations and findings of fact with amendments made to  
8 the stipulations and recommendations. Clements seconded; passed 6, 0.

9  
10 **STAFF RECOMMENDATIONS**

11 Action: Staff recommends that the Planning Commission recommend approval to the County Council for the Cherry Creek Canyon Subdivision,  
12 a four (4) lot subdivision for property located at approximately 11000 North 3200 East (Richmond), TIN#18-057-0003, 18-054-0003, and 18-  
13 054-0006.

14 *Standard Stipulations:*

- 15 1. 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  
16 or well unless otherwise designated by the Health Department.  
17 2. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.  
18 3. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.  
19 4. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to and within the development area with an easement  
20 or dedication to be recorded on the final survey plat.

21 *Site Specific Stipulations:*

- 22 5. All trash will be hauled out by the property owners.

23  
24 **RECOMMENDED FINDINGS OF FACT**

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

- 26 4. The Cherry Creek Canyon Subdivision has been revised and amended by the conditions of project approval to address the issues and  
27 concerns raised within the public and administrative records.  
28 5. The Cherry Creek Canyon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements  
29 of Title 17 of the Cache County Code and the requirements of various departments and agencies.  
30 6. The subdivision approval is issued in performance with Titles 16 and 17 of the Cache County Code.  
31 7. The Cherry Creek Canyon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of  
32 adjoining or area property.

33  
34 6:02:00

35  
36 **#3 Robert Pate Subdivision (Robert Pate)**

37  
38 Baker reviews Robert Pate's request. Mr. Pate is requesting a 4-lot subdivision in Young Ward.  
39 The subdivision does include property to 2400 W. All County services recognize the danger of  
40 the intersection of 2400 W and 600 S, therefore, any access from 2400 West to lot 1 will be  
41 required to be at least 500 feet away from that intersection. Also, lot 1 is designated as  
42 agriculture. The Bear River Health Department will require an onsite septic system. Lots 3 and  
43 4 already have functioning septic systems.

44  
45 Ellis will you explain the agriculture designation? Can that be amended later? Is the owner of lot  
46 1 aware of this designation?

47  
48 Baker no residential or commercial buildings may be supported on this lot. It can be amended  
49 later with approval of others in the subdivision. We will make sure the owner is aware of this.

50  
51 Mr. Pate, Staff, and Planning Commission discussion regarding shared access and other  
52 access issues; subdivision amendments to make Lot 1 buildable and add a lot to the subdivision.  
53 Stipulation 8 will be added to specify that staff will notify the owner of Lot 1 regarding the status  
54 of his lot and the process to make it a building lot.

1  
2 **Clements** moved to recommend approval to the County Council for the Robert Pate 4-lot  
3 Subdivision with staff recommend stipulations and findings of fact. **Ellis** seconded; passed 6, 0.

4  
5 **STAFF RECOMMENDATIONS**

6 *Action:* Staff recommends that the Planning Commission recommend approval to the County Council for the Robert Pate Subdivision, a four (4)  
7 lot subdivision for property located at approximately 2310 West 600 South (Young Ward), TIN#02-074-0022, 02-074-0011, 02-074-0016.

8 *Standard Stipulations:*

- 9  
10 6. 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  
11 or well unless otherwise designated by the Health Department.  
12 7. Each landowner shall obtain a septic tank permit from the Bear River Health Department prior to construction on any lot.  
13 8. All landowners are required to obtain a Zoning Clearance and all applicable department reviews prior to any construction on the lots.  
14 9. The proponent shall reaffirm the County's right-of-way on all County Roads adjacent to the subdivision within the development area with an easement  
15 or dedication to be recorded on the final survey plat.  
10. All trash containers shall be placed on the north side of County Road 600 North for collection.

16 *Site Specific Stipulations:*

- 17 11. A joint access shall be designated for Lots 1 and 2 on 600 South. At such time that Lot 1 is developed access will be at this joint access or on  
18 2400 West a minimum of 500 feet from the intersection of 2400 West and 600 North.  
19 12. Lot 1 shall be designated as an Agricultural Parcel on the final plat.  
20 13. The owner of Lot 1 may enter into an agreement with other landowners in the subdivision that they will allow Lot 1 to be developed at such  
21 time that the owner of that lot chooses.

22 **RECOMMENDED FINDINGS OF FACT**

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

- 24  
25 8. The Robert Pate Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised  
26 within the public and administrative records.  
27 9. The Robert Pate Canyon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of  
28 Title 17 of the Cache County Code and the requirements of various departments and agencies.  
29 10. The subdivision approval is issued in conformance with Titles 16 and 17 of the Cache County Code.  
30 11. The Robert Pate Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area  
31 properties.  
32 600 North, the County Road that provides access to the subject property, has adequate capacity, of suitable level of service, for the proposed  
33 use.

34  
35 **6:20:00**

36  
37 **#4 Group Living Facilities - Title 17.16**

38  
39 **Runhaar** James and I worked on this again this afternoon. We see two main issues that need to  
40 be discussed: the number of occupants and the separation requirement. We sent you a new  
41 packet with the track changes done in the Definitions section.  
42

43 **Ellis** are these changes since the last meeting or since the meeting before?  
44

45 **Runhaar** since the last meeting we added the new definitions to the section in the track changes  
46 format.  
47

48 **Nelson** I also want to discuss the reasonable accommodations and how that works. We'll start  
49 with the occupancy restrictions and I'll open it up. We talked about the number 4 and some  
50 thought it was a little bit restrictive and we'll start with Mr. Sands.  
51

52 **Sands** I don't have a strong concern on the occupancy requirement, I'm comfortable with four.  
53

54 **Dent** I have no problem with four either.  
55

1 **Allen** I think it's a bit restrictive where resources are going to be used to grant reasonable  
2 accommodations. I think it needs to be 6.

3  
4 **Clements** 4 is the number to start with for requiring a permit?

5  
6 **Runhaar** No, up to 4 unrelated occupants are allowed, no issues. Over 4 unrelated occupants  
7 will need a permit and they need to mitigate the impact of those other 2 occupants on the area  
8 before a conditional use permit or reasonable accommodation can be granted.

9  
10 **Nelson** would all neighbors have a voice? Would County Council weigh in on this?

11  
12 **Runhaar** yes, it would be a public hearing. The Planning Commission would grant approval.

13  
14 **Clements** can the County Council override the Planning Commission?

15  
16 **Runhaar** yes, they could if they wanted to.

17  
18 **Swink** We can put a provision in the ordinance that states with a business license application for  
19 a group home or residential treatment facility, we would allow additional occupants. That's a  
20 good alternative and could be put in the ordinance.

21  
22 **Nelson** would you please explain that.

23  
24 **Swink** it is a provision that the Planning Commission can give office staff permission to grant  
25 facilities 6 to 8 occupants if there are no objections, and they wouldn't have to come before this  
26 Board.

27  
28 **Allen** if there was an opposition?

29  
30 **Swink** would revert back to this Board.

31  
32 **Clements** we are putting those individuals with disabilities to a higher standard than families. I  
33 think we need to be more liberal with those individuals with disabilities and not suppress them  
34 for the good of the community.

35  
36 **Runhaar** we want to treat everyone the same, not discriminate against anyone. That is the intent  
37 of federal and state statutes.

38  
39 **Clements** if people could vote, they would vote to live next to people with 2 children and people  
40 feel the same about these facilities.

41  
42 **Swink** the fair housing act addresses this issue. It says that persons of unrelated individuals no  
43 matter the situation. 4 unrelated individuals relates to the number of cars parked on the road, and  
44 in the driveway, etc. Generally families that are related won't have six to eight cars at one home.  
45 All cities regulate this. Some cities go to 5 unrelated individuals, some to 6, some as low as 2.  
46 The County statute reads, and has for a long time, 4 unrelated individuals.