

CACHE COUNTY COUNCIL

July 08, 2008

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

The Cache County Council convened in a regular session on July 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: N. George Daines

The following individuals were also in attendance: Blaine Anderson, DelVon Anderson, Lindsay Archibald, Dennis Bollom, Ruby Bradshaw, Scott Burton, Bonnie Casperson, Dave Casperson, Callie Jo Checketts, Bryn Christensen, Lynn Clark, Bev Eddy, Max Eddy, Dell Funk, LaVon Funk, Trish Gibbs, Richard B. Hill, Sharon L. Hoth, Derek Hunwick, LaMar Hunwick, JaNae Johnson, Blair Lierd, Bonnie Love, Ken Love, Janae Matue, Lester Nielsen, Jennifer Parker, Pat Parker, Kjia Perkins, LaMont Poulsen, Dave Richardson, Kathy Rochell, Randy Rochell, Fred Selman, Laura Selman, Taci Shaffer, David Spilker, Adam Stuart, Doug Stuart, Wendall Sullivan, Scott Walker, Iris Walton, Mark Lynn Walton, Anthony R. Ward, JaNaye H. Whitaker, Rex S. Whitaker, Tom Whitaker, Doug Williamsen, **Media:** Charles Geraci (Herald Journal), Arrin Brunson (Salt Lake Tribune), Jennie Christensen, (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

County Executive Lynn Lemon gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

The agenda was approved as written.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the June 24, 2008 Council meeting as written. Robison seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: Steve Salvesen County Fire Captain

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

WARRANTS: There were no warrants.

OTHER ITEMS

- ❑ **Conservation Easements - LeRay McAllister Fund – Letters of Support** – Executive Lemon indicated the Council has sent letters of support in the past on behalf of residents applying for funding through the LeRay McAllister Fund. The AG Advisory Board has submitted four such requests for: Baxter, Evans, Elkhorn Ranch, and Curtis.

Council member Gibbons noted that an open space question will be on the ballot this fall and expressed concern that if the Council approves these requests it may set a precedent that the Council will approve any open space request. Gibbons also questioned whether these properties are under a great deal of pressure for development. Yeates concurred.

Council member Zilles stated that the Council's letters of support are not necessarily approval, but only allow the property owners to begin the process of applying for LeRay McAllister Funds.

ACTION: Motion by Council member Zilles to forward letters of support for the Baxter, Evans, Elkhorn Ranch, and Curtis properties. Robison seconded the motion. The motion passed, 6 aye – Chambers, Gibbons, Hansen, Petersen, Robison & Zilles and 1 nay – Yeates.

- ❑ **Long Divide Road** – Executive Lemon asked that the Long Divide Road be open to large vehicles and asked for the Council's approval to open the Long Divide to large vehicles while still restricting the Short Divide and Veibell Dairy Roads. Lemon indicated Box Elder County is in agreement with this arrangement. The Council consented.

Lemon also noted that the County Road Department has widened the area of road base on the Veibell Dairy Road and the Sheriff's office has been patrolling the area.

- ❑ **CCOG** has received seven applications for the road money. CCOG will meet on July 14, 2008 and hope to have a recommendation to the Council at the July 22, 2008 Council meeting. Petersen asked how much money has been requested. Lemon said about \$11 to \$12 million versus the \$2 million that is available.
- ❑ **Least Chub** – Lemon gave an update letter to the Council on the work that has been done with this fish.

ITEMS OF SPECIAL INTEREST

- **Employee of the Month** was presented to Sergeant Mark Maughan of the Sheriff's Office by Jim Smith.
- **Introduction of Cache County Rodeo Royalty** – Trish Gibbs thanked the Council for their support of the rodeo and the Rodeo Royalty introduced themselves to the Council:

Bryn Christensen – Queen
Lindsay Archibald – First Attendant
JaNae Johnson – Second Attendant

Callie Jo Checketts – Junior Queen
Rickelle Johnson (absent) – Princess
Kjia Perkins – Junior Princess

Taci Shaffer – Utah High School Rodeo Queen

LaMont Poulsen invited the Council and all elected officials to ride in the grand entry parade at the rodeo on Saturday, August 9, 2008 and expressed appreciation for what the county has done for the fairgrounds.

- **Summerfest Report – Steve Bower** said Summerfest was a success and thanked the Council for its support through RAPZ funding. There will probably be approximately \$60,000.00 in Summerfest's bank account after all bills are paid which may be used to fund next year's Summerfest. The Children's Art Yard had 988 children through it last year and this year there were over 1500 children. Bower gave Council members a copy of the Joseph Alleman signed poster/print used to advertise Summerfest.
- **External Audit Report** - Scott Burton reviewed the Audit Report for the Council noting there were no major compliance issues and the Management Letter contains suggestions for improvements.

BUDGETARY MATTERS

◆ **Intra-Departmental Transfers**

Attorney

Transfer \$4,500.00 from Expenses to Office Expense to cover estimated office expense.

Extension

Transfer \$4,225.00 from Contract with USU-4-H Assist. to Temporary Employees (\$3,840.00) and Employee Benefits (\$385.00) to pay temporary employees to assume 4-H Assistant responsibilities until position replaced at USU on provision that USU participates in ½ of the costs. *(Auditor Stones noted she had received an email indicating that Utah State University will contribute one-half of these salaries.)*

(Attachment 1)

ACTION: Motion by Council member Gibbons to approve the budget transfers of \$4,500.00 and \$4,225.00. Yeates seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- Ordinance No. 2007-05 - Agricultural Subdivisions (NO ACTION TAKEN)** – See Council Member Reports, Gordon Zilles, page 7.
- Discussion – Flash Cut All Channels from Analog to Digital – August 30, 2008** – Executive Lemon said he applied on line for the coupon for the converter box needed for regular televisions and will receive it in a few weeks, so there is time for residents to be prepared for the August 30, 2008 date. Lemon also noted that a public hearing was held and there was no public concern with the date. There will be public service announcements and possibly ads informing people of the changeover to digital. Lemon also said that KUED will probably run a feeder line at the bottom of the screen with the August 30, 2008 warning.

Yeates said he had received a phone call from Larry Soule, the owner of KUTA TV mentioning that the county may want to develop criteria for those who want to use the additional channels that will become available.

Jeremy Threlfall, KUTA TV said a presentation taught by the National Association of Broadcasters about digital TV is available to the Council.

Tape 1, Side B

- **Discussion – 4-Day Work Week for County Employees** – Governor Huntsman has declared a ten-hour, four-day work week for state offices. Kathleen Howell, Assessor, reported to the Council the effect this will have on the Department of Motor Vehicles office. Some of the counties in Utah have DMV's run totally by the state and those will be closed on Fridays and convert to the 4-day work week. Cache County's DMV office is in the county building and county offices do not fall under the Governor's directive. Howell explained that her office utilizes the support services of the state several times a day and those services will now be closed on Friday. Most of Howell's employees are supportive of the 4-day work week, but a few are not. August 4, 2008 is the day the state will be moving to the new schedule.

The Council discussed whether to convert county offices to the 4-day work week and asked Executive Lemon to contact department heads and elected officials for their input before a decision is made.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: JULY 8, 2008-6:00 P.M. – VACATING CERTAIN COUNTY ROADS WITHIN THE COLDWATER CREEK AREA.

ACTION: Motion by Council member Yeates to open the Public Hearing – Vacating Certain County Roads within the Coldwater Creek Area. Robison seconded the motion. The vote was unanimous, 7-0.

Chairman Hansen opened the Public Hearing and invited public comment.

Ray Gibbons, Scare Canyon Ranch Association, asked what statute the county was basing its decisions concerning public/private roads on and said Scare Canyon Roads have always been private roads and have been gated and locked since the 1960's. Gibbons also said that Rocky Ridge Road was built as a private road.

Attorney Daines said the county is not making any claims on Rocky Ridge Road and that the public hearing is about vacating roads within the Coldwater Creek area and has nothing to do with the Scare Canyon Ranch properties.

Derek Hunwick and Joel Stuart, Scare Canyon Ranch property owners, expressed concern that Scare Canyon roads were being made public roads.

Scott Walker, Division of Wildlife Resources, voiced concern over the #3 Devil's Gate easement indicating it goes onto Wildlife Resources land as well as the possibility of illegal ATV use at the Hardware Ranch top access.

Cache County Council
07-08-2008

Attorney Daines reiterated the county is not taking a stance on whether Rocky Ridge Road is a public or a private road.

Wendall Sullivan, resident in Hyrum Dry Canyon area, stated the road leading to Hyrum Dry Canyon is narrow and needs improving and the county has a responsibility to make the road safe. Sullivan also said he hoped the pending Green Canyon Paradise Estates Subdivision would be required to put a hard surface on the road next to the subdivision and the area needs a parking lot for snowmobilers.

Tape 2, Side A

Sullivan noted that better law enforcement is needed in the area especially during the winter months.

Glen Thornley, County Road Committee, said he was present at the public hearing a month ago where the input was very positive and the Coldwater Ranch agreement was touted as being a win/win situation. Thornley said if road matters cannot be resolved between the county and landowners, then the courts would decide. Thornley cautioned Scare Canyon Ranch residents that they should want to avoid court action as the decision may not be in their favor.

Ken Love, Robert Wallace and Beverly Eddy, Scare Canyon Ranch residents, voiced opposition to any of the Scare Canyon Ranch roads being made public with Wallace stating that the Coldwater Creek Ranch agreement is the first step in opening up the Scare Canyon area.

Daines said the agreement is primarily working with the Coldwater northern route and the county will meet with Coldwater again to finalize the agreement. In the Coldwater agreement, the county is giving up 150 miles of roads and retaining only 17 miles. Daines also noted the Council is not making any decision tonight and he is willing to meet with the Scare Canyon Ranch Association people to address their concerns.

Chairman Hansen noted the public hearing had lasted an hour and asked if there was any new comment?

ACTION: Motion by Council member Gibbons to close the Public Hearing. Robison seconded the motion. The motion passed 5 aye – Chambers, Gibbons, Hansen, Yeates & Zilles and 2 nay – Petersen & Robison.

- Reconsideration of Green Canyon Paradise Estates** – Runhaar indicated Attorney Daines would lead the discussion. Daines said he has met with Aaron Wisser, the subdivision applicant, and Wisser and the county have a proposed solution to the road and parking problems. The road to the south of the subdivision has a 66-foot right-of-way which is more than enough room for a road and parking for snowmobilers along the 2,000 feet length across the road from the subdivision. There will be a cul-de-sac at the top of the road and there is also the possibility of a loop horse trail leaving and returning to the cul-de-sac. How the county participates with the funding of the road and parking areas is still to be worked through. Wisser must record his subdivision within two weeks and requests a three-month extension for recording in order to work out the details of the proposed parking, etc.

ACTION: Motion by Council member Petersen to grant a three-month extension on the time to record the plat for the Green Canyon Paradise Estates. Gibbons seconded the motion. The vote was unanimous, 7-0.

Daines noted that the aforementioned road would need dust control and a law enforcement presence as the area develops.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Final Plat Approval – Triple D Ranch Amended** – A five-lot Subdivision at 5662 South 2400 West (Hyrum).

(Attachment 2)

ACTION: Motion by Council member Gibbons to waive the rules and approve the Final Plat for the Triple D Ranch Amended. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Harmon Subdivision** – A three-lot subdivision at 986 North 6400 West (Petersboro).

(Attachment 3)

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

OTHER BUSINESS

✓24th of July Parade – North Logan City-10:00 a.m.-July 24, 2008 – Chambers and Lemon will attend.

COUNCIL MEMBER REPORTS

Brian Chambers reported that Frontier Airlines has announced it will begin chartered flight service at the Logan/Cache Airport.

Tape 2; Side B

Craig Petersen reported that he and Council member Robison had given presentations on the proposed countywide library to thirteen cities and have five more presentations to do and may have a presentation on the results of the city visits for the July 29, 2008 Joint Councils meeting with Logan City.

Petersen asked what other agenda items the Council would like for the July 29, 2008 meeting? Hansen and Lemon suggested the north proposed scenic byways. A possible dog off-leash area, RAPZ Tax wording in respect to the zoo allocation and the history of possible water shares at the fairgrounds were also suggested agenda items.

Kathy Robison gave a report on the Regional Homeless Task Force's proposed joint partnership with Bear River Mental Health for housing mentally ill inmates somewhere other than the jail. Vouchers from the state will be used to help fund the program.

Lemon noted that the committee for the Mental Health Court is asking for additional funds to pay Public Defenders. Daines doubted the funds are necessary and will review the request.

Gordon Zilles informed the Council of the proposal concerning the AG Subdivisions. It is proposed that all agricultural land will be zoned A-10. A rezone would have to be requested for any other proposed residential building. There are three residential zones recommended:

- Residential Estate Zone [RE-2] – One lot per two acres
- Agricultural Estate Zone [AE-5] - One lot per five acres
- Agricultural 10 Zone [A-10] - First three lots-One lot per two acres (this division can only occur from a base 1970 parcel); Additional lots-One lot per ten acres

Minimum lot size is one-half acre. Rezones can only be initiated by the landowner. Zilles stressed that this is a very barebones beginning. Road standards, fire protection requirements, water, etc. all still need to be addressed.

Daines asked if there would be differential levels of improvements required for different zones. Zilles responded that is possible.

LaMar Clements voiced concern over scattering residential zones throughout the agricultural area in the county and suggested the need for a clear criterion of specific requirements for rezones.

Clerk Zollinger asked which night Council members will attend the rodeo?

Friday	Hansen, Yeates & Zilles
Saturday	Chambers, Petersen & Robison

The Council meeting adjourned at 7:52 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: John A. Hansen
Chairman

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Attorney
 DATE: 7/1/2008

Amount to be transferred -- (rounded to the nearest dollar) \$4,500.00

Transfer From ---

Line Item No. : 10-4145-483
 Fund Designation: Expenses - Jail Pay for Stay

Original Budget:	<u>\$10,000.00</u>
Current Budget:	<u>\$10,000.00</u>
Expenditures to date:	<u>\$1,662.99</u>
Balance before transfer:	<u>\$8,337.01</u>
Balance after Transfer:	<u>\$3,837.01</u>

Transfer To ---

Line Item No. : 10-4145-240
 Fund Designation: Office Expense

Original Budget:	<u>\$13,000.00</u>
Current Budget:	<u>\$13,000.00</u>
Expenditures to date:	<u>\$6,303.30</u>
Balance before transfer:	<u>\$6,696.70</u>
Balance after Transfer:	<u>\$11,196.70</u>

Description of needs and purpose of transfer ---

To cover estimated office expense.

George Daines / P. Nielson
 Department Head

Recommendation: Approval [] Disapproval
 Comments:

Date: 7/1/2008

Jamra Stones
 Cache County Auditor

Recommendation: Approval [] Disapproval
 Comments:

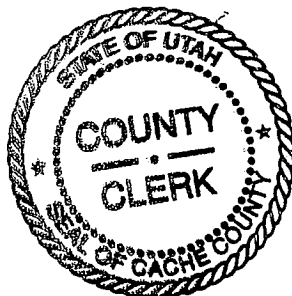
Date: 7/8/08

M. Lynn Lemmon
 Cache County Executive

Consented by the Cache County Council meeting in regular session on the 8th day of

July, 2008.

Joe Zollinger
 Cache County Clerk



REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Extension
 DATE: 30-Jun-08

Amount to be transferred -- (rounded to the nearest dollar) \$ 4,225

Transfer From ---

ACCOUNT	DESCRIPTION	Current Budget	Increase DR	Decrease CR	Amended Budget
10-4610-622	Contract with USU-4H Assist	\$ 18,462		\$ (4,225)	\$ 14,237

Transfer To ---

10-4610-120	Temporary Employees	\$ 21,589	\$ 3,840		\$ 25,429
10-4610-130	Employee Benefits	\$ 18,140	\$ 385		\$ 18,525
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
	Totals		\$ 4,225	\$ (4,225)	

Net adjustment \$ -

Description of needs and purpose of transfer ---

To pay temporary employees to assume 4-H Assistant responsibilities until position replaced at USU

on provision that USU participates in 1/2 of the costs.

(Cheryl Empey) (Estimating 20 hrs per week for 4 payperiods for 2 employees plus benefits)

Adrienne Roberts
 Department Head

Recommendation: Approval [] Disapproval

Date: 01-Jul-08

Sandra Stones
 Cache County Auditor

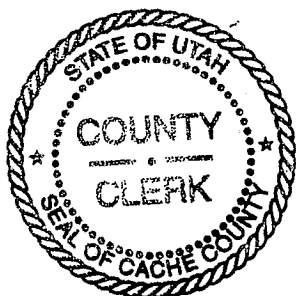
Recommendation: Approval [] Disapproval

Date: 7/3/08


M. Wymore
 Cache County Executive

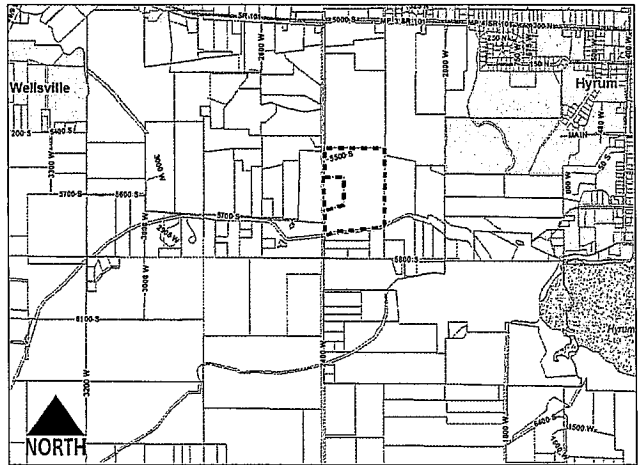
Consented by the Cache County Council meeting in regular session on the 8th day of July, 2008.

Jill Zollinger
 Cache County Clerk



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Triple D Ranch Subdivision Amended**
Agent: Ralph Darley
Request: 5-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: 5662 South 2400 West (Hyrum)
Staff Recommendation: Approval with Conditions
Tax ID: 01-059-0001
01-059-0015
Surrounding Uses: North – Agriculture
South – Agriculture/Homes
East – Agriculture
West – Agriculture/Homes
Reviewed by: Jay Baker, Associate Planner II 



PURPOSE: To recommend preliminary and final plat approval to the County Council for the Triple D Ranch Subdivision Amendment.

PROJECT SUMMARY

This subdivision is being done in conformance with §16.02.020(c) County Ordinance which allows a maximum of five lots on each parcel created by a natural barrier prior to October 2005. The project is located approximately 0.75 mile southwest of Hyrum City in the Agricultural Zone.

Access:

- Access from County Road 2400 West is adequate.
- The site distance from the crest of the hill to the private driveway (5662 South) should be evaluated.

Water & Septic:

- Adequate water rights are in place.
- All lots are feasible for standard onsite septic systems and wells.

Service Provision:

- Access for fire protection is adequate. The Hyrum fire station is 2.6 miles from the site.
- Private driveways 5600 South and 5662 South are longer than 150 feet and are required to be a minimum 20-foot wide hard surface with an approved turnaround.
- Garbage collection service will be on County Road 2400 West.
- An existing school bus stop is located at 5700 South 2400 West.

STAFF DETERMINATION

It is staff's determination that the Triple D Ranch Subdivision Amendment, a five (5) lot subdivision for property located at approximately 5662 South 2400 West (Hyrum) TIN# 01-059-0001, and 01-059-0015, is in conformance with the Cache County Ordinance and should be recommended for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact:**

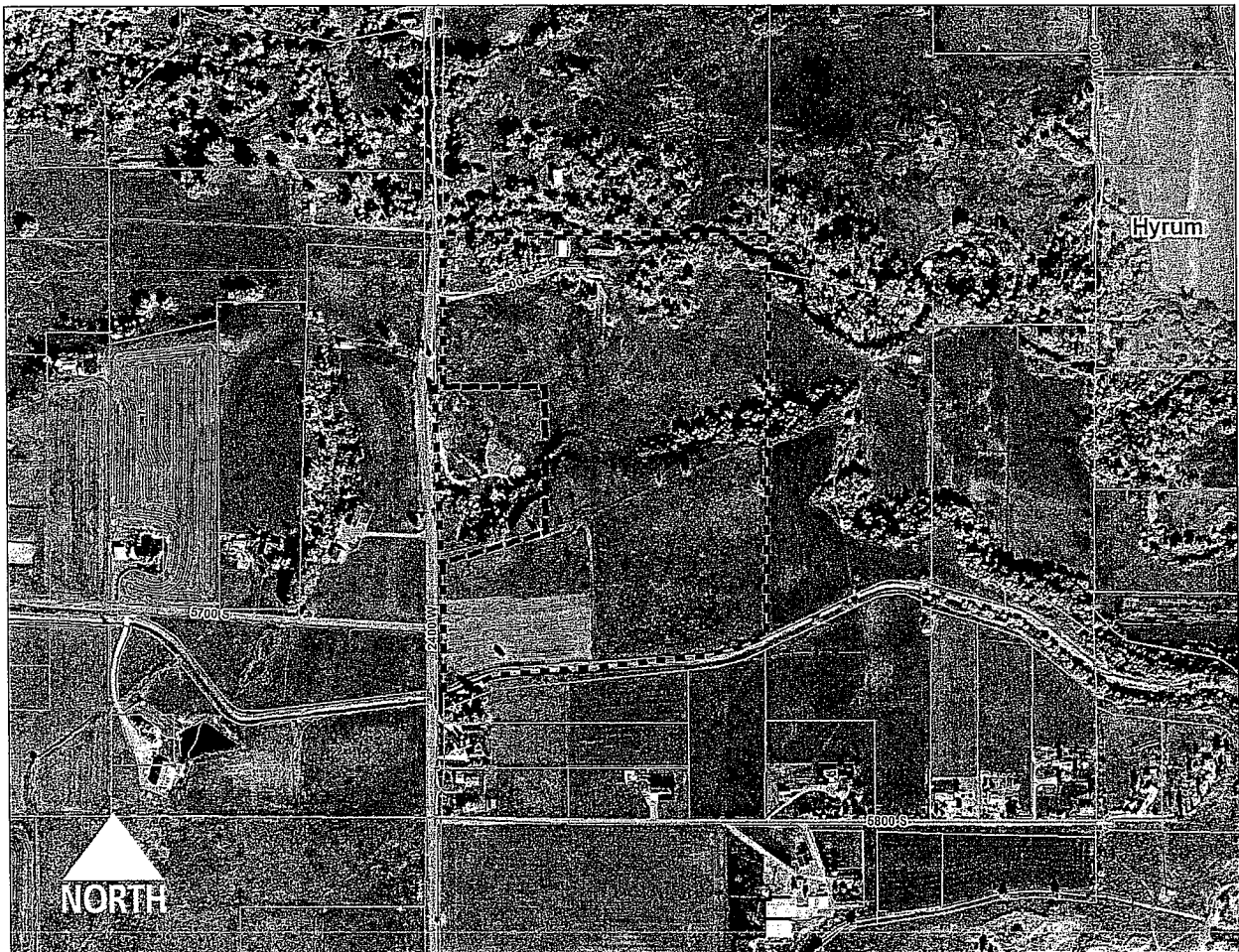
1. The Triple D Ranch Subdivision Amended has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Triple D Ranch Subdivision Amended has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Triple D Ranch Subdivision Amended conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
4. The Triple D Ranch Subdivision Amended is being done in conformance with County Ordinance §16.02.020(c) Natural Barriers.

5. Triple D Ranch Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
6. 2400 West, the County Road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

CONDITIONS OF APPROVAL

The following stipulations must be met for the development to conform to the County Ordinance and the requirements of county service providers.

1. Prior to recording the final plat approved, domestic water rights will be in place on all lots.
2. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
3. All septic systems will be sited and installed according to standards enforced by the Bear River Health Department.
4. Access to Lots 1 and 4 will be from 5662 South. Access to Lots 3 and 5 will be from 5600 South.

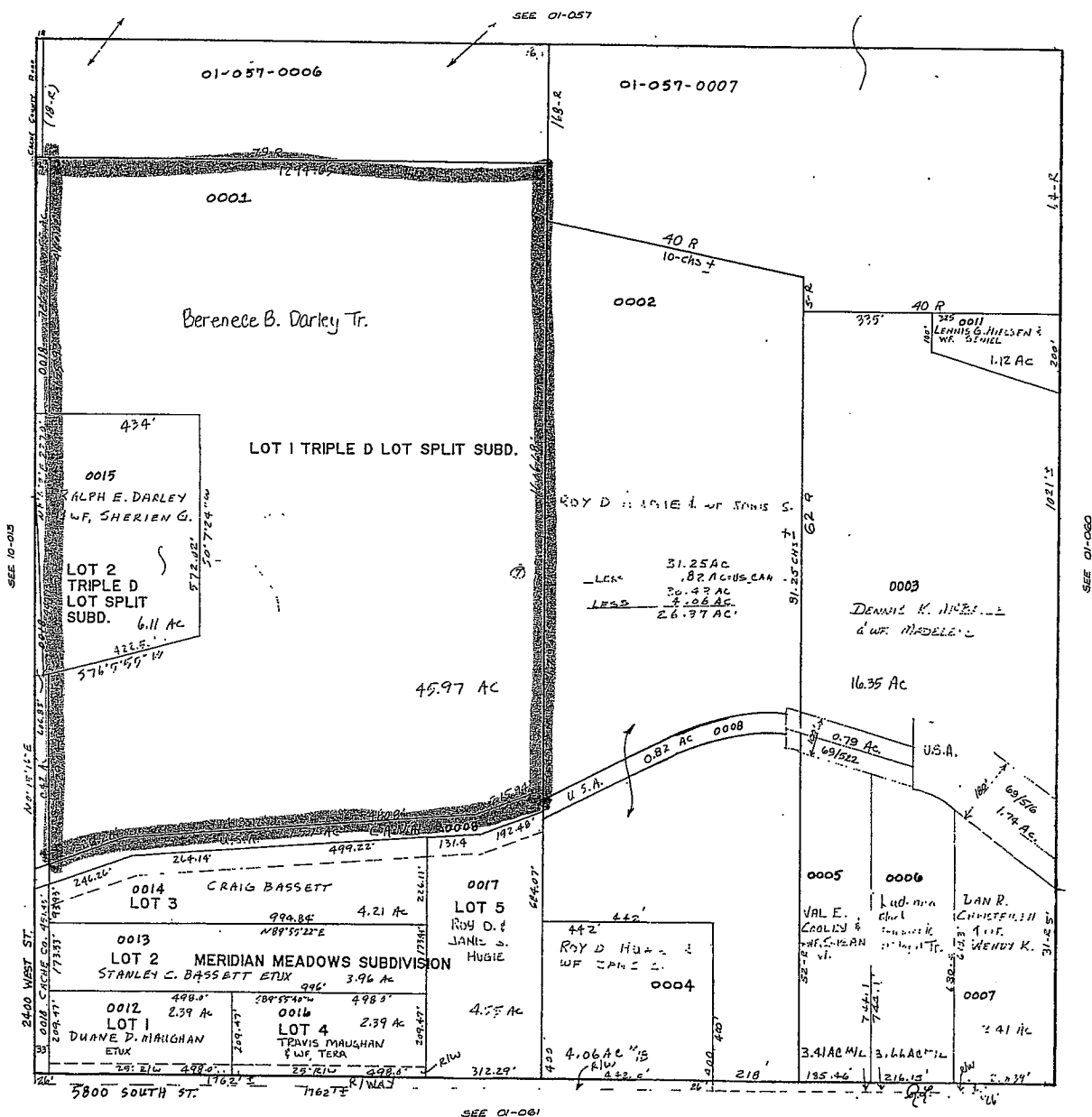


SW⁴ Section 6 Township 10 North Range 1 East

01-059

Scale 1 Inch = 3 CHAINS

TAX UNIT 28



Triple D Ranch Subdivision

1 **Runhaar** the parking lot is currently all single stalls, which is not going to work for large
2 animals. I'm not sure the sight plan functions for what the applicant intends and staff
3 recommends a continuation.

4
5 **Clements** the road is an issue.

6
7 **Larson** I need to disclose that the applicant is a former business partner of my husband.

8
9 **Allen** comments?

10
11 **Clements** *motioned to continue item #7 up to six months. Ellis seconded; passed 5;0.*

12
13 6:11:00

14
15 #8 Triple D Ranch Amended (Ralph A. Darley)?

16
17 **Runhaar** reviews Ralph Darley's request for an amended 5-lot subdivision on 5.08 acres located west of
18 Hyrum. This subdivision was approved prior to October 2005 and has a natural barrier. All lots are
19 feasible for onsite septic systems and wells. 5 lots are allowed as the original parcel went to the road and
20 was divided by a natural barrier and then was re-divided. Mr. Darley is proposing access on 2 private
21 roads. We may have to realign where 5662 south comes out. There is a problem with 5600 S. and sight
22 distance analysis will be needed.

23
24 **Mr. Darley** the issue is up there where the road comes out.

25
26 **Runhaar** yes, we need to determine if the road needs to be realigned.

27
28 **Mr. Darley** if you move that road you are changing that lot significantly.

29
30 **Sands** we aren't moving the road, we are just stipulating that whoever builds on lot 1 access it from 5662
31 S. We really try to limit the number of access along county roads.

32
33 **Runhaar** stipulation 5: access for lots 1 and 4 must access onto 5662 south and lots 3 and 5 must access
34 5600 south.

35
36 **Allen** comments?

37
38 **Steve Karriappoulus** when we talk about natural barriers, what does that mean?

39
40 **Runhaar** on the ground you want to divide, it isn't divisible because there are already 6 to 7 lot out of the
41 original parcel. A natural barrier, many were done before 2005, means there is a barrier to the property
42 that should have split the property like a road or a canal.

43
44 **Mr. Karriappoulus** you mean like the canal? The canal was done before 2005.

45
46 **Runhaar** natural barriers are a specific process someone has went through to have it stated that way.

47
48 **Mr. Karriappoulus** 5700 would be a natural barrier. The canal runs through my property and it would
49 be a natural barrier.

1 Allen Mr. Darley's natural barrier was done in 2002 and like Josh said, natural barriers were eliminated in
2 October of 2005 unless they were done prior to that.

3
4 Mr. Karriappoulus I have a plat right here.

5
6 Runhaar if it is regarding another plat, we need to discuss it at another time.

7
8 Allen comments?

9
10 Larson there will be private roads accessing multiple lots?

11
12 Runhaar right.

13
14 Larson the private roads will never be beneficial to the county?

15
16 Runhaar no.

17
18 Ellis it would be subject to a 20 ft. hard road surface?

19
20 Runhaar 20 ft. hard road surface will be required. As long as it meets what the fire needs, it's fine.

21
22 Allen what conditions have been added?

23
24 Runhaar stipulation #5 about access to lots

25
26 Sands motioned for recommendation for approval to the County Council for the Triple D Ranch
27 Amendment. Clements (look) seconded motion, passed 5:0.

28
29 **STAFF DETERMINATION**

30 It is staff's determination that the Triple D Ranch Subdivision Amendment, a five (5) lot subdivision for property located at approximately 5662
31 South 2400 West (Hyrum) TIN# 01-059-0001 and 01-059-0015, is in conformance with the Cache County Ordinance and should be
32 recommended for preliminary and final plat approval to the County Council. This determination is based on the following findings of fact:

- 33
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37
38
39
40
41
42
43
44
1. The Triple D Ranch Subdivision Amended 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 Triple D Ranch Subdivision Amended has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
 3. The Triple D Ranch Subdivision Amended conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
 4. The Triple D Ranch Subdivision Amended is being done in conformance with County Ordinance §16.02.020(c) Natural Barriers.
 5. Triple D Ranch Subdivision Amended is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area property.
 6. 2400 West, the County Road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed use.

45 **CONDITIONS OF APPROVAL**

46 The following stipulations must be met for the development to conform to the County Ordinance and the requirements of county service providers.

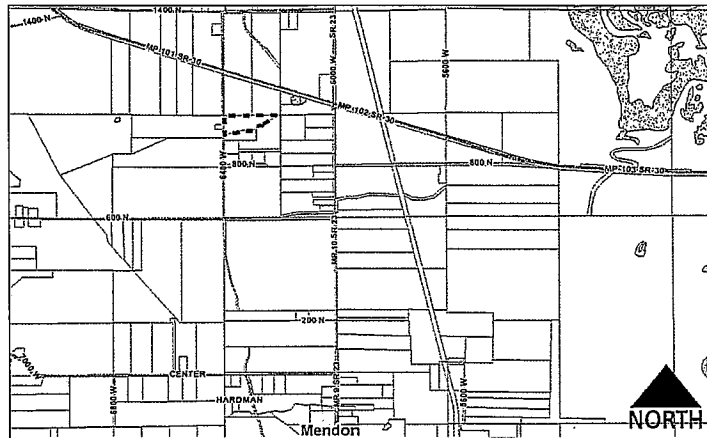
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1. Prior to recording the final plat approved, domestic water rights will be in place on all lots.
 2. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 3. All septic systems will be sited and installed according to standards enforced by the Bear River Health Department.
 4. Access to Lots 1 and 4 will be on 5662 South. Access to Lots 3 and 5 will be from 5600 South.

53 **6:25:00**

54
55 **#9 Mendon Shadow Subdivision Phase II (Dan Paskett)**

CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Harmon Subdivision**
Agent: Claudia Harmon
Request: 3-Lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: 986 North 6400 West (Petersboro)
Staff Recommendation: Approval with Conditions
Tax ID: 12-033-0033
Surrounding Uses: North – Agriculture
South – Residential
East – Agriculture
West – Agriculture/Homes
Reviewed by: Jay Baker, Associate Planner II



PURPOSE: To recommend preliminary and final plat approval to the County Council for the Harmon Subdivision.

PROJECT SUMMARY

This subdivision is being done in conformance with §16.02.020(c) County Ordinance which allows a maximum of five lots on each parcel created by a natural barrier prior to October 2005. The project is located in the Petersboro area approximately 1.9 miles north of Mendon City in the Agricultural Zone.

Access:

- Access from County Road 6400 West is not adequate.
- County Road 6400 West shall be widened to meet minimum County standards. The applicant will work with the County Engineer regarding improvements.
- Lots 2 and 3 will use a shared private drive for access off of 6400 West.
- The County Road Department will review the access point of the private drive.

Water & Septic:

- Adequate water rights are in place.
- Lots 2 and 3 are feasible for shallow, on-site septic systems. Trench depth will be limited to 18 inches below natural grade. A lift pump is required for below grade plumbing.

Service Provision:

- Access for fire protection is adequate. The Mendon fire station is 3.5 miles from the site.
- Due to the distance from the fire department and lack of water supply in the area, residential sprinklers are recommended.
- Garbage collection service will be on 6400 West.
- Residents are required to install a gravel pad for placement of refuse and recycle containers so they do not obstruct the traveled way.
- An existing school bus stop is located at 986 North 6400 West, ½ block from this subdivision.

ADDITIONAL INFORMATION

The proposed subdivision is the northern portion of a natural barrier that was approved in November 2000. The southern portion has already developed five lots.

STAFF DETERMINATION

It is staff's determination that the Harmon Subdivision, a three (3) lot subdivision for property located at approximately 986 North 6400 West (Petersboro) TIN#12-033-0033, is in conformance with the Cache County Ordinance and should be recommended for approval to the County Council. This determination is based on the following **findings of fact:**

1. The Harmon 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 Harmon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Harmon Subdivision conforms to the Preliminary plat requirements of §16.03.030 Cache County Subdivision Ordinance.
4. The Triple D Ranch Subdivision Amended is being done in conformance with County Ordinance §16.02.020(c) Natural Barriers.
5. Harmon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

CONDITIONS OF APPROVAL

The following stipulations must be met for the development to conform to the County Ordinance and the requirements of county service providers.

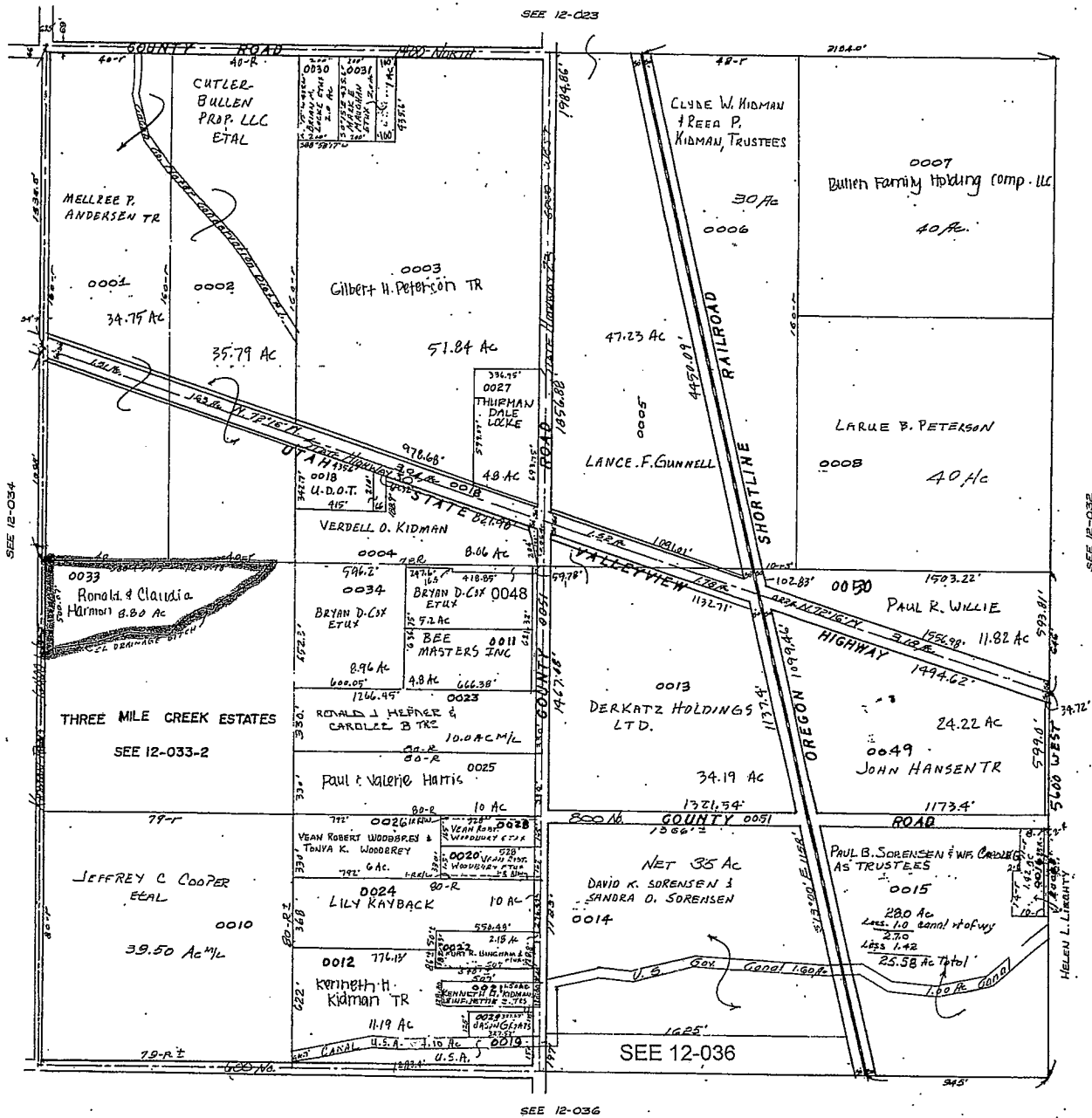
1. Prior to recording the final plat approved, domestic water rights will be in place on all lots.
2. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
3. The County Road, 6400 West, will be improved the length of the subdivision to minimum County standards. The applicant will work with the County Engineer to determine adequacy of improvements. The cost of the engineering review shall be paid for by the proponent.
4. Access to Lot 3 and the primary structure on Lot 2 shall be from the private drive only. The existing agricultural access on Lot 2 shall remain.
5. Residents shall install a gravel pad for placement of refuse and recycle containers on 6400 West.



SECTION 29, TOWNSHIP 12 NORTH, RANGE 1 WEST.

SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28



Harmon Subdivision

1
2 **Larson** that is why we need this other road going through the center of these new subdivisions.
3

4 **Larson** motioned for recommendation for approval to the County Council for the Mendon
5 Shadow Subdivision Phase II with the addition of stipulation 13 and dependent upon stipulation
6 13 being worked out. **Ellis** seconded; passed 5;0.

7
8 7:12:00
9

10 #10 Harmon Subdivision (Claudia Harmon)
11

12 **Runhaar** reviews Claudia Harmon's request for a 3-lot subdivision on 8.8 acres in Petersboro. Lots 2
13 and 3 are feasible for shallow, on-site septic systems. 6400 wsf will be required to meet county road
14 standards along the subdivision frontage. Also we need to revise stipulation 4 so that Lot 2 can be
15 accessed from the existing access or the private drive.
16

17 **Claudia Harmon** I would rather lot 2's access be from the private drive, not the existing access.
18

19 **Runhaar** We'll leave condition 4 as it is then. Is that existing access going to be left or would you
20 remove it?
21

22 **Mr. Harmon** the barn goes with the lot.
23

24 **Allen** could we stipulate any increased access from this lot be from the private drive?
25

26 **Runhaar** we would have to stipulate any domestic access would have to be from the private drive.
27

28 **Ms. Harmon** the residential access should be to the private drive.
29

30 **Allen** it would be best if the preexisting access was eliminated.
31

32 **Runhaar** when the home is built, we can stipulate the other access be removed.
33

34 **Ron Harmon** that lot with the new owner perhaps they want access to the barn. I would say primary use
35 through the main road, but would like that access left for agricultural use.
36

37 **Clements** that isn't a heavily traveled road anyways.
38

39 **Runhaar** the option is to the commission. We can phase that access out when the home goes up.
40

41 **Larson** I don't see that being a gigantic issue where it is agriculture use.
42

43 **Runhaar** residential access will have to come from the private drive.
44

45 **Ellis** is there a way to do that without restricting use to the barn?
46

47 **Runhaar** access to lot 2 for a single family home and lot 3 shall be from the private drive only and
48 existing Ag access to remain.
49

50 **Larson** can't we remain silent on the Ag access?

1 Runhaar I'm going to leave it so that if someone takes my place there is no confusion.

2
3 Larson is that current policy, only one access?

4
5 Runhaar where we have private drives we try to maintain one access points for homes.

6
7 M. Harmon instead of private road designation can it be a private drive?

8
9 Runhaar it is currently labeled as a private drive.

10
11 Clements motioned for recommendation for approval to the County Council for the Harmon Subdivision.
12 Larson seconded; passed 5;0.

13
14 **STAFF DETERMINATION**

15 It is staff's determination that the Harmon Subdivision, a three (3) lot subdivision for property located at approximately 986 North 6400 West
16 (Petersboro) TIN#12-033-0033, is in conformance with the Cache County Ordinance and should be recommended for approval to the County
17 Council. This determination is based on the following findings of fact:

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1. The Harmon 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 Harmon Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
 3. The Harmon Subdivision conforms to the Preliminary plat requirements of §16.03.030 of the County Subdivision Ordinance.
 4. The Triple D Ranch Subdivision Amended is being done in conformance with County Ordinance §16.02.020(c) Natural Barriers.
 5. Harmon Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

27
28 **CONDITIONS OF APPROVAL**

29 The following stipulations must be met for the development to conform to the County Ordinance and the requirements of county service providers.

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1. Prior to recording the final plat approval domestic water rights will be in place on all lots.
 2. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 3. The County Road, 6400 West, will be improved the length of the subdivision to minimum County standards. The applicant will work with the County Engineer to determine the adequacy of improvements. The cost of the engineering review shall be paid for by the proponent.
 4. Access to Lot 3 and the primary structure on Lot 2 shall be from the private drive only. The existing agricultural access on Lot 2 shall remain.
 5. Residents shall install a gravel pad for placement of refuse and recycle containers on 6400 West.

38 7:26:00

39
40 Short Recess

41
42 7:31:00

43
44 **#11 Amendment to the Cache County Ordinance (§17.02)**

45 Runhaar we will run through this briefly. Only one section really changed and it is easier to do
46 policy under bylaws. 17.02.020 is on the Board of Adjustments; we just reaffirmed the Board of
47 Adjustments. 2 other officials have to be designated in the ordinance: me as the zoning
48 administrator and the building official.

49
50 Clements the building official, in the new copy the sentence stating that we and the Board of
51 Adjustments have a say has been stricken.

52
53 Runhaar the building official has been there 6 to 7 yrs. I've never seen councils discuss staff
54 positions unless it's been from the County Council.