

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
APRIL 27, 2010**

CACHE COUNTY COUNCIL
April 27, 2010

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CACHE COUNTY COUNCIL MEETING
April 27, 2010

The Cache County Council convened in a regular session on April 27, 2010 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: Gordon Zilles
Vice Chairman: Jon White
Council Members: Craig W Buttars, Brian Chambers, H. Craig Petersen, Kathy Robison & Cory Yeates.
County Executive: M. Lynn Lemon
County Clerk: Jill N. Zollinger
County Attorney: Don Linton **James Swink, absent.**

The following individuals were also in attendance: Alyssa Hebdon, Alyssa Hebdon, Roy Hebdon, Wayne Hebdon, Michael Ballam, Clair Ellis, Dave Erickson, Bret Findlay, Lila Geddes, Ann J. Godfrey, DeeAnne Godfrey, Gail Godfrey, Glenn M. Godfrey, Kevin Godfrey, Chief Rod Hammer, Sharon L. Hoth, Aurelia Hyer, Cliff Hyer, Clark Israelsen, Bruce Kidman, Doug Kofford, Leslie Mascaro, Harry Meadows, Troy Netzley, David Nielsen, Chad Olsen, Deanna Olsen, Larry Olsen, Pat Parker, Jackie Robinette, Director Josh Runhaar, Wilford Toone, Jason Wooden, Lynn Zollinger, **Media:** Charles Geraci (Herald Journal), Jeremy Threlfall (KUTA-TV).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

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

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Robison to approve the minutes of the April 13, 2010 Council Meeting as written. Yeates seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

<u>APPOINTMENTS:</u>	Bartlett, Matt	Cache County Deputy Sheriff
	Bryner, John F	Cache County Deputy Sheriff
	Grover, Gale	Cache County Deputy Sheriff
	Hulse, Daniel C	Cache County Deputy Sheriff
	Keepers, Franklin R	Cache County Deputy Sheriff
	Miller, Dan	Cache County Deputy Sheriff
	Moake, Tyler S	Cache County Deputy Sheriff
	Parrish, Nicole A	Cache County Deputy Sheriff
	Wood, Curtis G	Cache County Deputy Sheriff

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

WARRANTS: Warrants for the periods 03-26-2010 to 04-01-2010, 04-02-2010 to 04-08-2010, 04-09-2010 to 04-13-2010 and 04-14-2010 to 04-15-2010 were given to the clerk for filing.

OTHER ITEMS

- NRCS/Cache High Line Canal Proposed Improvements** – Executive Lemon stated that Cache County Water Manager Bob Fotheringham recommended that the Council visit the various sites of the proposed canal improvements to better understand the project options. The Council members will meet May 25, 2010 at 3:00 p.m. at the Historic Courthouse and be bussed to the sites.
- UDOT Annual Meeting** will be May 5, 2010 from 9:00 a.m. to 11:00 a.m. in the County Council Chambers.
- Box Elder County Landfill Letter** – Executive Lemon reported he received a letter from Box Elder County indicating that Box Elder County is willing to lease space in its landfill to Cache County. There are concerns with leasing and Executive Lemon will keep the Council informed.

BUDGETARY MATTERS

- ◆ **Intra-Departmental Transfer**
GIS Department

Transfer \$2,500.00 from Salaries to Software to purchase software maintenance on ESRI software

(Attachment 1)

ACTION: Motion by Council member Buttars to approve the Budget Transfer of \$2,500.00. White seconded the motion. The vote was unanimous, 7-0.

ITEMS OF SPECIAL INTEREST

- **Introduction of Cache Valley Dairy Ambassadors** – Carly Spackman of Richmond, Emily Robinson of Paradise, Morgan Larson of Smithfield, Kelcee Christensen of Smithfield, Cassie Griffin of Newton and Katie Ann Erickson of Smithfield addressed the Council and introduced themselves.

PENDING ACTION

- Motion for Continuation – Boyd W. & Sheri Schiess Agricultural Protection Area – 8.24 acres located south of Nibley** – Director Runhaar and Attorney Linton explained that the Council needs to reaffirm its action designating this property as an agricultural protection area due to an annexation of property next to the Schiess land.

ACTION: Motion by Vice Chairman White to leave the Boyd W. & Sheri Schiess property of 8.24 acres located south of Nibley in an Agricultural Protection Area. Yeates seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: APRIL 27, 2010 – 5:30 P.M. – UT 1 BIG BOOT REZONE – a rezone with the Forest Recreation Zone to include the UCO Zone of 50' x 50' leased area of a 157324 acre parcel for a communications tower and construction of an equipment shelter located South of Wellsville

Chairman Zilles opened the Public Hearing and invited public comment.

PUBLIC HEARING: APRIL 27, 2010 – 5:35 P.M. – UT 1 HYDE PARK REZONE – a rezone with the Agricultural Zone to include the UCO Zone of a 50' x 50' leased area of a 1.0 acre parcel for a communications tower and construction of an equipment shelter located approximately 1700 East 4350 North east of Hyde Park

Doug Kofford, of Verizon, clarified the location and noted that a new tower will be installed next to the present one and the present one will be removed.

Chairman Zilles opened the Public Hearing and invited public comment. There was none.

ACTION: Motion by Council member Petersen to close the Public Hearings, April 27, 2010-5:30 p.m.-UT 1 Big Boot Rezone and April 27, 2010-5:35 p.m.-UT 1 Hyde Park Rezone. Robison seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARING: APRIL 27, 2010 – 5:40 P.M. – HAT J RANCH – requesting approval for a 2-lot subdivision on 137 acres of property on the agricultural Zone located at approximately 6791 West Highway 230, Petersboro – Director Runhaar reviewed the findings of fact and conditions of approval on the request for the Council.

Chairman Zilles opened the Public Hearing and invited public comment. There was none.

ACTION: Motion by Council member Yeates to close the Public Hearing, April 27-2010-5:40 p.m.-Hat J Ranch. Buttars seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION

- **Final Plat Approval – Hat J Ranch**

(Attachment 2)

ACTION: Motion by Council member Petersen to waive the rules and approve the Final Plat for the Hat J Ranch. Chambers seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- **Motion – Approval/Disapproval RAPZ/Restaurant Tax Recommendations** – Council member Robison raised the concern that Cache Humane Society should be eligible to receive funding under the zoological section, but the funding is committed to the Willow Park Zoo. The Cache Humane Society will be asked to present its concerns at the May 11, 2010 Council meeting. Cameron Jensen will also be invited to attend. The issue will be an agenda item for discussion at the May 25, 2010 Council meeting.

Council member Yeates asked that a sheet indicating previous years' allocations for current applicants be included in the Council members' packets.

(Attachment 3)

ACTION: Motion by Council member Petersen to accept the recommended allocations for the RAPZ/Restaurant Tax funding. White seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION

- **Final Plat Approval – Godfrey Subdivision** – Director Runhaar noted that the main issue with this subdivision is the road. The present road was improved by the county, but does not meet county standards. Executive Lemon reasoned that since this is a request for one home there should be an exception to the road width requirement. Legal and safety issues were discussed by Council members and Attorney Linton.

Chairman Zilles asked Chief Hammer to comment the effect the narrower road would have on fire protection. Chief Hammer said it would limit fire protection abilities because one fire truck could not be exiting while another entered the area.

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve the Final Plat for the Godfrey Subdivision as recommended with 8800 West road widened by the petitioner to 20' wide with 1' shoulders with a gravel surface from where the road narrows and the chip and seal ends to the south end of the subdivision. Buttars seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Longstroth Family Subdivision** – Director Runhaar stated this is a reworked subdivision plat because the previous plat was not approved due to road concerns. This plat has the lots being accessed from a

private road on the east side of the subdivision. Runhaar recommended approval.

(Attachment 5)

ACTION: Motion by Council member Petersen to waive the rules and approve the Final Plat for the Longstroth Family Subdivision. Chambers seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Amigos Meadow Subdivision** – A 4-lot subdivision in Petersboro.

(Attachment 6)

ACTION: Motion by Council member Yeates to waive the rules and approve the Final Plat for the Amigos Meadow Subdivision. Buttars seconded the motion. The vote was unanimous, 7-0.

- **Final Plat Approval – Lono Subdivision** – Director Runhaar said this was originally submitted as a 5-lot subdivision, but the planning office recommended it be re-submitted as a 4-lot subdivision with an existing home on Lot 1. Two lots will be buildable and Lot 5 will be an agricultural remainder lot. The change was recommended because there are only two Benson culinary water connections available. Cliff Hyer, the property owner, maintained he still wanted a 5-lot subdivision with an existing home on Lot 1 and Lots 3 and 4 as buildable lots and Lots 2 and 5 as agricultural remainder lots. Hyer indicated he has a well on the property with 4.866 acre feet of water. Hyer wants to have the smaller Lot 2 included on this subdivision request so that, if restrictions on the Benson culinary water connections change in the future, he will not have to return to the Council with another subdivision request. Runhaar and the Council told Hyer that in the event the restrictions did change Hyer, or the future property owners, will still have to go through a request process to make Lot 2 a buildable lot instead of an agricultural remainder lot. Hyer maintained he wanted the 5-lot subdivision approved.

(Attachment 7)

ACTION: Motion by Vice Chairman White to waive the rules and approve the Final Plat for the Lono Subdivision as a four-lot subdivision. Petersen seconded the motion. The motion failed, 2 aye – Petersen & White and 5 nay – Buttars, Chambers, Robison, Yeates & Zilles.

ACTION: Motion by Council member Buttars to waive the rules and approve the original Final Plat for the Lono Subdivision as a five-lot subdivision with Lots 2 and 5 being agricultural remainder lots. Robison seconded the motion. The motion passed, 5 aye – Buttars, Chambers, Robison, Yeates & Zilles and 2 nay – Petersen & White.

Attorney Linton asked that it be noted in the minutes that the petitioner agreed with the Council's decision.

- **Final Plat Approval – Diamond H Subdivision** – A 2-lot subdivision north of Smithfield and Director Runhaar observed that this subdivision also has a narrow road problem with 7200 North road having been improved by the county to approximately 15 to 18 feet. The standard is for a road 20 feet wide with 1 foot shoulders. Executive Lemon reiterated his previous statement that an exception to the road standard should be allowed for a single family home.

After discussion between the Council and the property owners, including the adjacent property owner, it was decided that the petitioner will move an existing fence and widen the road to the required 20 feet with 1 foot shoulders.

(Attachment 8)

ACTION: Motion by Vice Chairman White to waive the rules and approve the Final Plat for the Diamond H Subdivision noting that the petitioner will move an existing fence and widen the road to the required twenty feet width with one foot shoulders. Yeates seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Training and Testing for NIMS Certification** is April 28 and 29, 2010 in South Jordan, Utah and Executive Lemon announced that he, Tamra Stones and Jim Smith will be attending and invited the Council to attend as well.

PENDING ACTION

- **Discussion – Proposed Amendments to the Cache County Road Standards**
– Director Runhaar presented possible road classifications including Class B, farm, local, feeder and arterial roads and their surfacing requirements.

Council member Petersen left the meeting.

Because of the lateness of the hour the full discussion was discontinued and a road workshop was scheduled for May 6, 2010 at 3:00 p.m. in the Council chambers.

Council member Chambers left the meeting.

COUNCIL MEMBER REPORTS

Kathy Robison mentioned that Council members need to be aware that emails are subject to GRAMA requests.

Cory Yeates said the speed limit signs have been posted on the Meridian Road and traffic has slowed considerably.

Cache County Council
04-27-2010

Yeates also indicated that Bart Esplin recommends planting trees now on the property the county owns near the American West Heritage Center in the event it may be used for a possible future location for the fairgrounds in seventy or eighty years.

ADJOURNMENT

The Council meeting adjourned at 8:24 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Gordon A. Zilles
Chairman

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: GIS DEPT
 DATE: 3/31/2010

Amount to be transferred -- (rounded to the nearest dollar) \$2,500.00


Transfer From ---
 Line Item No. : 10-4135-110
 Fund Designation: Salaries

Original Budget:	<u>\$147,261.00</u>
Current Budget:	<u>\$147,261.00</u>
Expenditures to date:	<u>\$22,608.84</u>
Balance before transfer:	<u>\$124,652.16</u>
Balance after Transfer:	<u>\$122,152.16</u>

Transfer To ---
 Line Item No. : 10-4135-311
 Fund Designation: software

Original Budget:	<u>\$11,000.00</u>
Current Budget:	<u>\$11,000.00</u>
Expenditures to date:	<u>\$0.00</u>
Balance before transfer:	<u>\$11,000.00</u>
Balance after Transfer:	<u>\$13,500.00</u>

Description of needs and purpose of transfer ---
To purchase software maintenance on ESRI software.



 Department Head

Recommendation: Approval Disapproval
 Comments:

Date: 3/31/2010



 Cache County Auditor

Recommendation: Approval Disapproval
 Comments:

Date: 4/19/10
3/31/2010



 Cache County Executive

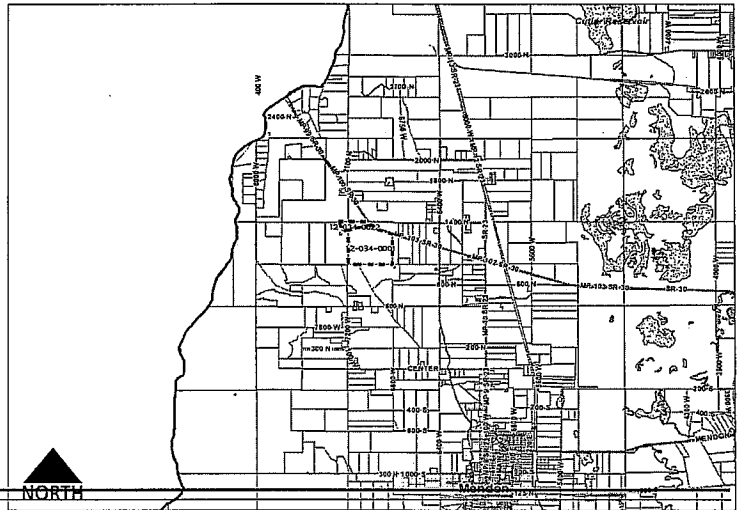
Consented by the Cache County Council meeting in regular session on the 27th day of April, 2010.



 Cache County Clerk

CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

Project Name: Hat J Ranch Subdivision
Agent: Chad J. Olsen
Request: 2-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 6791 West Highway 30 Petersboro
Staff Recommendation: Approval with conditions
Tax ID: 12-034-0001; 12-034-0022
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture/ Highway 30
West – Residential/Agriculture
Reviewed by: Leslie M. Mascaro, Planner I



NEW ORDINANCE

PURPOSE: To recommend approval of the preliminary & final plat for the Hat J Ranch Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 2-lot subdivision located approximately 6791 West Highway 30 near Petersboro in the Agricultural Zone. A majority of the 137 acres will remain in agriculture production. One (1) additional lot will be created for residential use with 5.5 acres. There was one lot subdivided from this parcel without the necessary permits and approvals. Both lots are considered restricted. The owner to the restricted parcel with parcel ID # 12-034-0022 has refused to be apart of this subdivision. This will require a public hearing at the County Council to address this item.

Access:

- Access from Highway 30 is adequate. The applicant has worked with UDOT; there are no applications or permits required.
- The Private drive shall be improved to a 20' wide gravel surface with 1' shoulders and an approved turnaround. There is an existing private gravel road that services one house and the subject property.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- The proposed lot is feasible for an on-site septic tank system and a well.

Service Provision:

- All refuse and recycling containers must be placed along Highway 30 for collection.
- Property owners should allow sufficient space along the shoulder of the road for the placement of the containers to sit four feet apart, and so they will not interfere with traffic flow.
- A school bus stop would be located at 6791 West on Highway 30, approximately 1 block from the proposed subdivision.

STAFF DETERMINATION

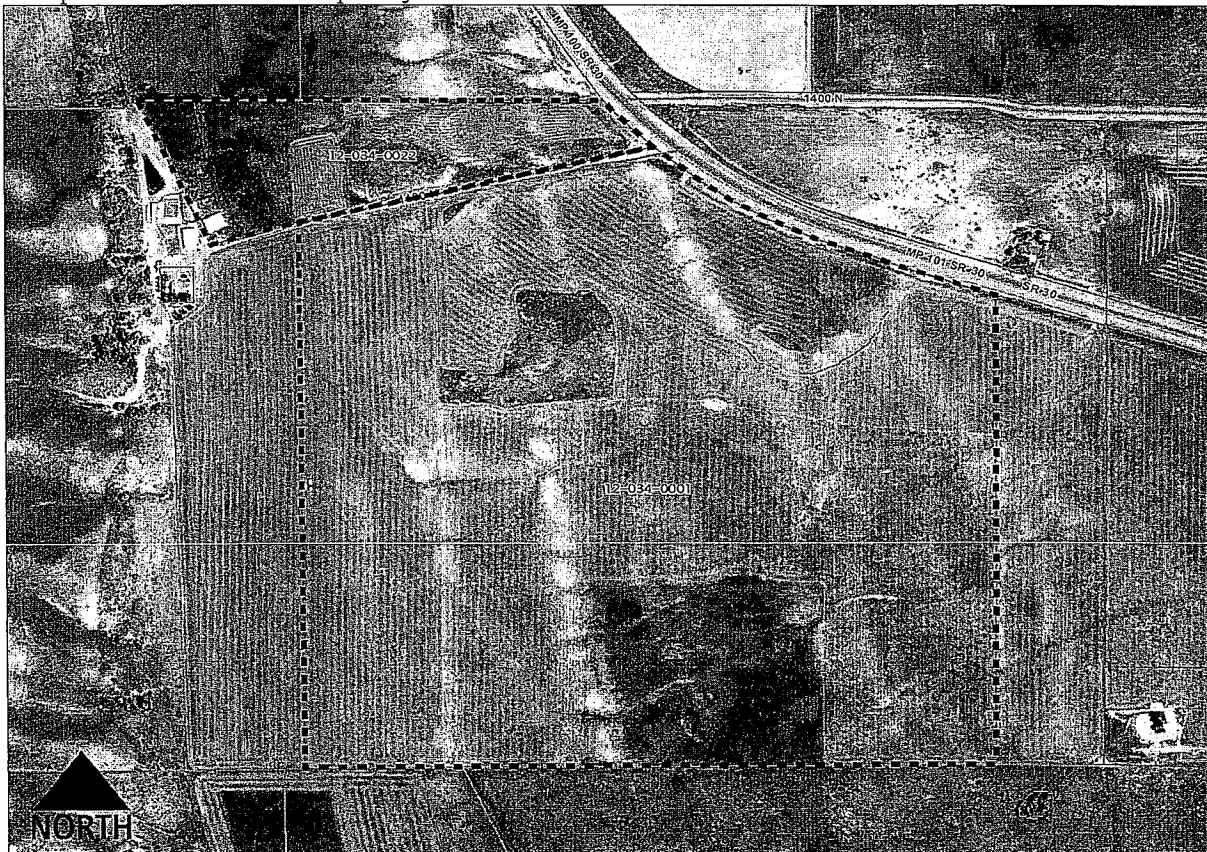
It is staff's determination that the Hat J Ranch Subdivision, a 2-lot subdivision for property located at approximately 6791 West Highway 30 with TIN # 12-034-0001 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Hat J Ranch 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 Hat J Ranch 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 Hat J Ranch Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Hat J Ranch Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. Highway 30, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

CONDITIONS OF APPROVAL

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

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County. The Private drive shall be constructed to a 20' wide gravel surface with 1' shoulders and an approved turnaround.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5. A sign shall be posted in front of the subdivision that states that it's a private road.
6. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.



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4 **Jon White Leaves**

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6 **findings of fact:**

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1. The Lono 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 Lono 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 Lono Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
 4. The Lono Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
 5. 3200 West Street, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

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CONDITIONS OF APPROVAL

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

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1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place. All buildable lots shall be connected to Benson Culinary water or show proof of acceptable culinary water well.
 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
 5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, 3200 West Street, across the entire frontage of the proposed subdivision.

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Gibbons made a motion to recommend approval for a 3-lot buildable subdivision with an Agricultural remainder. Nebeker seconded; passed 7, 0.

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6:46:00

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#6 Hat J Ranch Subdivision (Chad J. Olsen)

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Mascaro reviewed Mr. Chad Olsen's request for a 2-lot subdivision on 149.34 acres of property in the Agricultural Zone located at approximately 7107 West 1400 North, Petersboro. There will be 1 buildable lot and rest will be kept in agriculture. Lots 2 and 3 were subdivided without the necessary approvals and are currently restricted. Highway 30 provides adequate access to the site. The applicant has met with UDOT that has determined no permits are required at this time for the additional lot. The owner of lot 3 has refused to be part of the subdivision and a public hearing will be set at Council to address the issue. Lot 1 is feasible for a septic tank system, and will be serviced by an existing well.

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Staff and Planning Commission discussed access and orientation of lot 1.

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Mr. Chad Olsen I understand everything needed. I hesitate to call it a subdivision due to only one home, but I just want to move back home.

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Staff and Planning Commission further discussed access to lot 1 and orientation of lot 1 and why it does not match the existing roadway alignment.

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2 **FINDINGS OF FACT:**

- 3 1. The Hat J Ranch Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised
4 within the public and administrative records.
5 2. The Hat J Ranch Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles
6 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
7 3. The Hat J Ranch Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County
8 Subdivision Ordinance.
9 4. The Hat J Ranch Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or
10 area properties.
11 5. Highway 30, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed
12 level of development.
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14 **CONDITIONS OF APPROVAL**

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

- 17 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
18 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1.
19 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by
20 Cache County. The Private drive shall be constructed to a 20' wide gravel surface with 1' shoulders and an approved turnaround.
21 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
22 5. A sign shall be posted in front of the subdivision that states that it's a private road.
23 6. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache
24 County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.
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27 *Erickson made a motion to recommend approval for the 2-lot Hat J Ranch Subdivision with the*
28 *noted conditions and findings of facts with addition of a condition for the CCNR to the County*
29 *Council; Gibbons seconded; passed 7, 0.*
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31 **6:56:00**

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33 **#7 UT 1 Big Boot Rezone (Doug Kofford)**
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35 **Mascaro** reviewed Mr. Dough Kofford's request for a rezone with the FR-40 (Forest Recreation)
36 to include the UCO (Utility Corridor Overlay) of a 50' X 50' leased portion of a 157.24 acre
37 parcel located in Sardine Canyon just south of Wellsville.
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39 **Sands** Why the proliferation of cell towers recently?
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41 **Mr. Kofford** The Mt. Pisgah site is closing and we need to address the coverage throughout the
42 valley.
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44 **FINDINGS OF FACT:**

- 45 1. The locations of the subject properties are compatible with the purpose of the proposed Utility Corridor Overlay zoning district.
46 2. The subject properties are suitable for development within the Utility Corridor Overlay Zone district without increasing the need for
47 variances or special exceptions within this zone or the underlying Forest/Recreation Zone.
48 3. The subject properties are suitable as a location for all permitted uses within the proposed Utility Corridor Overlay Zone.
49 4. The subject properties when used for the permitted uses in the Utility Corridor Overlay Zone would be compatible with the adjoining
50 land uses.
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52 **CONDITIONS OF APPROVAL**

53 The following stipulations must be met for the developments to conform to the County Ordinance and the requirements of county service
54 providers.
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CACHE COUNTY

2010 RESTAURANT AND RAPZ TAX AWARDS - COMMITTEE RECOMMENDATION

No.	Entity	Title	Request	Recommended
1	Alliance for the Varied Arts	The Arts Programs of the Alliance for the Varied Arts	20,000	16,000
2	Amalga Township	Install Walking Path/Bike Trail at park	18,000	9,000
3	American West Heritage Center	2010 Land Payment Assistance - 98.32 Acres Preserved	72,267	72,267
4	American West Heritage Center	2010 Programming Operational Support	100,000	75,000
5	American Festival Chorus	American Festival Chorus 2010-2011 Season	40,000	20,000
6	Boys & Girls Club of Cache Valley	Boys & Girls Club Face Lift and Guitar Program	5,000	0
7	Bridger Folk Music Society	Bridger Folk Music Society concert production support	4,500	4,000
8	Bridgerland Community Ice Arena	Original Construction Bond for Eccles Ice Center	92,853	92,853
9	Bridgerland Community Ice Arena	Electronic Reader Board Sign purchase/install inside arena.	3,496	0
10	Bridgerland Community Ice Arena	Parking and Improvements	50,000	50,000
11	Cache Children's Choir	Support of Cache Children's Choir 2010-2011 Season	11,000	9,000
12	Cache Community Connections	2010 Concert and Lecture Series at the Tabernacle	8,000	8,000
13	Cache County - Development Services	Logan Canyon Gateway Trail	171,767	57,256
14	Cache County - Development Services	Bonneville Shoreline Trail - Blacksmith Fork to Millville Canyon	60,300	0
15	Cache County - Fair and Rodeo	Advertising and promoting the Cache County Fair	10,000	10,000
16	Cache County - Fairgrounds	Fairgrounds Facilities Enhancements	138,407	42,000
17	Cache Humane Society	Income Based Animal Clinic/Hospital	182,037	0
18	Cache Humane Society	Operations Support for the Cache Animal Shelter	48,000	0
19	Cache Regional Theatre Company	Scarlet Pimpernel (Theatrical Production)	21,500	14,000
20	Cache Valley Amateur Hockey Association	CVAHA Youth Hockey Program Expansion	2,500	0
21	Cache County - Senior Center	"Soaring to New Heights"	5,989	5,000

CACHE COUNTY

2010 RESTAURANT AND RAPZ TAX AWARDS - COMMITTEE RECOMMENDATION

No.	Entity	Title	Request	Recommended
22	Cache Valley Arts Summit	Cache Valley Arts at a Glance Brochure	4,000	3,500
23	Cache Valley Center for the Arts	Education and Outreach Programs	25,000	18,000
24	Cache Valley Center for the Arts	Ellen Eccles Theatre Facility Improvement	73,000	30,067
25	Cache Valley Center for the Arts	Ellen Eccles Theatre touring productions 2010-2011	15,000	14,000
26	Cache Valley Civic Ballet	Nutcracker, Coppelia Productions	12,000	7,000
27	Cache Valley Cruising Association	Cache Valley Cruise-In 2010	38,000	25,000
28	Cache Valley Historical Society	Historic Home Tour	750	500
29	Cache Valley Mushers	Cache Valley K9 Challenge Sled Dog Race	2,500	2,000
30	Cache County - Cache Valley Visitors Bureau	Logan Cache Winter Bash 2011	5,100	0
31	Cache County - Cache Valley Visitors Bureau	Cache Valley Tourism Marketing and Promotion	86,384	75,000
32	Celebrate America Show	2010 Celebrate America Show	28,500	14,000
33	Chamber Music Society of Logan	Enhancing Chamber Music Events in Cache Valley	5,500	4,000
34	Common Ground Outdoor Adventures	Art Workshops for Individuals with Disabilities	20,000	0
35	Cornish Town	Playground	3,700	0
36	Hyde Park City	Lions Park - Northeast Pavilion and Park	147,294	35,000
37	Hyrum City	Salt Hollow Park Phase I	287,840	50,000
38	Hyrum City	Blacksmith Park Phase I	140,035	0
39	Lewiston City	Lewiston City Park Reconstruction & Revitalization Project	71,030	0
40	Lewiston City	Lewiston Community Theater Sound System Upgrade	5,517	5,517
41	Logan City - Eccles Theatre	Eccles Theatre Bonds	76,495	76,495
42	Logan City - Parks and Recreation	Gateway Park Welcome Monument and Wetland Protection	25,000	0

CACHE COUNTY

2010 RESTAURANT AND RAPZ TAX AWARDS - COMMITTEE RECOMMENDATION

No.	Entity	Title	Request	Recommended
43	Logan City - Parks and Recreation	Logan Canyon Gateway Trail Retaining Wall Phase I	110,455	0
44	Logan City - Parks and Recreation	Tennis Court Replacement at Merlin Olsen Central Park	46,968	0
45	Logan City - Parks and Recreation	1700 South Park	46,470	46,470
46	Logan City - Parks and Recreation	Willow Park Sports Complex Infield Upgrade	20,000	0
47	Logan City - Parks and Recreation	Northwest Park Equipment & Installation	124,016	124,016
48	Logan City - Parks and Recreation	Restroom for Stewart Nature Park	41,000	0
49	Logan City - Parks and Recreation	Basketball Replacement at Merlin Olsen Central Park	52,305	0
50	Logan City - Parks and Recreation	Majestic Park	37,450	37,450
51	Logan City - Parks and Recreation	Jones Park	95,930	83,875
52	Logan City - Parks and Recreation	Golf Course Driving Range Teaching Structure	43,400	0
53	Logan City - Parks and Recreation	Golf Cart Path Replacement	50,500	0
54	Logan City - Willow Park Zoo	Willow Zoo Operations Budget	134,708	107,892
55	Logan City - Parks and Recreation	Resurface Two Tennis Courts	83,526	0
56	Mendon City	Mendon City Softball Field & Parks Upgrade	75,762	0
57	Mendon City	Mendon 100 East Trail & Safe Route to School	85,000	0
58	Millville City	Millville City Park Pavillion	43,318	35,000
59	Multicultural Center of Cache Valley	Cinco De Mayo Festival	9,200	5,000
60	Music Theatre West	Youth Performance Workshops/Broadway Musical	45,000	18,000
61	Nibley City	Heritage Park - Baseball Field (phase 4)	192,650	0
62	Nordic United	Tourism Promotion of Ski Trails, Clinics, and Races	5,000	4,000
63	North Logan City	Elk Ridge Park Pavilion and Restroom Facility	112,674	55,000

CACHE COUNTY

2010 RESTAURANT AND RAPZ TAX AWARDS - COMMITTEE RECOMMENDATION

No.	Entity	Title	Request	Recommended
64	Paradise Town	Paradise Area Multiple Use Outdoor Arena and Future Sports P	144,690	0
65	Providence City	Tennis Court Restoration; Zollinger and Braegger Parks Project	147,808	55,000
66	Old Lyric Repertory Company	Old Lyric Repertory Company 2010-2011	20,000	0
67	Old Lyric Repertory Company	Old Lyric Repertory Company 2010-2011: Marketing	22,200	15,000
68	Richmond City	Recreation Playground Equipment and Park Spruce Up	50,000	35,000
69	Richmond City	Fencing Around Black and White Days Facility	10,000	0
70	Richmond City	Custom Concession and Cook Stand	10,000	0
71	River Heights City	Updating the Heber Olson Park Irrigation System	15,000	15,000
72	Smithfield City	Combination Restroom, Concessions Building at Forrester Acre	91,617	60,000
73	Smithfield City	Recreation Center Multi-Purpose Flooring & Indoor Track Impr	70,657	0
74	Stokes Nature Center	Second Dam Building and Interpretation Master Plan	19,700	0
75	Stokes Nature Center	Stokes Nature Center School and Community Programs	25,000	18,000
76	Summerfest Arts Faire	Summerfest Arts Faire	20,000	12,000
77	Unicorn Theatre	Unicorn Theatre	7,000	4,000
78	Utah Festival Opera	2010 Tourism - Marketing Outside Cache Valley	105,000	105,000
79	Utah Festival Opera	2010 Opera Festival, Education Programs	150,000	135,000
80	Utah State University	Utah State University Summer Citizen Program	24,600	23,000
81	Valley Dance Ensemble	Valley Dance Ensemble: Creative Movement Community Outre	1,000	0
82	Valley Dance Ensemble	Valley Dance Ensemble Spring 2011 Concert	3,000	2,500
83	Wellsville City	Red Slide West Park	25,000	20,000
84	Wellsville Foundation	Wellsville Tabernacle Heating and Cooling System, Phase 1	50,000	0

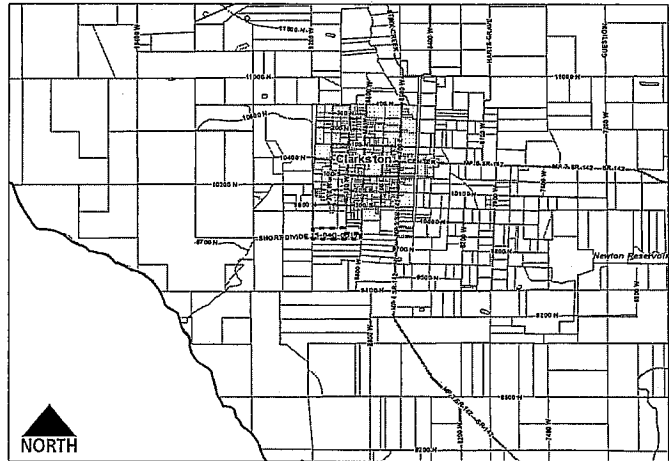
CACHE COUNTY

2010 RESTAURANT AND RAPZ TAX AWARDS - COMMITTEE RECOMMENDATION

No.	Entity	Title	Request	Recommended
85	Whittier Community Center	Adventure Land Playground	53,330	0
86	Whittier Community Center	Whittier Center HVAC	78,000	0
GRAND TOTALS			\$4,737,195	\$1,860,658

**CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT**

Project Name: Godfrey Subdivision
Agent: Kevin Godfrey
Request: 2-Lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 9800 North 8800 West
Clarkston
Staff Recommendation: Approval with conditions
Tax ID: 15-040-0039
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture/ Residential
West – Agriculture
Reviewed by: Leslie M. Mascaro, Planner I



PURPOSE: To recommend approval of the preliminary & final plat for the Godfrey Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 2-lot subdivision located approximately 9800 North 8800 West near Clarkston in the Agricultural Zone. The proposal is to create a one acre lot for residential use and place the remainder in an agricultural parcel.

Access:

- Access from 8800 West does not provide adequate access. There is a 12' wide paved surface that ends right before the subject property. A gravel surface extends from the paved section along the front of said parcel.
- County road 8800 West shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 South to the private drive of the subdivision. An approved turnaround shall be constructed.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- The proposed lot is feasible for an on-site septic tank system and a well.

Service Provision:

- All refuse and recycling containers must be placed along county road 400 West for collection. The collection trucks only pick up along the west side of 8800 West so the residents will need to place their containers across the street along the west side of the road. The road south of this location drifts closed in the winter so an adequate turnaround for large collection trucks will need to be provided and then must be maintained for collection. In severe weather, collection may still be suspended and/or the resident will need to bring their residential containers to a more accessible road.
- Property owners should allow sufficient space along the shoulder of the road for the placement of the containers so that they will not interfere with traffic flow.
- A school bus stop would be located at 290 South Main Street, approximately 2 to 5 blocks from the proposed subdivision.

STAFF DETERMINATION

It is staff's determination that the Godfrey Subdivision, a 2-lot subdivision for property located at approximately 9800 North 8800 West near Clarkston with TIN #: 15-040-0039 is in conformance with

the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Godfrey 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 Godfrey 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 Godfrey Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Godfrey 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 developments to conform to the County Ordinance and the requirements of county service providers.

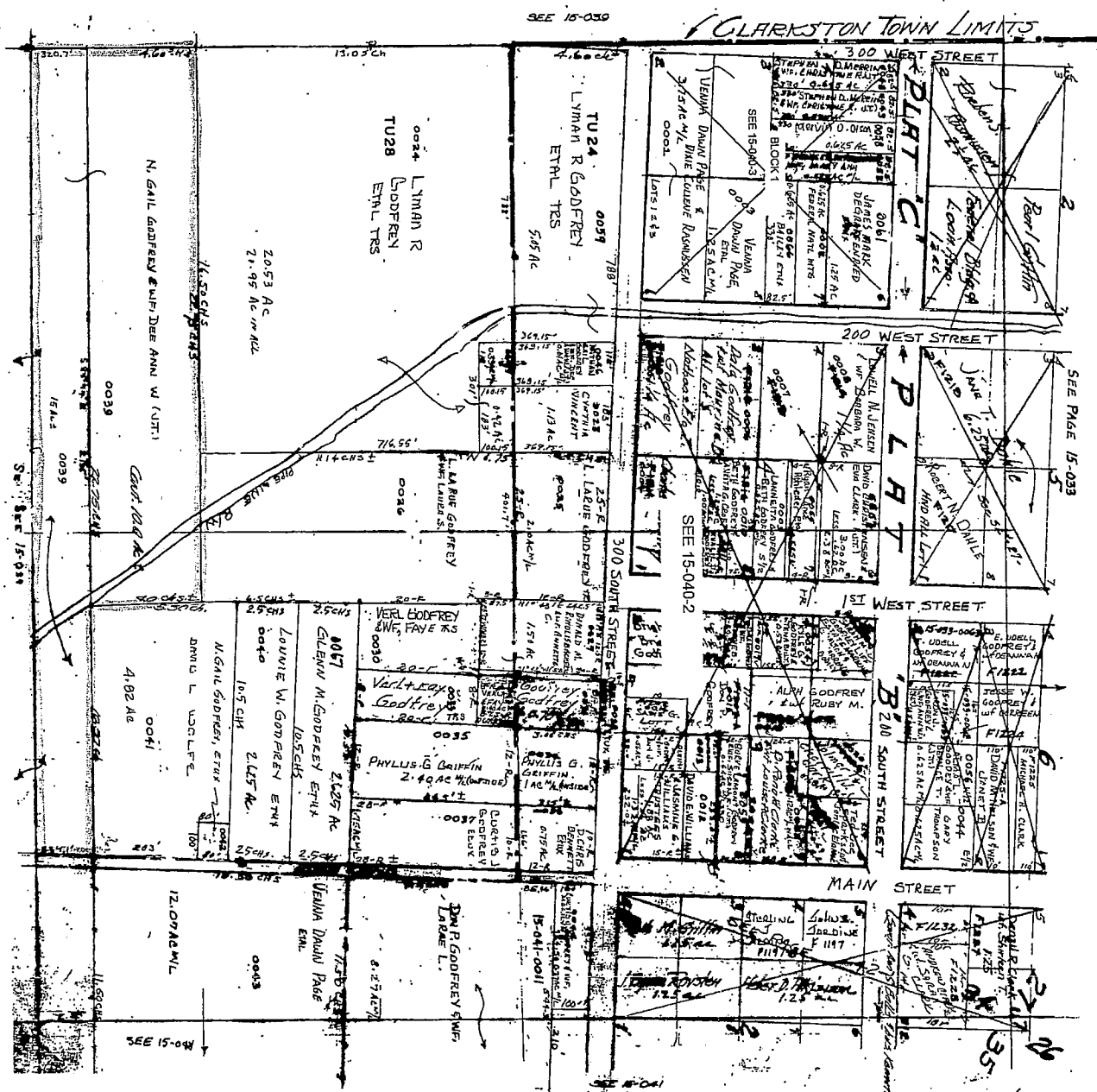
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1.
3. All roads shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5. The Applicant shall reaffirm the County's 33' right-of-way for the County road, 8800 West, across the entire frontage of the proposed subdivision.
6. County road 8800 West shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 South to the private drive of the subdivision. An approved turnaround shall be constructed. The applicant shall improve the road damage located at the intersection of 8800 West and 300 South with a minimum of a gravel surface.
7. The design of the County road shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent. All road work within Clarkston on any improvements shall be worked out between Clarkston and the applicant.



Staff Report for the Planning Commission meeting of March 4, 2010- 3 -

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.

NE 1/4 SECTION 34, TOWNSHIP 14 NORTH, RANGE 2 WEST
SCALE LINCH-3 CH.



1
2 **#2 Godfrey Subdivision (Kevin Godfrey)**
3

4 **Mascaro** reviewed Mr. Kevin Godfrey's request for a 2-lot subdivision on 22.89 acres of
5 property in the Agricultural one located south of Clarkston. Currently access is inadequate and
6 will need to be widened to county standards with a 20' wide hard surface and 1' shoulders with a
7 gravel surface. The County road has some road damage at the intersection and will need to be
8 fixed by the applicant. Lot 1 is proposed for residential use, and Lot 2 will remain in agriculture
9 production. Lot 1 is feasible for a septic tank system and a well.

10
11 **Ellis** Mr. Godfrey, do you understand the conditions?
12

13 **Kevin Godfrey** yes, I've read through them. I understand that I need to do a gravel base,
14 correct?
15

16 **Ellis** does the road need to meet county standards?
17

18 **Runhaar** yes.
19

20 **Mr. Godfrey** I will do what needs to be done.
21

22 **Gibbons** how far along the road are we requiring that he improve the road?
23

24 **Runhaar** about ¼ of a mile.
25

26 **Mr. Gail Godfrey** the road is already a county road? Why would Kevin be responsible to
27 maintain and fix a county road?
28

29 **Linton** he is not required to, but because this road isn't on the county schedule for improvement
30 it will need to be done. He can wait until it is on the county schedule, but we cannot give a
31 timeline on when it will be. The road is not up to standards and needs to be for further
32 construction.
33

34 **Mr. Gail Godfrey** there is a road there and a previous home is there that is serviced by that same
35 road.
36

37 **Runhaar** the residence was built in 1940, and because it is an existing home, but county does
38 work with them on garbage and snow removal. But we still need to require a 20 ft wide road
39 with 1 ft wide shoulder on each side and an approved base for this development.
40

41 **Mr. Gail Godfrey** the county does run snow trucks and garbage on this road.
42

43 **Mascaro** snow removal is only taken care of up to a point and after that point the road does drift
44 close during the wintertime.
45

1 **Mr. Gail Godfrey** the road does drift closed, but not because of us. What gives Kevin the right
2 to go out and tell the other land owner that he has to widen the road and do the shoulder work
3 and encroach? What does he have to do to improve the road?
4

5 **Mascaro** the road will need to widened to 20 ft with 1 ft shoulders and improve the soft spot
6 near the intersection and gravel is fine for the additional widening.
7

8 **Mr. Gail Godfrey** I understand the road needs to be fixed, but I'm still confused on what exactly
9 needs to be done to that road.
10

11 **Runhaar** he will need an encroachment permit to work within the right of way for the road
12 improvements and he will need to meet with an engineer or surveyor to draw up plans and will
13 need to meet the minimum county road requirements.
14

15 **Gibbons** on previous projects the county has worked with the applicant on road improvements;
16 does the county have the ability to work with Mr. Godfrey on the road improvements?
17

18 **Runhaar** we have done contracts with an applicant where the county does the work, but the
19 applicant covers the cost.
20

21 **Mr. Gail Godfrey** the county is already traveling that road for garbage and snow removal to the
22 existing home.
23

24 **Runhaar** the existing home is an existing condition; to put an additional residence on this road
25 that meets no standards is not acceptable and we cannot approve it.
26

27 **Mr. Glen Godfrey** have you seen the road?
28

29 **Mascaro** yes.
30

31 **Mr. Glen Godfrey** there is oil right to the property line; the only part he should have to improve
32 is from the oil until the front of his property. He shouldn't have to improve all the way back into
33 town should he?
34

35 **Runhaar** it's an issue of road width, not the surfacing material.
36

37 **Mr. Glen Godfrey** is the width there, or are you going to have to take from the property owners?
38

39 **Runhaar** if it becomes an issue, we would work with the attorney's office to make sure the
40 proper right of way is there.
41

42 **Mr. Glen Godfrey** there is another home there and he didn't have to improve the road.
43

44 **Runhaar** when was the home built?
45

46 **Mr. Glen Godfrey** about 15 to 20 years ago.
47

1 **Runhaar** I can't speak to more than a decade ago; we have a different ordinance.

2
3 **Mr. Glen Godfrey** it seems to me you are putting a hardship on these people due to the road;
4 everyone else is going to benefit.

5
6 **Ellis** let's bring this back to the commission and we will discuss the road.

7
8 **Mr. Kevin Godfrey** do you have an estimated cost on the road improvements?

9
10 **Runhaar** we don't do cost estimates.

11
12 **Mr. Kevin Godfrey** the road has to be 20 feet for future development?

13
14 **Runhaar** no, for your development to be able to happen the road needs to be improved to 20 feet
15 wide. We can't provide fire service right now.

16
17 **Mr. Kevin Godfrey** has the fire code changed?

18
19 **Runhaar** there have been changes in 2006, 1994, etc.

20
21 Staff and Planning Commission discussed the requirements for road improvements including
22 widening and gravel requirements. Staff and Planning Commission also discussed the legal
23 ramifications and requirements.

24
25 **Mr. Lynn Lemon** when we adopted the 20 ft. road standard there was a provision which
26 allowed one (1) home on an unimproved road. However, that was changed 4 years ago when the
27 fire code changed. If we choose to improve this road, we have gobs of roads like this. We just
28 need to be consistent with everyone in this situation.

29
30 **Mr. Jeremy Buttar** I represent Mrs. Butters, she is wondering if this will impact her taxes?

31
32 **Runhaar** no.

33
34 **FINDINGS OF FACT:**

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43
1. The Godfrey 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 Godfrey 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 Godfrey Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
 4. The Godfrey Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

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CONDITIONS OF APPROVAL

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

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1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1.
 3. All roads shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.

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5. The Applicant shall reaffirm the County's 33' right-of-way for the County road, 8800 West, across the entire frontage of the proposed subdivision.
 6. County road 8800 West shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 South to the private drive of the subdivision. An approved turnaround shall be constructed. The applicant shall improve the road damage located at the intersection of 8800 West and 300 South with a minimum of a gravel surface.
 7. The design of the County road shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent. All road work within Clarkston on any improvements shall be worked out between Clarkston and the applicant.

11 *Dent made a motion to recommend approval for the 2-lot Godfrey Subdivision with the*
12 *conditions and findings of facts to the County Council; Larson seconded; passed 7, 0.*

13
14 **5:59:00**

15 **#3 Longstroth Family Subdivision (Jason Wooden)**

16
17 **Mascaro** reviewed Mr. Jason Wooden's request for a 5-lot subdivision on 24.84 acres of
18 property in the Agricultural Zone located west of Mendon. This item was continued from last
19 month's meeting due to a property dispute concerning the private road. Since that time the
20 applicant and adjacent property owner have made an agreement and the private road is no longer
21 in dispute. There is change to condition #5; the applicant shall provide proof of the right-of-way.
22 Also, condition #9 concerning Codes Covenants and Restrictions will need to be included within
23 the conditions.

24
25 **Runhaar** we did receive an agreement from the applicant and Judge Russell.

26
27 Staff and Planning Commission discussed the agreement. There will need to be a detailed
28 property description. Staff and Planning Commission discussed conditions #6 and #7 concerning
29 road standards and drainage.

30
31 **Judge Cheryl Russell** I have received the deed and I have agreed to not oppose the subdivision.
32 The property to the south has a fence and I request that the fence will stay there.

33
34 **FINDINGS OF FACT:**

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1. The Longstroth Family 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 Longstroth Family 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 Longstroth Family Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
 4. The Longstroth Family Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

44 **CONDITIONS OF APPROVAL**

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

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1. Prior to final plat recordation, the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic. All refuse and recycling containers shall be placed 4' apart from one another.
 5. The Applicant shall reaffirm the County's right-of-way of 33' from the centerline across the entire frontage of the proposed subdivision along 1000 South. The applicant shall reaffirm the County's right-of-way along the private road, 6800 South, with a minimum of 25' from the centerline across the frontage of the property.

CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Longstroth Family
Subdivision**

Agent: Jason Wooden

Request: 5-lot Subdivision

Type of Action: Recommend to County Council

Current Zoning: Agricultural (A)

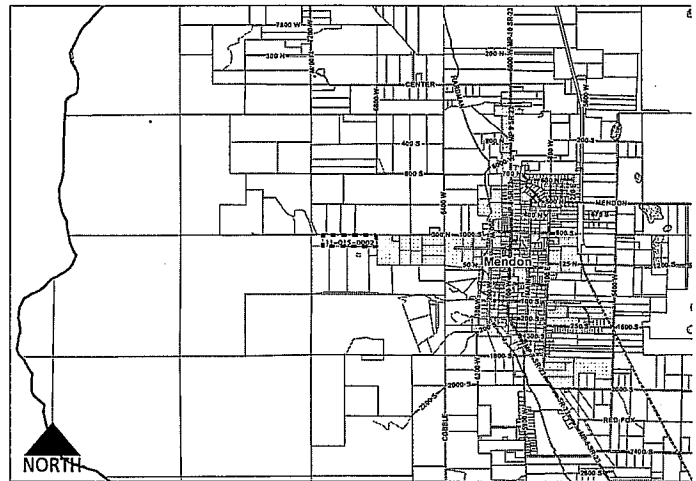
Project Address: Approximately 6800 West 1000 South

Staff Recommendation: Approval with conditions

Tax ID: 11-015-0002

Surrounding Uses: North – Agriculture
South – Agriculture/Residential
East – Agriculture
West – Agriculture

Reviewed by: Leslie M. Mascaro, Planner I



OLD ORDINANCE

PURPOSE: To recommend approval of the preliminary & final plats for the Longstroth Family Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 5-lot subdivision located approximately 6800 West 1000 South located west of Mendon in the Agricultural Zone. There is currently one single family dwelling located on Lot 1. Lot's 2, 3, 4, & 5 will be created for residential use.

Access:

- Access from private road is not adequate. The private road, 6800 West will be improved by applicant to meet County standards, 20' wide with 1' shoulders and a minimum chip and seal surface. The road was recently widened by Mendon City to approximately 18' wide with a gravel surface. The applicant will be responsible to widen 6800 West to the 20' and 1' shoulder County requirement with a minimum chip and seal.
- The applicant shall reaffirm the County's right-of-way along the private road, 6800 South, with a minimum of 25' from the centerline across the frontage of the property.
- The County Engineer has reviewed the plat and the following shall be completed by the applicant:
 - Lot 2 shall access from 6800 West; this access will be setback from the intersection by 80'. Access from County road 1000 South Street will not be granted to Lot 2.
 - The right of way width for 1000 South Street should be designated as 33 feet from the center line in 1000 South Street.
 - A drainage plan should be developed that shows how drainage water from the subdivision lots will be collected and routed. A spring or other drainage feature is located on the property affecting lots 3, 4, and 5. The developer should identify any culverts or easements that cross under 6800 West Street or the proposed subdivision and how the proposed development will affect the culverts or easements crossing.
 - Water lines may be located in the 6800 West right-of-way due to the proximity of an apparent Mendon City water tank located within 400 feet of the south subdivision boundary. Any easements or water lines shall be indicated on the plat.
- The applicant shall improve the intersection of 6800 West and 1000 South including the surface, drainage, turning radius, and stop sign.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- All proposed lots are feasible for on-site septic tank systems, and wells.

Service Provision:

- All refuse and recycling containers must be placed along the shoulder of 1000 South for collection.
- Property owners should allow sufficient space along the shoulder of the road for the placement of the containers so that they will not interfere with traffic flow. All refuse and recycling containers shall be placed 4' apart.
- A school bus stop would be located at 300 North 200 West, approximately 18 Blocks from the proposed subdivision.

STAFF DETERMINATION

It is staff's determination that the Longstroth Family Subdivision, a 5-lot subdivision for property located at approximately 6800 West 1000 South with TIN #: 11-015-0002 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Longstroth Family 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 Longstroth Family 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 Longstroth Family Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Longstroth Family 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 developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation, the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic. All refuse and recycling containers shall be placed 4' apart from one another.
5. The Applicant shall reaffirm the County's right-of-way of 33' from the centerline across the entire frontage of the proposed subdivision along 1000 South. The applicant shall provide proof of right-of-way along the private road, 6800 West, with a minimum width of 50' across the frontage of the property.
6. The private road, 6800 West, will be improved by applicant to meet County standards, 20' wide with 1' shoulders and a minimum of a chip and seal surface along the frontage of the property.
7. The County Engineer has reviewed the plat and the following shall be completed:
 - Lot 2 shall access from 6800 South; this access will be setback from the intersection by 80'. Access from County road 1000 South Street will not be granted to Lot 2.
 - The right of way width for 1000 South Street should be designated as 33 feet from the section line in 1000 South Street.
 - A drainage plan should be developed that shows how drainage water from the subdivision lots will be collected and routed. A spring or other drainage feature is located on the property affecting lots 3, 4, and 5. The developer should identify any culverts or easements that cross under 6800 West Street or the proposed subdivision and how the proposed development will

affect the culverts or easements crossing. A drainage plan shall be approved by the County engineer to ensure that water run-off will not run onto adjacent properties.

- Water lines may be located in the 6800 West right-of-way due to the proximity of an apparent Mendon City water tank located within 400 feet of the south subdivision boundary. Any easements or water lines shall be indicated on the plat.
8. The applicant shall improve the intersection of 6800 West and 1000 South including the surface, drainage, turning radius, and stop sign.
 9. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.



SURVEYOR'S CERTIFICATE

I, **JEFF S. HANSEN**, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE REGISTERED LAND SURVEY MADE BY ME OR UNDER MY SUPERVISION AND UNDER THE AUTHORITY OF THE STATE OF UTAH. I HAVE MADE A SURVEY OF THE TRACT OF LAND DESCRIBED IN THE ABOVE INSTRUMENT AND I HAVE FOUND THAT THE SAID TRACT AND LOTS AND STREETS, HEREBY REFERRED TO BY THE ABOVE INSTRUMENT AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

JEFF S. HANSEN
S.U.C. No. 255023
Date: **2-25-10**

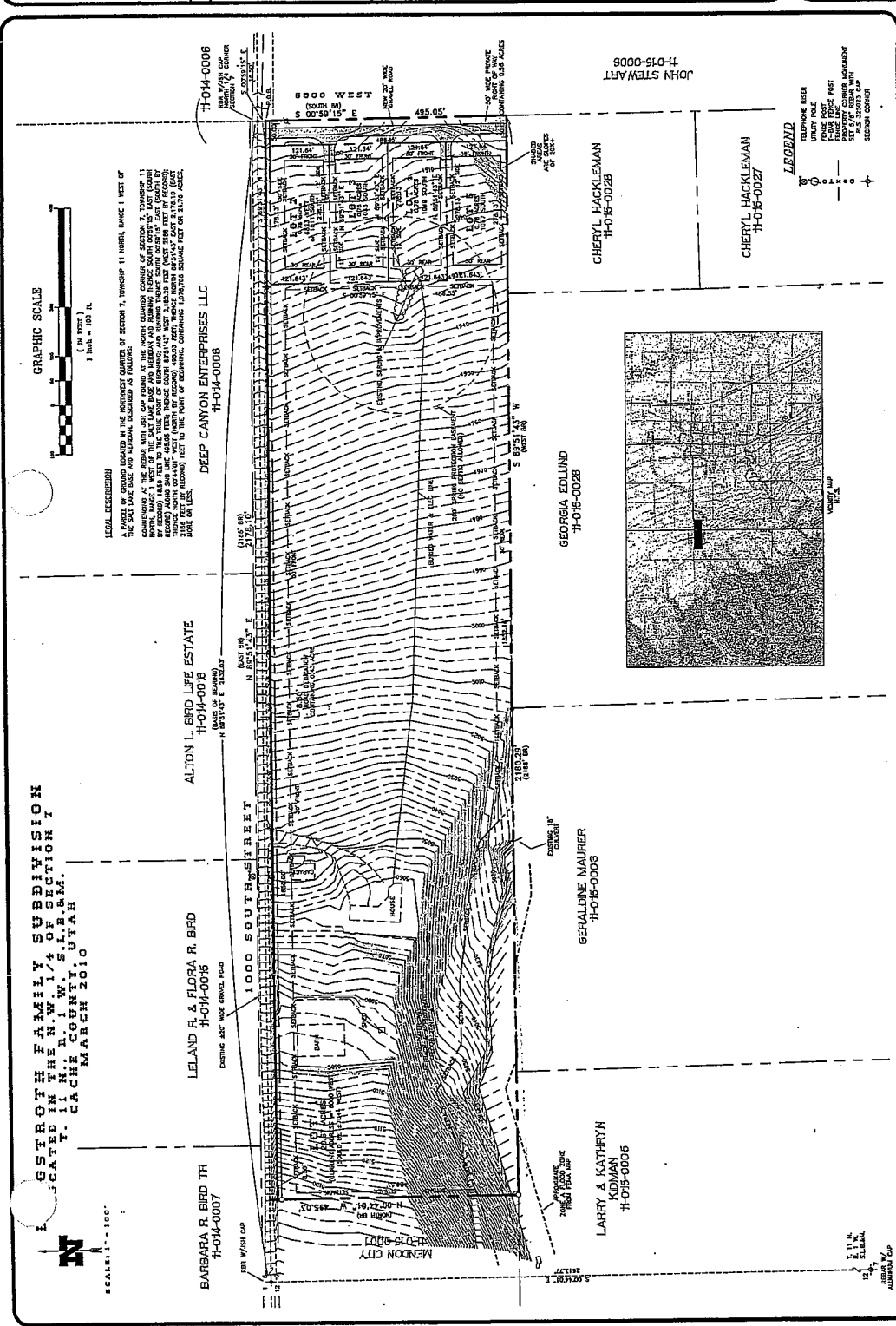
OWNER'S ACKNOWLEDGMENT

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED PROPERTY, HAVE CAUSED THE FOREGOING TO BE SURVEYED AND TO BE SUBMITTED TO THE PUBLIC RECORDS OF THE COUNTY OF CACHE, UTAH, AND TO BE RECORDED THEREIN AS SHOWN IN THE INSTRUMENT HEREBY REFERRED TO BY THE ABOVE INSTRUMENT. WE HAVE CAUSED THE SURVEY TO BE MADE AS A CONDITION OF OUR OWNERSHIP OF THE SAID PROPERTY AND WE HAVE CAUSED THE SURVEY TO BE MADE AS A CONDITION OF OUR OWNERSHIP OF THE SAID PROPERTY AND WE HAVE CAUSED THE SURVEY TO BE MADE AS A CONDITION OF OUR OWNERSHIP OF THE SAID PROPERTY. WE HAVE CAUSED THE SURVEY TO BE MADE AS A CONDITION OF OUR OWNERSHIP OF THE SAID PROPERTY AND WE HAVE CAUSED THE SURVEY TO BE MADE AS A CONDITION OF OUR OWNERSHIP OF THE SAID PROPERTY.

TRUSTEE ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF _____
ON THIS _____ DAY OF _____ 20____
PERSONALLY APPEARED BEFORE ME _____
A TRUSTEE OF THE ALL AMERICAN LAND TRUST DATED OCTOBER 28, 2004 AND A SIGNER OF THE HERON CHERRY SUBDIVISION, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN AUTHORIZED.

JSH
SURVEYING & DRAFTING INC.
P.O. BOX 900 • WILLSVILLE, UTAH 84399
(435) 245-9090 • TOLL FREE 1-888-620-0288 • FAX (435) 255-9889



NARRATIVE

THIS PLAT HAS BEEN REVIEWED BY THE COUNTY CLERK OF CACHE COUNTY, UTAH, AND IS CORRECT AND COMPLETE AS SHOWN ON THE PLAT. THE SURVEY WAS CONTROLLED BY JOHN STEWART, SURVEYOR, WHO HAS BEEN LICENSED BY THE BOARD OF SURVEYORS AND ENGINEERS OF THE STATE OF UTAH.

BEAR RIVER DISTRICT HEALTH DEPT. APPROVAL

THE SUBDIVISION DESCRIBED HEREON HAS BEEN APPROVED BY THE BEAR RIVER DISTRICT HEALTH DEPARTMENT.

CACHE COUNTY COUNCIL

THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY COUNCIL ON _____ DAY OF _____ 20____
AT WHICH TIME BY MAJORITY VOTE IT HAS BEEN APPROVED.

COUNTY ATTORNEY APPROVAL

APPROVED AS TO FORM _____ DAY OF _____ A.D. 20____

ATTORNEY

CACHE COUNTY PLANNING COMMISSION

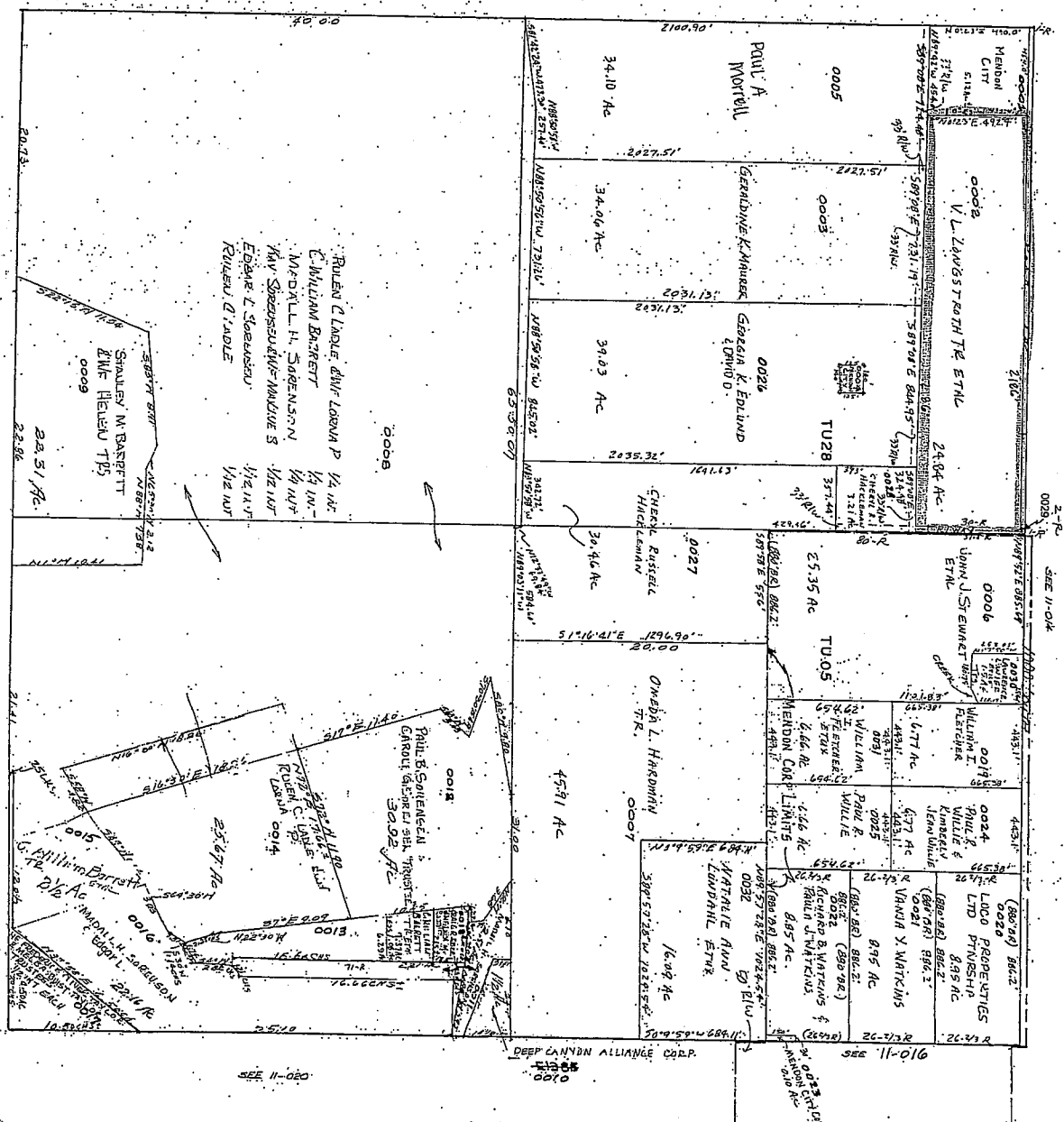
THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON _____ DAY OF _____ 20____
BASED ON FINDINGS _____

COUNTY SURVEYOR'S CERTIFICATE

I, _____ DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE REGISTERED LAND SURVEY MADE BY ME OR UNDER MY SUPERVISION AND UNDER THE AUTHORITY OF THE STATE OF UTAH.

COUNTY RECORDERS NO.
STATE OF UTAH, COUNTY OF _____, RECORDED _____
DATE ABSTRACTED _____
INDEX _____
FILED BY FILE OF PLATS _____

SECTION 7, TOWNSHIP 11 NORTH, RANGE 1 WEST.
 SCALE 1 INCH = 6 CHAINS.



5. The Applicant shall reaffirm the County's 33' right-of-way for the County road, 8800 West, across the entire frontage of the proposed subdivision.
6. County road 8800 West shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 South to the private drive of the subdivision. An approved turnaround shall be constructed. The applicant shall improve the road damage located at the intersection of 8800 West and 300 South with a minimum of a gravel surface.
7. The design of the County road shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent. All road work within Clarkston on any improvements shall be worked out between Clarkston and the applicant.

Dent made a motion to recommend approval for the 2-lot Godfrey Subdivision with the conditions and findings of facts to the County Council; Larson seconded; passed 7, 0.

5:59:00

#3 Longstroth Family Subdivision (Jason Wooden)

Mascaro reviewed Mr. Jason Wooden's request for a 5-lot subdivision on 24.84 acres of property in the Agricultural Zone located west of Mendon. This item was continued from last month's meeting due to a property dispute concerning the private road. Since that time the applicant and adjacent property owner have made an agreement and the private road is no longer in dispute. There is change to condition #5; the applicant shall provide proof of the right-of-way. Also, condition #9 concerning Codes Covenants and Restrictions will need to be included within the conditions.

Runhaar we did receive an agreement from the applicant and Judge Russell.

Staff and Planning Commission discussed the agreement. There will need to be a detailed property description. Staff and Planning Commission discussed conditions #6 and #7 concerning road standards and drainage.

Judge Cheryl Russell I have received the deed and I have agreed to not oppose the subdivision. The property to the south has a fence and I request that the fence will stay there.

FINDINGS OF FACT:

1. The Longstroth Family 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 Longstroth Family 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 Longstroth Family Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Longstroth Family 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 developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation, the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic. All refuse and recycling containers shall be placed 4' apart from one another.
5. The Applicant shall reaffirm the County's right-of-way of 33' from the centerline across the entire frontage of the proposed subdivision along 1000 South. The applicant shall reaffirm the County's right-of-way along the private road, 6800 South, with a minimum of 25' from the centerline across the frontage of the property.

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6. The private road, 6800 West, will be improved by applicant to meet County standards, 20' wide with 1' shoulders and a minimum of a chip and seal surface.
 7. The County Engineer has reviewed the plat and the following shall be completed:
 - Lot 2 shall access from 6800 West; this access will be setback from the intersection by 80'. Access from County road 1000 South Street will not be granted to Lot 2.
 - The right of way width for 1000 South Street should be designated as 33 feet from the section line in 1000 South Street.
 - A drainage plan should be developed that shows how drainage water from the subdivision lots will be collected and routed. A spring or other drainage feature is located on the property affecting lots 3, 4, and 5. The developer should identify any culverts or easements that cross under 6800 West Street or the proposed subdivision and how the proposed development will affect the culverts or easements crossing.
 - Water lines may be located in the 6800 West right-of-way due to the proximity of an apparent Mendon City water tank located within 400 feet of the south subdivision boundary. Any easements or water lines shall be indicated on the plat.
 8. The applicant shall improve the intersection of 6800 West and 1000 South including the surface, drainage, turning radius, and stop sign.

15 *Larson made a motion to recommend approval for the 5-lot Longstroth Family Subdivision with*
16 *the noted conditions and findings of fact with the change to condition #5 and the addition of*
17 *condition #8; Gibbons seconded; passed 7, 0.*

18
19 **6:11:00**

20
21 **#4 Amigos Meadow Subdivision (Bruce Kidman)**

22
23 **Mascaro** reviewed Mr. Bruce Kidman's request for a 4-lot subdivision in the Agricultural Zone
24 located at approximately 37 N 6330 West, Petersboro. Access from the county road is adequate.
25 The private drive will need to be constructed to county standards. Staff has received a letter from
26 the canal company. They are requesting that no structure or building will be placed on property
27 owned by the canal company and that no water run-off will drain into the canal. The proponent
28 will complete a drainage plan to ensure that no additional water run-off will drain onto adjacent
29 property owners or into the canal. Lots 2 and 3 will need to meet a minimum 1.25 acres to qualify
30 for septic and lot 1 will need to meet a minimum of 1 acre to ensure a well and septic tank
31 system can be placed on-site. Condition #7 has been added regarding Bear River Health's
32 assessment, and condition #9 has been added regarding the Codes Covenants and Restrictions for
33 the private road.

34
35 Runhaar the private drive shall be constructed to a 20' minimum and 1' shoulders with a
36 minimum of a chip and seal surface. Condition #8 should be added to include this.

37
38 Staff and Planning Commission discussed chipping and sealing the road, issues with the canal,
39 and adding signage for private road notice.

40
41 **Ellis** Mr. Kidman, do you understand the conditions?

42
43 **Mr. Bruce Kidman** I do.

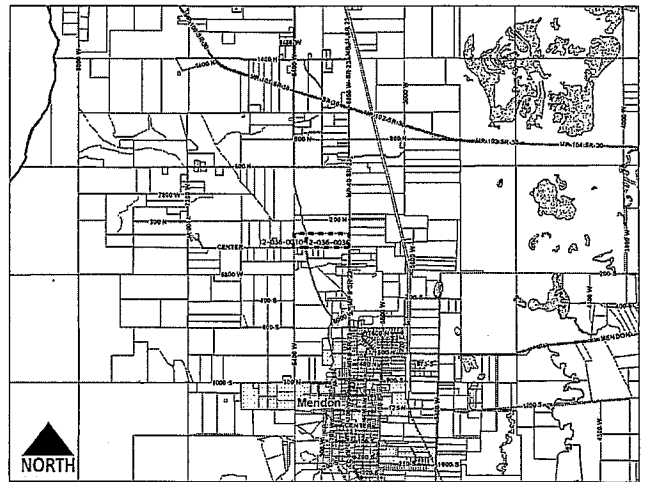
44
45 **Gibbons** do we want to add language regarding drainage?

46
47 **Larson** yes.
48

CACHE COUNTY CORPORATION

DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Amigos Meadow Subdivision**
Agent: Bruce Kidman
Request: 4-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 6333 West Center
Petersboro
Staff Recommendation: Approval with conditions
Tax ID: 12-036-0010; 12-036-0036
Surrounding Uses: North – Agriculture
South – Residential
East – Agriculture
West – Residential
Reviewed by: Leslie M. Mascaro, Planner I



OLD ORDINANCE

PURPOSE: To recommend approval of the preliminary plat for the Amigos Meadow Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 4-lot subdivision located approximately 6333 West Center in Petersboro in the Agricultural Zone. There is currently one single family dwelling (SFD) on Lot 1; Lots 2, 3, and 4 will be for residential use, and lot 5 will remain in Agriculture.

Access:

- Access from Center Street provides adequate access. The subject road is a 21' wide paved surface.
- Encroachment permits will be required as lots are developed.
- The private drive shall be constructed to 20' wide with 1' wide shoulders and a minimum chip and seal surface.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- The proposed lots are feasible for on-site septic tank systems and wells.
- Lots 2 & 3 shall be a minimum of 1.25 acres and lot 1 shall be a minimum of 1 acre as to ensure the required separation between septic tank systems and culinary water wells.

Service Provision:

- All refuse and recycling containers must be placed along the north side of county road Center Street for collection.
- Property owners should allow sufficient space along the shoulder of the road for the placement of the containers to be placed four feet apart, and will not interfere with traffic flow.
- A school bus stop would be located at 6333 Center Street.

STAFF DETERMINATION

It is staff's determination that the Amigos Meadow Subdivision, a 4-lot subdivision for property located at approximately 6333 West Center Street, Petersboro with TIN #'s 12-036-0010 and 12-036-0036 is in conformance with the Cache County Ordinance requirements for preliminary plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Amigos Meadow 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.

6

2. The Amigos Meadow 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 Amigos Meadow Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Amigos Meadow Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. Center Street, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

CONDITIONS OF APPROVAL

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

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, Center Street, across the entire frontage of the proposed subdivision.
6. A drainage plan will be set in place with special consideration given to excess water run-off will not be collected in the canal, and to ensure that water run-off will not flow onto adjacent properties.
7. Lots 2 & 3 shall be a minimum of 1.25 acres and lot 1 shall be a minimum of 1 acre as to ensure the required separation between septic tank systems and culinary water wells.
8. The private drive shall be constructed to 20' wide with 1' wide shoulders and a minimum chip and seal surface.
9. A sign shall be posted in front of the subdivision that states that it's a private road.
10. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.



Staff Report for the Planning Commission meeting of March 4, 2010- 3 -

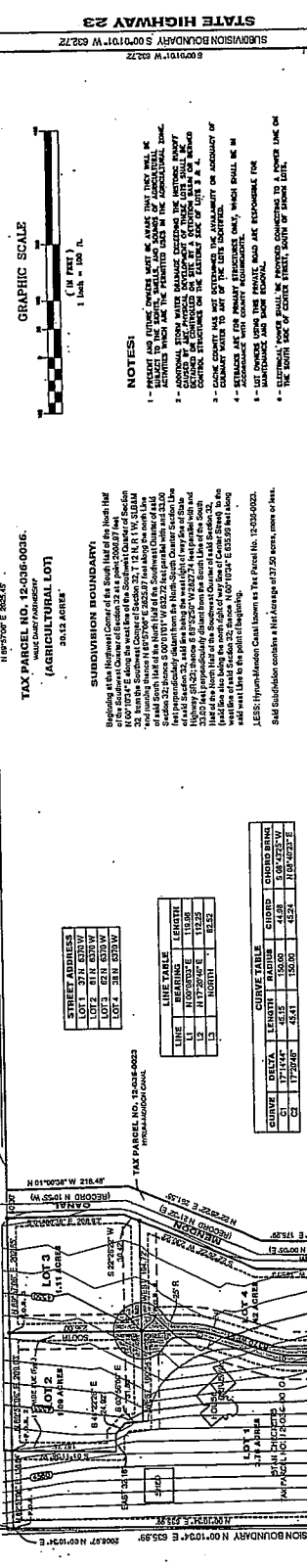
This staff report is an analysis of the application based on adopted County documents, standard County development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional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

PRELIMINARY PLAY AMIGOS MEADOWS MINOR JBDIVISION A PART OF THE SW¼ OF SEC 32, T 12 N, R 1 W, SLS&M CACHE COUNTY, UTAH

KNOW ALL MEN I WHOSE THAT WE, THE UNDERSIGNED, HAVE CAUSED THE SAME TO BE SUBMITTED INTO LOTS AND PRIVATE STREET TO BELONGER BE KNOWN AS AMIGOS MEADOWS MINOR SUBDIVISION, DO HEREBY WARRANT, DEFEND, AND SAVE THE WHOLESALE WHOLESALE AGAINST ANY CLAIMS OR DEMANDS WHICH MAY BE MADE BY ANY PERSON OR PERSONS FOR THE USE, OPERATION, AND MAINTENANCE OF THIS DAY OF _____ 20__

OWNER'S ACKNOWLEDGEMENT
THE FOLLOWING OWNER(S) ACKNOWLEDGE(S) THE FOLLOWING INTEREST(S) IN THE ABOVE DESCRIBED PROPERTY AND HAVE CAUSED THIS INSTRUMENT TO BE RECORDED IN THE PUBLIC RECORDS OF THE STATE OF UTAH ON THIS DAY OF _____ 20__

NOTARY ACKNOWLEDGEMENT
I, _____, Notary Public in and for the State of Utah, do hereby certify that I am a Licensed Professional Land Surveyor and hold Certificate No. 133172 as prescribed under the laws of the State of Utah. I have personally examined the signers of this instrument and they are who they claim to be and they are duly acknowledged to me. The purpose of this instrument is as stated above and for the purpose therein mentioned.



NOTES:
1. THE SUBDIVISION IS BEING MADE BY MEASUREMENT FROM THE CORNER OF SECTION 32, T12N, R1W, SLS&M. THE POINT OF BEGINNING IS AT THE CORNER OF SECTION 32, T12N, R1W, SLS&M. THE POINT OF BEGINNING IS AT THE CORNER OF SECTION 32, T12N, R1W, SLS&M. THE POINT OF BEGINNING IS AT THE CORNER OF SECTION 32, T12N, R1W, SLS&M.

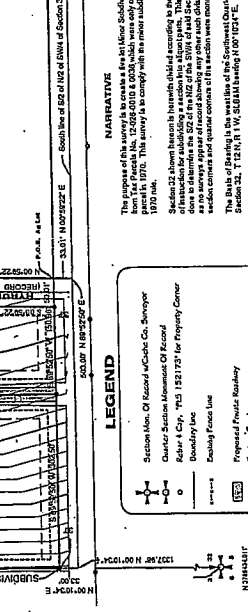
LINE TABLE

LINE	BEARING	DISTANCE	AREA
1	N 10° 00' 00" E	100.00	100.00
2	S 89° 59' 59" W	100.00	100.00
3	N 10° 00' 00" E	100.00	100.00
4	S 89° 59' 59" W	100.00	100.00

CURVE TABLE

CHORD	ARC	CHORD BEARING	CHORD DISTANCE
1	100.00	N 10° 00' 00" E	100.00
2	100.00	S 89° 59' 59" W	100.00
3	100.00	N 10° 00' 00" E	100.00
4	100.00	S 89° 59' 59" W	100.00

NARRATIVE
The purpose of this instrument is to divide the Amigos Meadows Minor Subdivision into four (4) lots, one (1) agricultural lot, and one (1) private road. The subdivision is being made by measurement from the corner of Section 32, T12N, R1W, SLS&M. The point of beginning is at the corner of Section 32, T12N, R1W, SLS&M. The point of beginning is at the corner of Section 32, T12N, R1W, SLS&M.



LEGEND
Section/Mon. Of Record w/Cache Co. Surveyor
Owner/Section Monuments Of Record
Advis. City, "MS 12179" for Property Center
Boundary Line
Easement/ Easement Line
Proposed Private Roadway
Casing/Chalk
Power Line
Private Road X-SECTION
VICINITY MAP

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 20__

COUNTY COUNCIL APPROVAL
PRESENTED TO THE BOX ELDER COUNTY COMMISSION THIS _____ DAY OF _____, A.D., 20__ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

COUNTY PLANNING COMMISSION APPROVAL
APPROVED THIS _____ DAY OF _____, A.D., 20__ BY THE CACHE COUNTY PLANNING COMMISSION.

HEALTH DEPARTMENT APPROVAL
I CERTIFY THAT THIS PLAN HAS BEEN REVIEWED BY THE BEAR RIVER DISTRICT HEALTH DEPARTMENT THIS _____ DAY OF _____, 20__

ZONING ADMINISTRATOR APPROVAL
I CERTIFY THAT I HAVE EXAMINED THIS PLAN AND FIND IT IS IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE AND THE LAND USE ORDINANCE OF CACHE COUNTY, UTAH.

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

SURVEYOR'S CERTIFICATE
I, DONALD J. JOHNSTON, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR AND HOLD CERTIFICATE NO. 133172 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I HAVE PERSONALLY EXAMINED THE SIGNERS OF THIS INSTRUMENT AND THEY ARE WHO THEY CLAIM TO BE AND THEY ARE DULY ACKNOWLEDGED TO ME. THE PURPOSE OF THIS INSTRUMENT IS AS STATED ABOVE AND FOR THE PURPOSE THEREIN MENTIONED.

JOHNSTON ENGINEERING PROFESSIONAL CORPORATION
844 EAST MAIN STREET, SUITE 100, TONOPAH, UT 84307
(435) 241-1144
FAX (435) 241-1144

APPROVED AS TO FORM
DATE: _____ AD: 20__

COUNTY ATTORNEY
DATE: _____

COUNTY RECORDER
DATE: _____

CHIEF DEPUTY COUNTY SURVEYOR
DATE: _____

ZONING ADMINISTRATOR
DATE: _____

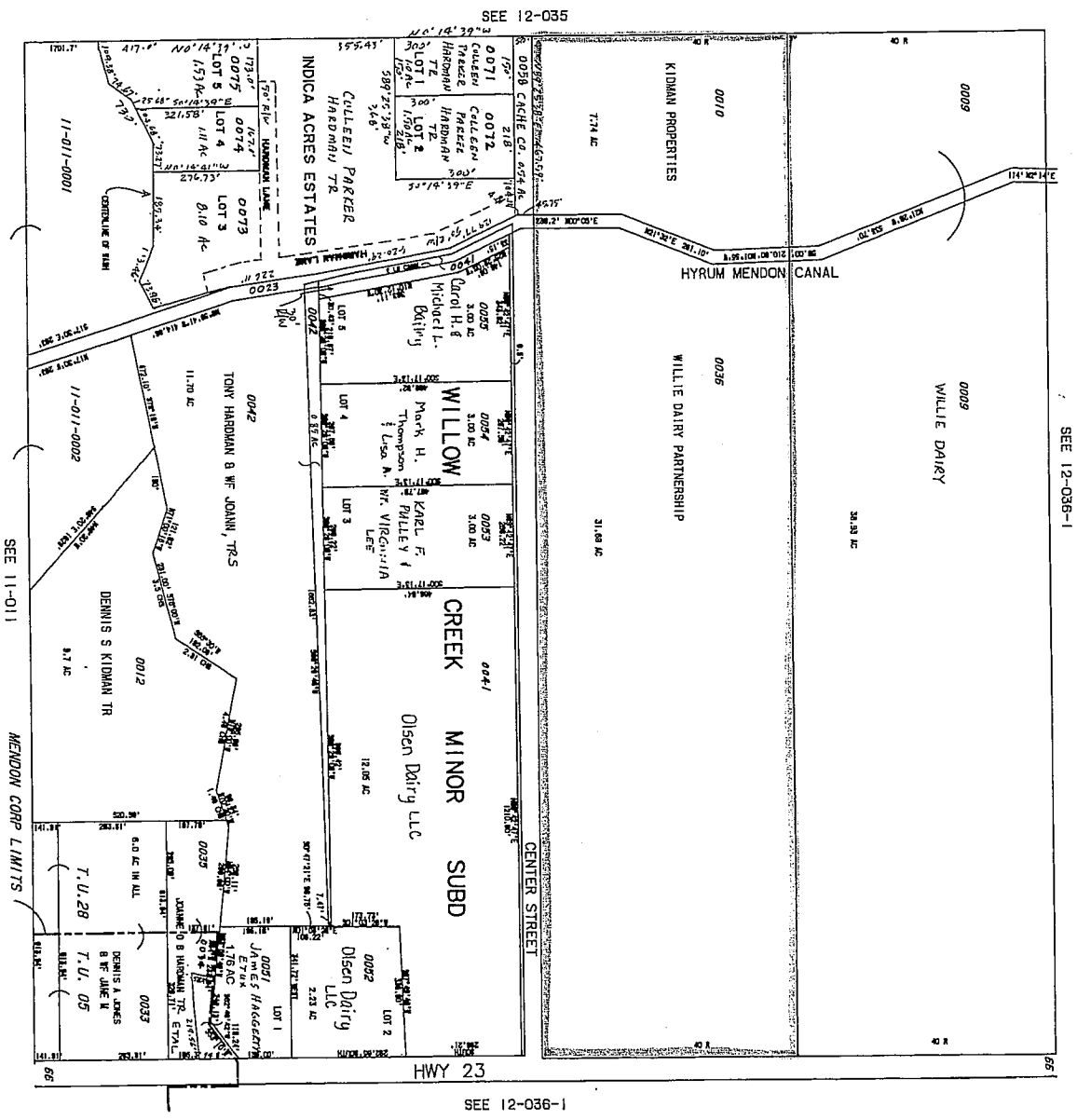
TITLE
DATE: _____

SW/4 Section 32 Twp 12 North, Range 1 West

Scale 1" = 200 Feet

TAX UNIT 28 B 05

12-036



SEE 12-035

SEE 12-036-1

SEE 12-036-1

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6. The private road, 6800 West, will be improved by applicant to meet County standards, 20' wide with 1' shoulders and a minimum of a chip and seal surface.
 7. The County Engineer has reviewed the plat and the following shall be completed:
 - Lot 2 shall access from 6800 West; this access will be setback from the intersection by 80'. Access from County road 1000 South Street will not be granted to Lot 2.
 - The right of way width for 1000 South Street should be designated as 33 feet from the section line in 1000 South Street.
 - A drainage plan should be developed that shows how drainage water from the subdivision lots will be collected and routed. A spring or other drainage feature is located on the property affecting lots 3, 4, and 5. The developer should identify any culverts or easements that cross under 6800 West Street or the proposed subdivision and how the proposed development will affect the culverts or easements crossing.
 - Water lines may be located in the 6800 West right-of-way due to the proximity of an apparent Mendon City water tank located within 400 feet of the south subdivision boundary. Any easements or water lines shall be indicated on the plat.
 8. The applicant shall improve the intersection of 6800 West and 1000 South including the surface, drainage, turning radius, and stop sign.

15 *Larson made a motion to recommend approval for the 5-lot Longstroth Family Subdivision with*
16 *the noted conditions and findings of fact with the change to condition #5 and the addition of*
17 *condition #8; Gibbons seconded; passed 7, 0.*

18
19 **6:11:00**

20
21 **#4 Amigos Meadow Subdivision (Bruce Kidman)**

22
23 **Mascaro** reviewed Mr. Bruce Kidman's request for a 4-lot subdivision in the Agricultural Zone
24 located at approximately 37 N 6330 West, Petersboro. Access from the county road is adequate.
25 The private drive will need to be constructed to county standards. Staff has received a letter from
26 the canal company. They are requesting that no structure or building will be placed on property
27 owned by the canal company and that no water run-off will drain into the canal. The proponent
28 will complete a drainage plan to ensure that no additional water run-off will drain onto adjacent
29 property owners or into the canal. Lots 2 and 3 will need to meet a minimum 1.25 acres to qualify
30 for septic and lot 1 will need to meet a minimum of 1 acre to ensure a well and septic tank
31 system can be placed on-site. Condition #7 has been added regarding Bear River Health's
32 assessment, and condition #9 has been added regarding the Codes Covenants and Restrictions for
33 the private road.

34
35 Runhaar the private drive shall be constructed to a 20' minimum and 1' shoulders with a
36 minimum of a chip and seal surface. Condition #8 should be added to include this.

37
38 Staff and Planning Commission discussed chipping and sealing the road, issues with the canal,
39 and adding signage for private road notice.

40
41 **Ellis** Mr. Kidman, do you understand the conditions?

42
43 **Mr. Bruce Kidman** I do.

44
45 **Gibbons** do we want to add language regarding drainage?

46
47 **Larson** yes.

1 **Dave and Dean Willie** We own the land surrounding this subdivision. The land surrounding the
2 subdivision is an Agricultural Protection Area. Drainage is an issue and I don't feel basements
3 should be allowed. Also, I don't know where the drainage from this subdivision is going to go.
4

5 **Ellis** we did receive a letter from Tony Hardman
6

7 **Mr. Ray Bankhead** I am head of the Wellsville and Mendon Canal Company. No drainage
8 from this subdivision will be allowed into the canal.
9

10 Staff and Planning Commission discussed drainage and the possibility of allowing no basements
11 to be built in the subdivision.
12

13 **Mr. Kidman** I've flooded once due to tree roots blocking the ditches further down the road;
14 never have I had water due to ground water in my basement.
15

16 findings of fact:

- 17 1. The Amigos Meadow Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns
18 raised within the public and administrative records.
- 19 2. The Amigos Meadow Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of
20 Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
- 21 3. The Amigos Meadow Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache
22 County Subdivision Ordinance.
- 23 4. The Amigos Meadow Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining
24 or area properties.
- 25 5. Center Street, the road that provides access to the subject property, has an adequate capacity or suitable level of service, for the proposed
26 level of development.
27

28 **CONDITIONS OF APPROVAL**

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

- 31 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
- 32 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place.
- 33 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by
34 Cache County.
- 35 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
- 36 5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, Center Street, across the entire frontage of
37 the proposed subdivision.
- 38 6. A drainage plan will be set in place with special consideration given to excess water run-off will not be collected in the canal, and to
39 ensure that water run-off will not flow onto adjacent properties.
- 40 7. Lots 2 & 3 shall be a minimum of 1.25 acres and lot 1 shall be a minimum of 1 acre as to ensure the required separation between septic
41 tank systems and culinary water wells.
- 42 8. The private drive shall be constructed to 20' wide with 1' wide shoulders and a minimum chip and seal surface.
- 43 9. A sign shall be posted in front of the subdivision to state it's a private road.
- 44 10. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache
45 County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.
46

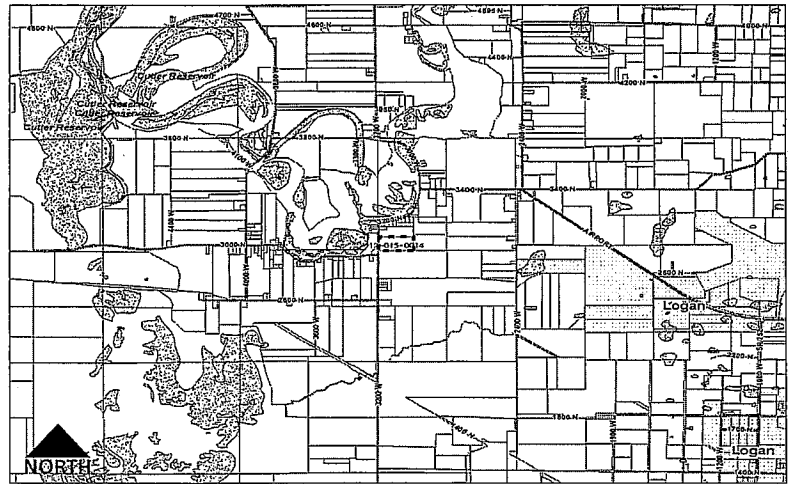
47 *Gibbons made a motion to recommend approval for the 4-lot Amigos Meadows Subdivision with*
48 *the noted conditions and findings of facts including the additions of conditions 7, 8, and 9.*
49 *Nebeker seconded; passed 7, 0.*
50

51 **6:25:00**

52 **#5 Lono Subdivision (Cliff Hyer)**
53

CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Lono Subdivision**
Agent: Cliff Hyer
Request: 5-lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 3100 N 3200 W
Benson
Staff Recommendation: Approval with conditions
Tax ID: 12-015-0014
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture
West – Residential
Reviewed by: Leslie M. Mascaro, Planner I



OLD ORDINANCE

PURPOSE: To recommend approval of the preliminary & final plat for the Lono Subdivision to the Cache County Council.

PROJECT SUMMARY

The proposal is to create a 5-lot subdivision located approximately 3100 North 3200 West, Benson in the Agricultural Zone. There is an existing single family dwelling (SFD) on Lot 1. Lot 5 is a non-buildable Agriculture lot that will be sold to the adjacent property owner to be farmed.

Access:

- Access from 3200 West is adequate. This road has a 21' wide paved surface.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation.
- The proposed lots are feasible for an on-site septic tank systems
- The existing SFD is connected to Benson Culinary Water District; Two (2) additional water hook-ups will be allowed. The agriculture lot isn't required to have a culinary water right.
- There is one proposed parcel without a designated water hook-up. Staff recommends proof of acceptable culinary water well prior to recordation or elimination of the additional lot.

Service Provision:

- All refuse and recycling containers must be placed along the east side of 3200 West for collection.
- Property owners should allow sufficient space along the shoulder of the road for the placement of the containers to sit four feet apart, and so they will not interfere with traffic flow.
- A school bus stop would be located at 3105 North 3200 West.

STAFF DETERMINATION

It is staff's determination that the Lono Subdivision, a 5-lot subdivision for property located at approximately 3100 North 3200 West, Benson with TIN # 12-015-0014 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

1. The Lono 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.

7

2. The Lono 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 Lono Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Lono Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
5. 3200 West Street, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

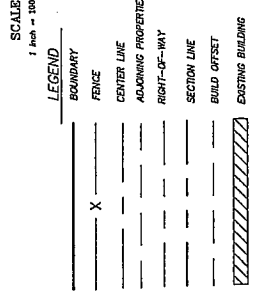
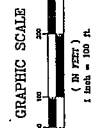
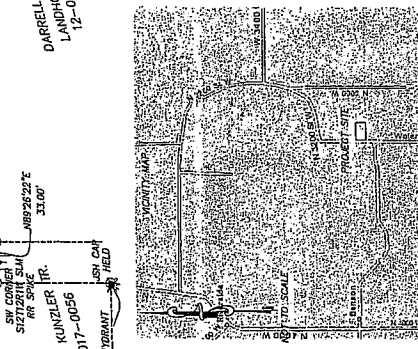
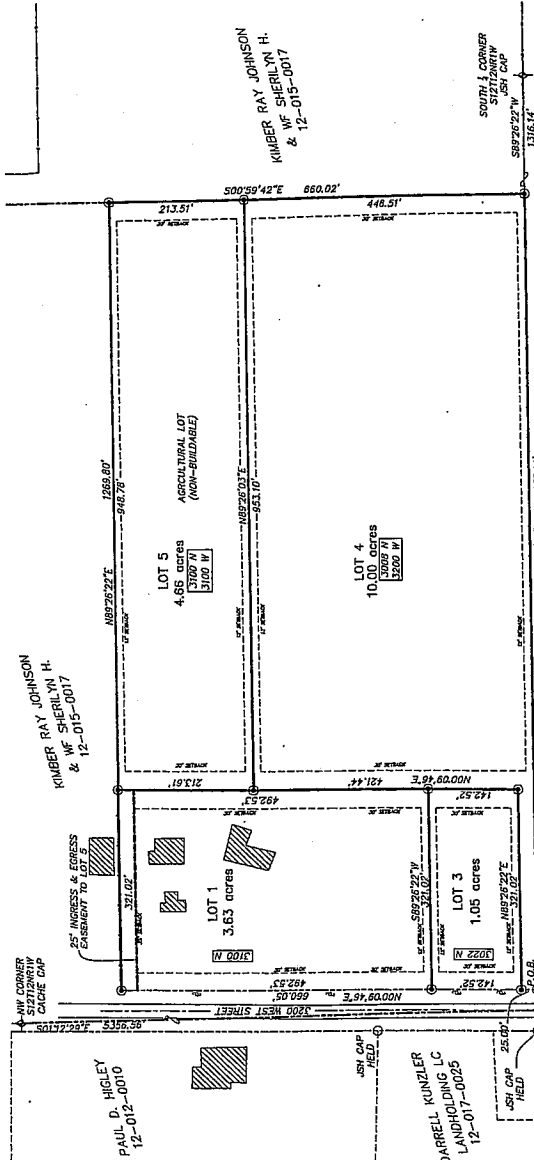
CONDITIONS OF APPROVAL

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

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place. All buildable lots shall be connected to Benson Culinary water or show proof of acceptable culinary water well.
3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, 3200 West Street, across the entire frontage of the proposed subdivision.



**LONG SUBDIVISION
PRELIMINARY PLAT
PART OF SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTIONS 12 TOWNSHIP 12 NORTH, RANGE 1 WEST
OF THE SALT LAKE MERIDIAN
CACHE COUNTY, UTAH
JANUARY 2010**



NOTES & RESTRICTIONS

1. AGRICULTURAL USES, CURRENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THEY WILL BE SUBJECT TO THE RIGHTS, SOUNDS, AND SMELLS ASSOCIATED WITH AGRICULTURAL ACTIVITIES WHICH ARE COMMON TO SUCH ACTIVITIES.
2. CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY AND ADEQUACY OF CULINARY WATER TO ANY OF THE LOTS IDENTIFIED. A PROPERTY OWNER DESIRING TO CONSTRUCT A DWELLING OR OTHER CULINARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A ZONING CLEARANCE, PRIOR TO ISSUANCE OF SETBACK LINES SHOWN ARE FOR PRIMARY BUILDINGS ONLY. STORM DRAINAGE TO BE PROVIDED BY THE PROPERTY OWNER. THE REMAINDER PARCEL OF THIS SUBDIVISION TO ANY ADJACENT PROPERTY OR UTILITY CORRAL, BE EITHER WATER OR SEWER AUTHORIZATION PROVIDED BY THE EXERCISED PARTY OR ENTITY (MAY INCLUDE BUT NOT LIMITED TO ADJACENT PROPERTY OWNERS, UTILITY COMPANY, CACHE COUNTY, OR THE STATE WATER ENGINEER'S OFFICE.

<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>	<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>	<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>	<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>
<p>COUNTY SURVEYOR'S CERTIFICATE</p> <p>I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.</p> <p>DATE: _____ TIME: _____</p> <p>COUNTY SURVEYOR</p>	<p>COUNTY RECORDER'S NO.</p> <p>STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED AT THE _____ DISTRICT OF _____, ON _____ DAY OF _____, 2010. DATE: _____ TIME: _____</p> <p>ABSTRACTED</p>	<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>	<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>
<p>COUNTY SURVEYOR'S CERTIFICATE</p> <p>I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT IN ACCORDANCE WITH THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.</p> <p>DATE: _____ TIME: _____</p> <p>COUNTY SURVEYOR</p>		<p>COUNTY RECORDER'S NO.</p> <p>STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED AT THE _____ DISTRICT OF _____, ON _____ DAY OF _____, 2010. DATE: _____ TIME: _____</p> <p>ABSTRACTED</p>	
<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>		<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>	
<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>		<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>	
<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>		<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>	
<p>CACHE COUNTY PLANNING COMMISSION</p> <p>THIS PLAT WAS RECOMMENDED FOR APPROVAL/RECALL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 2010. DATED THIS DAY OF _____, 2010.</p>		<p>CACHE COUNTY COUNCIL</p> <p>THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, A.D. 2010. DATED THIS _____ DAY OF _____, A.D. 2010.</p> <p>BY: _____ CHAIRMAN ATTESTED TO: _____ CACHE COUNTY CLERK</p>	

BEAR RIVER HEALTH DEPT.

APPROVAL

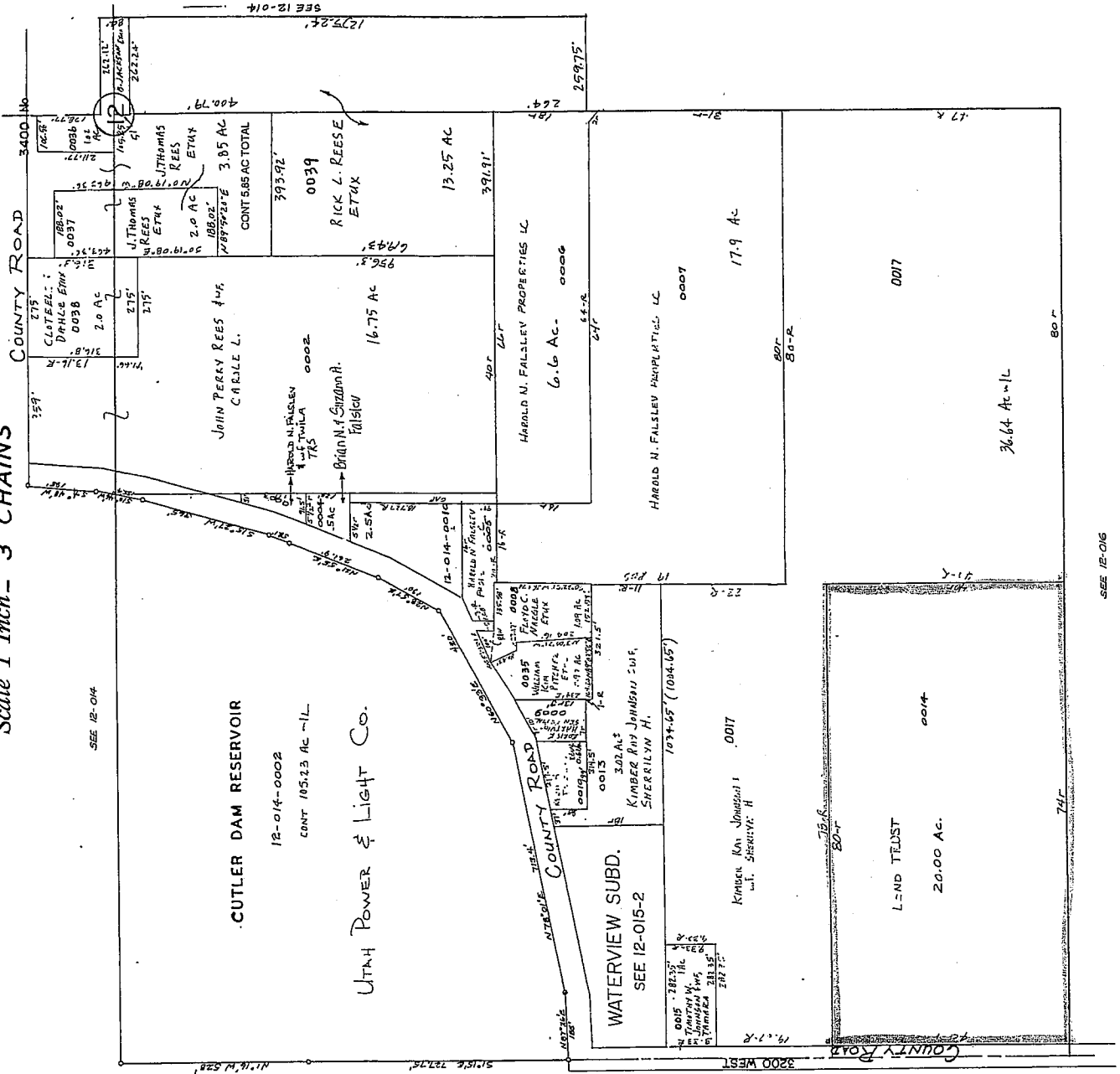
THE SUBDIVISION DESIGN AND PLAT APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____, 2010.

SW 4 Section 12 Township 12 North Range 1 West

Scale 1 Inch = 3 CHAINS

TAX UNIT 28

12-015



SEE 12-016

SEE 12-012

1 **Dave and Dean Willie** We own the land surrounding this subdivision. The land surrounding the
2 subdivision is an Agricultural Protection Area. Drainage is an issue and I don't feel basements
3 should be allowed. Also, I don't know where the drainage from this subdivision is going to go.
4

5 **Ellis** we did receive a letter from Tony Hardman
6

7 **Mr. Ray Bankhead** I am head of the Wellsville and Mendon Canal Company. No drainage
8 from this subdivision will be allowed into the canal.
9

10 Staff and Planning Commission discussed drainage and the possibility of allowing no basements
11 to be built in the subdivision.
12

13 **Mr. Kidman** I've flooded once due to tree roots blocking the ditches further down the road;
14 never have I had water due to ground water in my basement.
15

16 **findings of fact:**

- 17 1. The Amigos Meadow Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns
18 raised within the public and administrative records.
- 19 2. The Amigos Meadow Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of
20 Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
- 21 3. The Amigos Meadow Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache
22 County Subdivision Ordinance.
- 23 4. The Amigos Meadow Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining
24 or area properties.
- 25 5. Center Street, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed
26 level of development.
27

28 **CONDITIONS OF APPROVAL**

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

- 31 1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
- 32 2. Prior to final plat recordation adequate approved domestic water rights shall be in place.
- 33 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by
34 Cache County.
- 35 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
- 36 5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, Center Street, across the entire frontage of
37 the proposed subdivision.
- 38 6. A drainage plan will be set in place with special consideration given to excess water run-off will not be collected in the canal, and to
39 ensure that water run-off will not flow onto adjacent properties.
- 40 7. Lots 2 & 3 shall be a minimum of 1.25 acres and lot 1 shall be a minimum of 1 acre as to ensure the required separation between septic
41 tank systems and culinary water wells.
- 42 8. The private drive shall be constructed to 20' wide with 1' wide shoulders and a minimum chip and seal surface.
- 43 9. A sign shall be posted in front of the subdivision to state it's a private road.
- 44 10. The plat shall not be recorded until an agreement in regards to the Covenants, Conditions, and Restrictions is approved by the Cache
45 County Attorney and Zoning Administrator to ensure that the private road can be adequately funded and maintained.
46

47 *Gibbons made a motion to recommend approval for the 4-lot Amigos Meadows Subdivision with*
48 *the noted conditions and findings of facts including the additions of conditions 7, 8, and 9.*
49 *Nebeker seconded; passed 7, 0.*
50

51 **6:25:00**

52 **#5 Lono Subdivision (Cliff Hyer)**
53

1
2 **Mascaro** reviewed Mr. Cliff Hyer's request for a 5-lot subdivision on 19.34 acres of property in
3 the Agricultural Zone located at approximately 7107 West 1400 North, Benson. Lot 5 will be an
4 agricultural lot and will be sold to the farm to the north of this piece of property. Lot 1 currently
5 has a home onsite with one water hook-up from Benson Culinary Water District. This culinary
6 system was established to provide clean water to the residents of Benson. Benson Culinary will
7 allow 2 additional water hook-ups per development. Lot 3 will not receive a hookup and will
8 need a well permit or an additional hookup from Benson Culinary Water District.
9

10 Staff and Planning Commission discussed water. Staff and the county council recommend that
11 lots with no hookups should not be approved. Also a 25 ft ingress and egress for access to lots 4
12 and 5 was discussed.
13

14 **Mr. Cliff Hyer** we are allowed 3 hookups; one will be mine and two additional ones. The
15 second and third hookups will be for lot 3 and 4. I want to give my well rights, which I have to
16 give up anyway to be attached to Benson Culinary, to lot 2. I'm not going to develop lot 2 at this
17 point I do want it understood that lots 3 and 4 will have the other hookups. The water I use in
18 my house currently is from Benson culinary. I don't want to cause problems, but I want lot 2 to
19 be accepted. I have to take it out of greenbelt, I'm being penalized for that. It's something that
20 maybe I could develop 5 years, 30 years, however many down the road.
21

22 **Sands** you want to build on lots 3 and 4?
23

24 **Mr. Hyer** lot 4 will be built on right away. Lots 2 and 3 will be held in reserve, but I would like
25 to develop them further down the road. Lot 2 currently does not have hookups, but I would like
26 to give my well rights to lot 2. I want to have the right to sell the land to my children maybe and
27 have lot 2 be a building lot.
28

29 **Ellis** How is the water quality in the well?
30

31 **Mr. Hyer** Before I was hooked up to Benson Culinary's water, my house was serviced by a well
32 for several years. I wouldn't want to drink from it.
33

34 **Mr. Brett Findlay** I want to purchase lot 4. In Benson, my understanding, is that the agreement
35 is 3 hookups for an original 1970 parcel. That is the current standing, but it will change in the
36 future. Benson is still paying off the cost of the system, but there will be future growth and
37 Benson will be allowed more hookups. He does have the ground water right, if you can keep
38 that with lot 2, it would be beneficial. I know it can't be sold as a building lot until water is
39 there, but I would like to see be able to keep it for future development.
40

41 **Mr. Hyer** I don't want the subdivision to be held up because I'm requesting a 4-lot subdivision
42 with only three hook-ups. I would rather propose a 3-lot subdivision if the water issue will hold
43 up the development.
44

45 Staff and Planning Commission discussed Agricultural Remainder designation for lot 2. Also
46 the Benson Culinary Water District and hookups were discussed. Staff and Planning
47 Commission also discussed the possibility of moving the current will from lot 1 to lot 2.

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2 **6:40:00**
3

4 **Jon White Leaves**

5
6 **findings of fact:**

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29
1. The Lono 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 Lono 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 Lono Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
 4. The Lono Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
 5. 3200 West Street, the road that provides access to the subject property, has an adequate capacity, or suitable level of service, for the proposed level of development.

18 **CONDITIONS OF APPROVAL**

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

- 20
21
22
23
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28
29
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
 2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place. All buildable lots shall be connected to Benson Culinary water or show proof of acceptable culinary water well.
 3. All private drives shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
 4. All lots shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
 5. The Applicant shall reaffirm the County's 33' from centerline right-of-way for the County road, 3200 West Street, across the entire frontage of the proposed subdivision.

30 *Gibbons made a motion to recommend approval for a 3-lot buildable subdivision with an*
31 *Agricultural remainder. Nebeker seconded; passed 7, 0.*
32

33 **6:46:00**

34
35 **#6 Hat J Ranch Subdivision (Chad J. Olsen)**
36

37 **Mascaro** reviewed Mr. Chad Olsen's request for a 2-lot subdivision on 149.34 acres of property
38 in the Agricultural Zone located at approximately 7107 West 1400 North, Petersboro. There will
39 be 1 buildable lot and rest will be kept in agriculture. Lots 2 and 3 were subdivided without the
40 necessary approvals and are currently restricted. Highway 30 provides adequate access to the
41 site. The applicant has met with UDOT that has determined no permits are required at this time
42 for the additional lot. The owner of lot 3 has refused to be part of the subdivision and a public
43 hearing will be set at Council to address the issue. Lot 1 is feasible for a septic tank system, and
44 will be serviced by an existing well.

45
46 Staff and Planning Commission discussed access and orientation of lot 1.

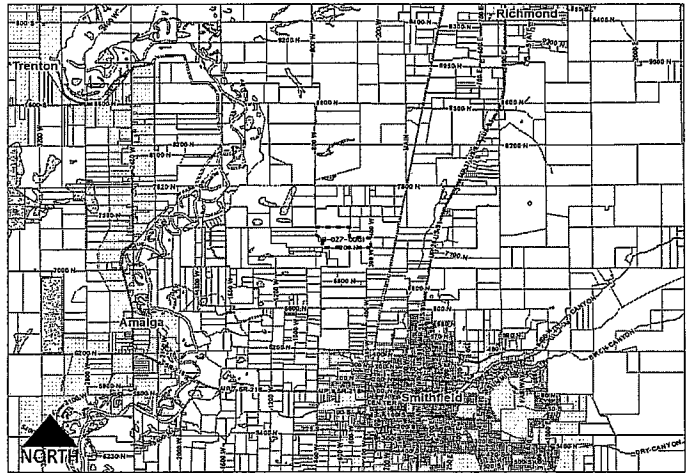
47
48 **Mr. Chad Olsen** I understand everything needed. I hesitate to call it a subdivision due to only
49 one home, but I just want to move back home.

50
51 Staff and Planning Commission further discussed access to lot 1 and orientation of lot 1 and why
52 it does not match the existing roadway alignment.

CACHE COUNTY CORPORATION

DEVELOPMENT SERVICES DEPARTMENT

Project Name: **Diamond H Subdivision**
Agent: Alyssa Hebdon
Request: 2-Lot Subdivision
Type of Action: Recommend to County Council
Current Zoning: Agricultural (A)
Project Address: Approximately 7200 North 490 West near Smithfield
Staff Recommendation: Approval with conditions
Tax ID: 08-027-0001
Surrounding Uses: North – Agriculture
South – Agriculture
East – Agriculture/ Residential
West – Agriculture
Reviewed by: Leslie M. Mascaro, Planner I



PURPOSE: To recommend approval of the preliminary & final plat for the Diamond H Subdivision to the Cache County Council.

PROJECT SUMMARY

The proponent is requesting a 2-lot subdivision located approximately 7200 North 490 West on 71.91 acres of property north of Smithfield in the Agricultural Zone. The proposal is to create a one 2.011 acre lot for residential use and the rest of the 71.91 acre parcel will remain in Agricultural production.

Access:

- Access from County road 7200 North does not provide adequate access. The county road is approximately 15' to 18' wide with one foot shoulders and a gravel surface.
- County road 7200 North shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 West and 7200 North to the private drive of the proposed building lot. There is an existing approved turnaround at the end of the county road.
- The proponent shall install a minimum 18" culvert in the drainage ditch to access the proposed building lot.

Water & Septic:

- Adequate, approved, domestic water rights will be in place at the time of final plat recordation for lot
- The proposed building lot is feasible for an on-site septic tank system and a well.

Service Provision:

- All refuse and recycling containers must be placed along county road 7200 North for collection. Property owners should allow sufficient space along the shoulder of the road for the placement of the containers so that they will not interfere with traffic flow.
- A school bus stop would be located at 7200 North Highway 91, approximately 6 blocks from the proposed subdivision.

STAFF DETERMINATION

It is staff's determination that the Diamond H, a 2-lot subdivision for property located at approximately 7200 North 790 West north of Smithfield TIN #: 08-027-0001 is in conformance with the Cache County Ordinance requirements for preliminary and final plat approval to the County Council. This determination is based on the following **findings of fact**:

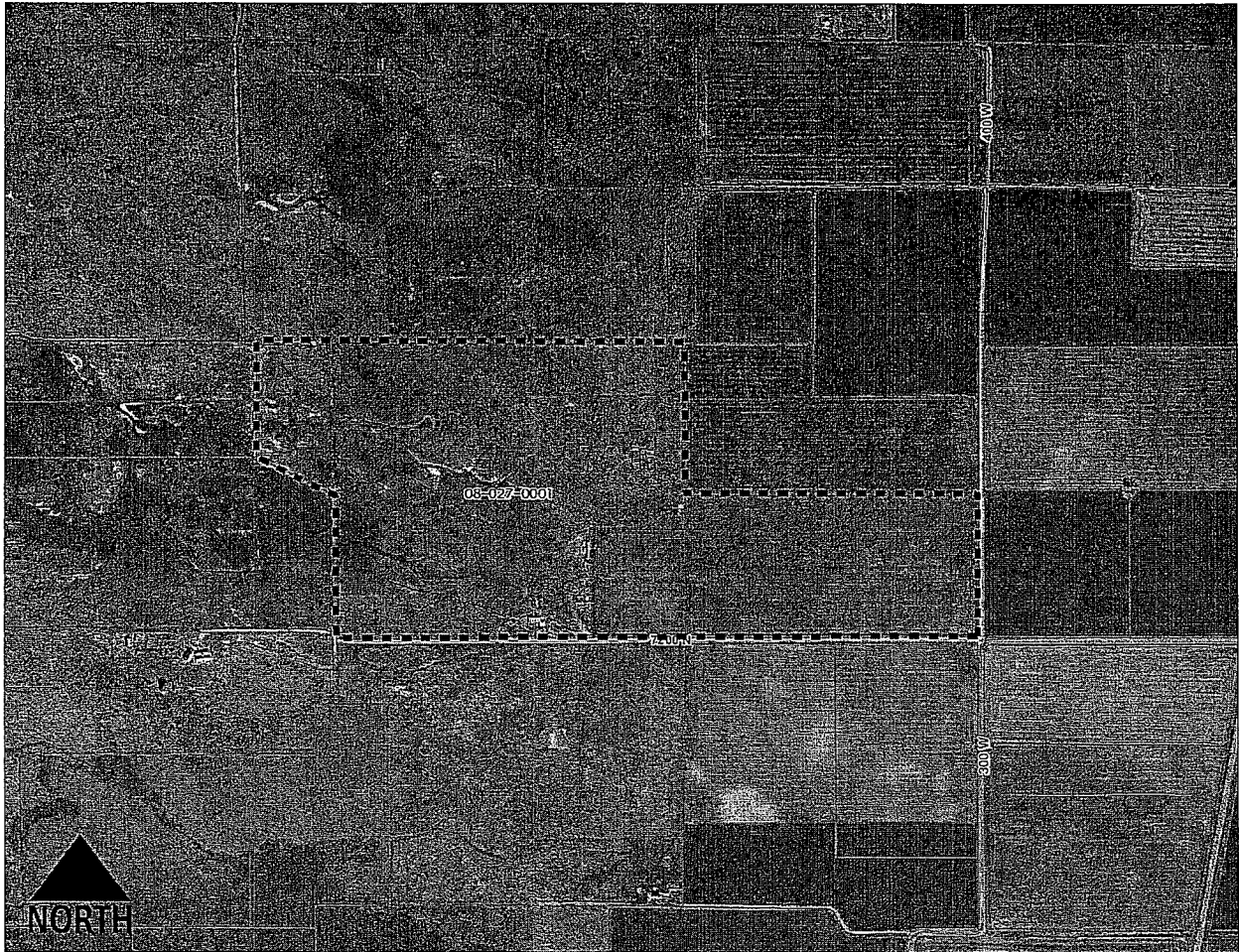
1. The Diamond H Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The Diamond H 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 Diamond H Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Diamond H 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 developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation adequate, approved, domestic water rights shall be in place for lot 1.
3. The county road and private drive shall meet applicable requirements of the 2006 International Fire Code and any other applicable codes as adopted by Cache County.
4. Lot 1 shall provide sufficient space for placement of refuse and recycle containers so they do not interfere with traffic.
5. The Applicant shall dedicate right of way, 33' from centerline for the County roads, 7200 North and 300 West, across the entire frontage of the proposed subdivision.
6. County road 7200 North shall be widened to 20' wide with 1' shoulders with a gravel surface from intersection of 300 West to the private drive of the proposed building lot.
7. The design of the road shall be reviewed by the County Engineer for compliance with applicable codes. The proponent shall submit a full set of engineered design and construction plans. The plans shall address issues of grade, drainage, base preparation and construction, and surfacing for the road. The cost of such review shall be paid by the proponent. Surfacing shall meet minimum county standards.
8. The proponent shall install a minimum 18" culvert in the drainage ditch under the access.

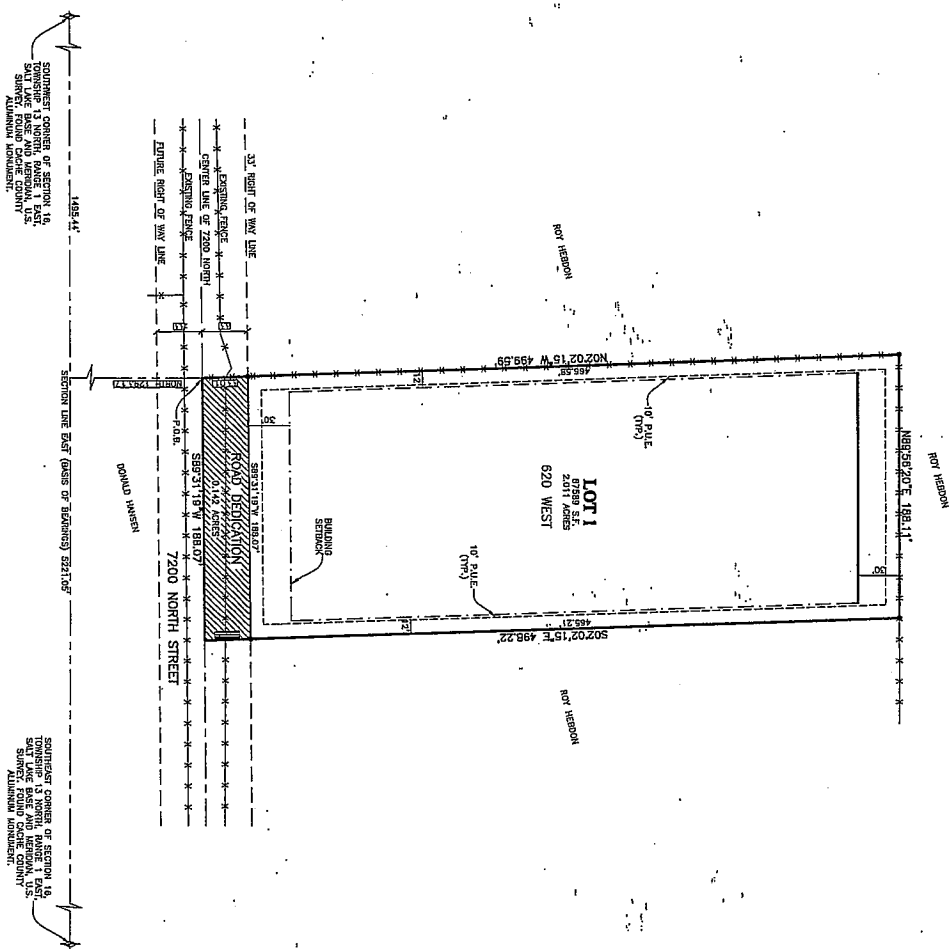


Staff Report for the Planning Commission meeting of April 1, 2010- 3 -

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.

2
2

DIAMOND H SUBDIVISION
 PART OF THE SOUTHWEST QUARTER OF SECTION 16,
 TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY
 CACHE COUNTY, UTAH
 MARCH, 2010



NARRATIVE

THE PURPOSE OF THIS PLAN IS TO GRANT A 2 ACRE LOT OUT OF PARCELS 58-02-000 OWNED BY ROY HERBON, ALL BOUNDARY LINES 5/8" X 24" REBAR AND PLASTIC CAP SQUARED REBAR & ASSOCIATES. THE PROPERTY HAS LOCATED ACCORDING TO CACHE COUNTY RECORDS. THE PROPERTY IS SHOWN ON THE SUBJECT RECORD WITH THE NORTHWEST CORNER AS SHOWN ON THE SUBJECT RECORD WITH THE SURVEYED AND THE DESCRIPTION RELATES TO THAT SURVEY. THE BOUNDARY LINES ARE SHOWN WITHIN SECTION 16 REFERRED TO AS "SECTION 16" AND THE BOUNDARY LINES ARE REFERRED TO AS "SECTION 16 BOUNDARY LINES". THE PROPERTY IS SHOWN WITHIN SECTION 16 REFERRED TO AS "SECTION 16" AND THE BOUNDARY LINES ARE REFERRED TO AS "SECTION 16 BOUNDARY LINES". THE PROPERTY IS SHOWN WITHIN SECTION 16 REFERRED TO AS "SECTION 16" AND THE BOUNDARY LINES ARE REFERRED TO AS "SECTION 16 BOUNDARY LINES".

BASE OF BEARING

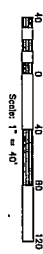
THE BASIS OF BEARINGS FOR THIS PLAN IS THE SECTION LINE BETWEEN TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, SHOWN HERON AS EAST.

NUMERARY DESCRIPTION

PLAN OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT WHICH LIES EAST 1489.44 FEET AND NORTH 102°02'15" 4843.00 FEET THENCE HERON AS EAST 1881.11 FEET THENCE S02°02'15" 4822.22 FEET THENCE S89°31'18" 188.07 FEET TO THE POINT OF BEGINNING.

LEGEND

- SECTION CORNER
- SET 5/8" X 24" REBAR AND PLASTIC CAP SQUARED REBAR & ASSOCIATES
- BOUNDARY LINE
- LOT LINE
- ADJOINING PROPERTY
- EASEMENT
- BUILDING SET BACK LINE
- SECTION THE LINE
- ROAD CENTERLINE
- EXISTING FENCELINE
- ROAD DEPRESSION
- PUBLIC UTILITY EASEMENT
- FILE



SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, FOUND CACHE COUNTY ALUMINUM MONUMENT.

SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, FOUND CACHE COUNTY ALUMINUM MONUMENT.



Reeve & Associates, Inc.
 Surveyors
 100 S. WASHINGTON BLVD., SUITE 200, SALT LAKE CITY, UTAH 84102
 PHONE: 801.466.7500 FAX: 801.466.7501
 WWW: WWW.REVEEASOCIATES.COM

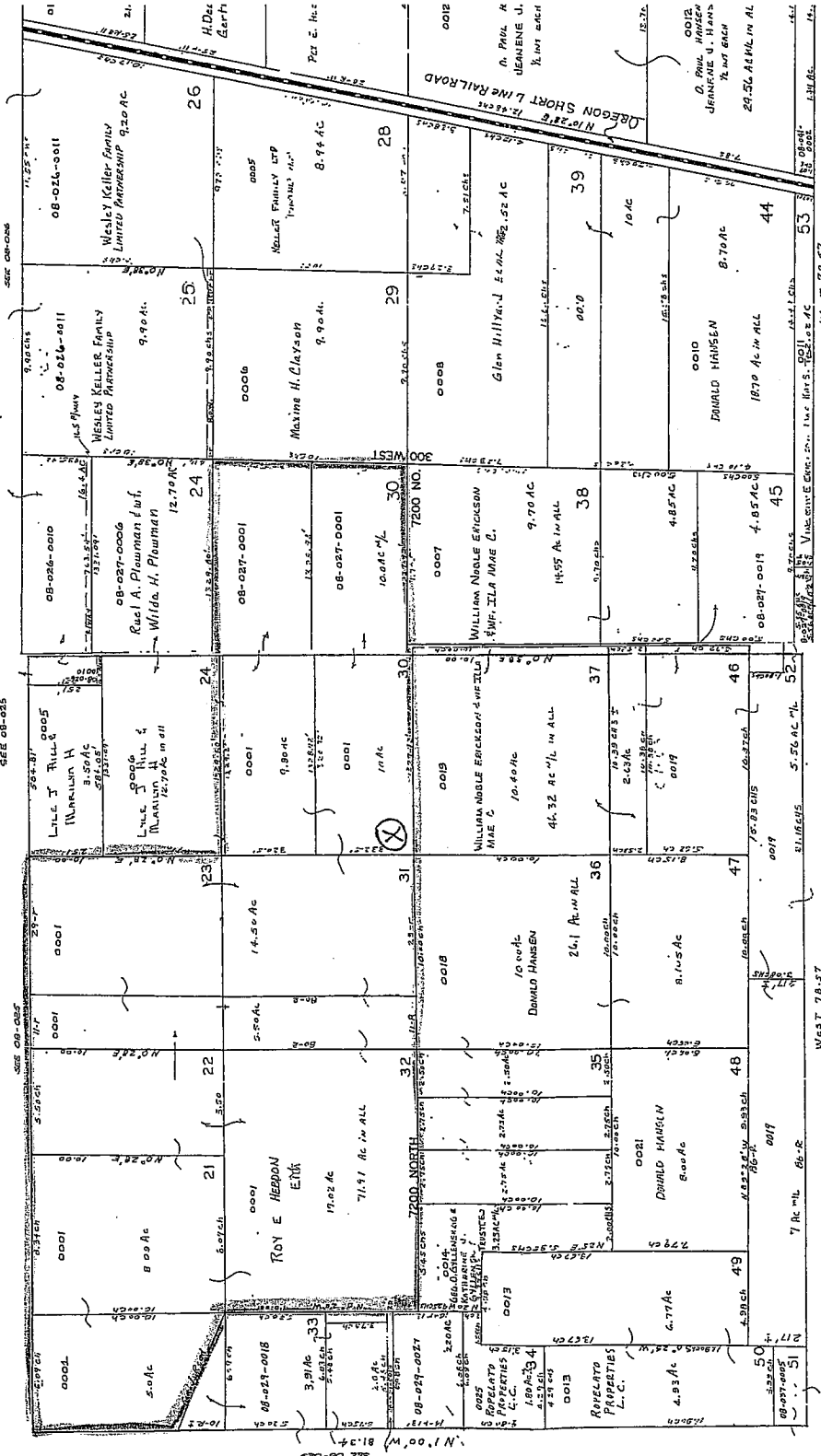
PROJECT INFO

Surveyor: K. R. RAY
 Client: R. ANDERSON
 Begin Date: 2-26-2010
 Name: DIAMOND H SUBDIVISION
 Number: 88822-01
 Revision: 1-40'

SW⁴ Section 16 Township 13 North Range 1 East Section 10 Township 13 North Range 1 East
 Scale 1 Inch = 3 CHAINS Scale 1 Inch = 3 CHAINS

TAX UNIT: 5E4

SEE 08-055



SEE 08-056 SEE 08-057 SEE 08-058 SEE 08-059 SEE 08-060 SEE 08-061 SEE 08-062 SEE 08-063 SEE 08-064 SEE 08-065 SEE 08-066 SEE 08-067 SEE 08-068 SEE 08-069 SEE 08-070 SEE 08-071 SEE 08-072 SEE 08-073 SEE 08-074 SEE 08-075 SEE 08-076 SEE 08-077 SEE 08-078 SEE 08-079 SEE 08-080 SEE 08-081 SEE 08-082 SEE 08-083 SEE 08-084 SEE 08-085 SEE 08-086 SEE 08-087 SEE 08-088 SEE 08-089 SEE 08-090 SEE 08-091 SEE 08-092 SEE 08-093 SEE 08-094 SEE 08-095 SEE 08-096 SEE 08-097 SEE 08-098 SEE 08-099 SEE 08-100

1 subdivision process was discussed and the use of the county as the required contractor was
2 discussed as well.

3
4 **6:26:00**

5
6 **#2 Diamond H Subdivision (Alyssa Hebdon)**

7
8 **Mascaro** reviewed. Ms. Alyssa Hebdon is requesting approval for a 2-lot subdivision on
9 71.91 acres of property in the Agricultural Zone located at approximately 7200 North 490 West,
10 Smithfield. Access from 7200 north is not adequate; the road will need to be widened to 20 feet
11 with a one foot shoulders. The existing turnaround is sufficient. The lot is feasible for septic
12 tank system and a well.

13
14 **Ellis** is this a similar situation with the road improvements?

15
16 **Runhaar** it is, but the applicant has the possibility of moving the lot closer to 300 West. It will
17 not significantly impact that subdivision by moving the lot either way.

18
19 **Roy Hebdon** the road has to be widened?

20
21 **Ellis** yes.

22
23 **Mr. Hebdon** are you talking the private drive or the county road?

24
25 **Mascaro** the county road.

26
27 **Mr. Hebdon** that road was redone by the county last year.

28
29 **Runhaar** they re-graded it.

30
31 **Mr. Hebdon** they did more than just re-grade it.

32
33 **Mascaro** the road is currently 17 to 20 feet with the shoulders currently. We are requesting a 22
34 ft wide road.

35
36 **Gibbons** the county redid this road a year ago and it doesn't meet the standards. It's ridiculous
37 to require the applicant to do it again.

38
39 **Larson** what bothers me, is why the county is improving that road. This is the same issue all
40 over again. If we're going to deal with this issue, we need to do it with uniform application. I
41 don't want to deal with it this way; it needs to be dealt with by ordinance.

42
43 **Mr. Hebdon** there is an existing road there and an existing house.

44
45 **Lemon** how long has that house been there?

46
47 **Erickson** 10 years maybe.

1
2 **Lemon** in 1994 when the fire code designated a 20 ft wide road, the county council said we will
3 allow 1 home on a road that is less than 20 feet. They felt like it was undue burden to make one
4 home to put in a 20 ft. wide road. Apparently, in the last couple of years when we changed the
5 code, we did away with that. This creates a problem. It's a different deal when you are doing a
6 subdivision, but with one home.

7
8 **Mrs. Hebdon** why are they calling it a subdivision for one home?
9

10 **Runhaar** that is a state requirement and we have to follow the state mandate.

11
12 **Lemon** I am troubled that the county is working on a road that goes to one home.

13
14 Staff and Planning Commission discussed applying the ordinance uniformly and the county's
15 process for improving roads.

16
17 **Erickson** I will abstain from voting due to this being my neighbor.

18
19 *Larson made a motion to recommend approval to County Council for the 2-lot Diamond H*
20 *Subdivision; Sands seconded; passed 5, 0. (Erickson abstained)*

21
22 **Sands** just to reiterate, relocating the lot will negate a lot of these road improvements.

23
24 **6:47:00**

25
26 **#3 JBS Swift Wastewater Upgrad Conditional Use Permit (George Don Summit)**

27
28 **Mascaro** reviewed. The applicant is requesting an expansion to an existing Conditional Use
29 Permit to upgrade a wastewater treatment plant. This expansion will reduce phosphorous
30 discharge from the treatment plant to receiving waters. Access from county road is adequate;
31 there is a 30' wide paved surface. The private drives are 22-25' wide and are sufficient. The
32 upgrade will add 12 structures to the site including adding a clarifier, basins, processing building,
33 and a shed.

34
35 Staff and Planning Commission discussed the conditional use permit.

36
37 **George Don Summit** I work for JBS Swift, I'm the engineer. We did receive a call from Nibley
38 City and discussed what we are going to do. With this permit we will be taking care of a pond
39 that smells and switching it to a pond that will not smell as bad. We are doing this because the
40 State is mandating that we do it to continue our business.

41
42 *Nebeker made a motion to approve JBS Swift's request for a conditional use permit; Gibbons*
43 *seconded; passed 6, 0.*

44
45 **6:54:00**

46 **#4 Amendments to Title 17.18 – Sensitive Areas Overlay**