

1 **Cache County Planning Commission (CCPC)**

2  
3 Minutes for 25 February 2010

4  
5 **Present:** Josh Runhaar, Leslie Mascaro, Clair Ellis, Leslie Larson, David Erickson, Curtis Dent,  
6 Chris Sands, Jon White, Don Nebeker, Darrel Gibbons.

7  
8 **Start Time: 1:03:00** (Video time not shown on DVD)

9  
10 **Ellis** welcomed; **Josh Runhaar** gave opening remarks.

11  
12 **Approval of Agenda**

13  
14 *Passed.*

15  
16 **1:05:00**

17  
18 **Ellis** welcomes new commissioners.

19  
20 **1:06:00**

21  
22 **#1 Discussion on Sensitive Overlay Zone**

23  
24 **Runhaar** reviewed the proposed amendments to Title 17.18. This will limit the developable  
25 acreage in the sensitive areas overlay.

26  
27 **Dent** On the fault lines, will they show a distance on the fault?

28  
29 **Runhaar** Slip fault and thrust fault. The key is to actually find those fault lines and map them.

30  
31 **Dent** Crucial wildlife is arbitrary; it's all crucial wildlife habitat.

32  
33 **Runhaar** As per page 2, those areas are mainly in the south end of the County and in the FR 40  
34 Zone.

35  
36 **Dent** We impact it when we develop. I think that's a black hole.

37  
38 **Larson** I had a concern on that, this means that Division of Wildlife and Natural Resources  
39 (DWR) will have to review and comment on it. All of Mendon would be considered wildlife  
40 habitat and we wouldn't be able to build out there.

41  
42 **Ellis** Let's go through each item and address each one.

43  
44 **White** How do you define sensitive because if that's it, then that's the entire FR-40.

45  
46 **Sands** DWR usually doesn't comment; sometimes they may comment on items such as fencing.  
47

1 **Ellis** Since we're discussing wildlife then lets stay with this and see if there are other items to  
2 discuss within this topic.

3  
4 The Planning Commission discusses notice to external agencies such as DWR and the general  
5 application process, crucial wildlife habitat, floodplain mapping & other mapping, and comment  
6 and notifications to agencies such as DWR on projects with Crucial wildlife habitat.

7  
8 **Ellis** Let's move to Non-Developable Sensitive Areas

9  
10 Planning Commission discusses Non-Developable and Potentially Developable Sensitive Areas.  
11 Item 17.18.020 C, Earthquake fault areas and areas prone to debris flows, landslides,  
12 liquefaction, and rock falls should be moved from Non-Developable Sensitive Areas to  
13 Potentially Developable. Non-Developable will include wetlands, slopes greater than 30%, and  
14 water ways. Non-Developable Sensitive Areas should be defined, and present an opportunity for  
15 the applicant to rebut this option.

16  
17 Ellis asked for comments from each Commissioner and a vote to move earthquake areas in  
18 Potentially Developable Areas. Passed 7,0.

19  
20 2:20:00 pm

21  
22 Discussion on Wetlands, Steep Slope, and Natural Waterways

23  
24 The Planning Commissioners discussed wetlands being site specific, wetland delineations vs.  
25 wetland studies, the subdivision process including wetlands, and Jurisdictional wetland  
26 determinations. Define grade of slope, discussion on setbacks from toe of slopes and canals, and  
27 the developable options for slopes and canals. Define stream channels, and natural waterway  
28 setbacks from the top of waterway.

29  
30 2:45:00 pm

31  
32 Planning Commission discussed Wild Fire Areas and the option to rename Wild Fire Areas to  
33 Urban Interface Area.

34  
35 **Rod Hammer** Urban Interface Code deals with mitigating fires from moving from your house to  
36 the interface and not vice versa. Sprinklers are required to protect fires from moving from the  
37 home to the interface. The Interface Code is still a little vague so we can't really enforce it.

38  
39 **Ellis** When has it come into play?

40  
41 **Rod Hammer** It has come into play especially around Ant Flat Road, and around hazard risk  
42 properties.

43  
44 **Ellis** Do you have an example that you have had to evaluate risks that pertains to slope  
45 vegetation, and residences?

46

1 **Rod Hammer** We have made some evaluations especially with zoning clearances. We go out  
2 to the site with the applicant and let them know what we think.

3  
4 **Darryl Gibbons** Why should we legislate their safety? The insurance premiums will go up.  
5 People should be allowed to do what they want.

6  
7 **Sands** I agree with that if they sign a waiver that the County isn't liable.

8  
9 **Ellis** Would anyone like to propose changes to language?

10  
11 **Gibbons** I have issues using may versus shall in definitions.

12  
13 **Nebeker** It leaves it open to whoever is going to be reviewing it and I think there's a lot of  
14 hazard with that.

15  
16 **Runhaar** In this case we're handling developments. We have staff and the Planning  
17 Commission that also makes reviews on these items.

18  
19 **Nebeker** That kind of thing is a little worrisome to me. I don't like unlimited control that can  
20 be arbitrary.

21  
22 **Ellis** Is there anything else to be discussed on wildfires?

23  
24 **Rod Hammer** I think the way it stands as related to this code then I think we're fine.

25  
26 **Ellis** I would like to thank Mr. Lemon for sitting in; do you have anything to say about this  
27 standard?

28  
29 **Lynn Lemon** No, I don't at this time have anything on that.

30  
31 3:08:00 pm

32  
33 10 Minute Recess

34  
35 3:18:00 pm

36  
37 **#2 Discussion on Use Chart**

38  
39 **Runhaar** review the proposed amendments to the use chart. We can identify many problems  
40 with the current use chart. Some uses are too specific, others too ambiguous. Some uses are  
41 allowed within areas that they shouldn't be allowed and others aren't. In the past, when we did  
42 not have a use, we would just add one on an as need basis. Another problem is the use chart is  
43 alphabetical as opposed to placing it within categories such as commercial or residential and then  
44 listing the uses. There are two options. We can clean up the existing; build a full matrix  
45 including every use known but most of that is just too detailed. Or, what we recommend is  
46 categorize the uses. For example retail is retail, office is office, and etc. There will be a lot of  
47 judgment calls but this is why you will also need very good definitions.

1  
2 **Sands** The first scenario seems overly complicated. We would be changing 17.07 the use chart  
3 and the small business section?  
4

5 **Runhaar** Yes. One structural change made is to break up uses into the categories so we can use  
6 this chart more efficiently.  
7

8 **Ellis** It sounds like you are making it more dense.  
9

10 **Runhaar** You will see a reduction of uses in the use chart by an increase in the definitions.  
11

12 **Dent** Are the Zones changing?  
13

14 **Runhaar** No, the categories will include commercial, residential, agriculture, forest recreation  
15 and then list all of the uses allowed under those sections.  
16

17 **Dent** The problem is financing to try to obtain finance for a home on the Agriculture Zone.  
18

19 Planning Commission discusses financing a home within the Agriculture Zone, restricted  
20 parcels, and appraisals.  
21

22 3:37:00 pm  
23

### 24 **#3 Discussion on Cache County Roadway Design Standards** 25

26 **Runhaar** reviewed the proposed amendments to the Cache County Roadway Design Standards.  
27 The Design Roadway Standards are still in draft form but if we can focus on the issues at hand  
28 rather than small grammatical changes it will be most beneficial. Discussed the primary changes  
29 in policy and functionality within the draft Standards.  
30

31 **Ellis** Who was involved with the Draft?  
32

33 **Runhaar** Primarily Lynn Zollinger and myself. We have tried to hybridize the road standards as  
34 best as we can. Some of the big changes include Roadway Classification System, Municipal  
35 Roadways, Tiered Roadway Section and Structural Cross Section, Dead End Roadways,  
36 Encroachment Permitting, Irrigation and Storm Drainage Design, Access Management, and  
37 Engineering. If we know what the roads are today then we can say what we want the roads to be  
38 later. We will have to build future conditions as we go. Generally 1 to 3 homes is considered as  
39 a private drive depending on the type of road. The biggest problem we have is a 3-lot  
40 subdivision between two cities we require a different standard than the cities and the road widths  
41 end up being different within the county's Jurisdiction.  
42

43 **Ellis** What is the difference between our current standard and this proposed draft?  
44

45 **Runhaar** Our basic requirement is a 20' wide road with 1' shoulders, or we can look at each  
46 subdivision on a case by case basis, which is what we do now. The developer doesn't know

1 what to expect. Staff will recommend one thing, then it will be changed in Planning  
2 Commission, and Council will require something else.

3  
4 **Ellis** Is there anything changing on the road base?

5  
6 **Runhaar** We don't really have anything right now, so yes since we don't have a minimum.

7  
8 **White** We're saying this part of the road is good so when we later widen then all they have to  
9 do is widen the road.

10  
11 **Dent** There was some litigation with the 66' right of way.

12  
13 **Runhaar** We haven't lost yet.

14  
15 **Dent** We're still going with that assumption?

16  
17 **Runhaar** The County's minimum is a 66 foot right-of-way..

18  
19 Planning Commissioners discussed 66' right of way.

20  
21 **Nebeker** Do we have a master plan for the County?

22  
23 **Ellis** We do but it doesn't include a transportation section.

24  
25 **Nebeker** Don't we need that inventory first before we just make plans?

26  
27 **Runhaar** We need to evaluate what we have so we can plan for the future.

28  
29 Discussion on Cache County Comprehensive Plan and Envision Cache Valley Project.

30  
31 4:08:00 Jon White leaves

32  
33 **Nebeker** On your sheet, you have farm roads and you say they need a 66' right of way, how  
34 does that tie with County roads?

35  
36 **Runhaar** If its just a driveway with one to three houses then the right-of-way minimum is 24'  
37 wide.

38  
39 **Nebeker** Suppose the applicant doesn't want to deed that road to the County such as a farm  
40 road, and it dead ends.

41  
42 **Ellis** The titles are not specific; these roads are defined by the traffic use.

43  
44 **Nebeker** There are a lot of people in the County that use their property for money and what if an  
45 owner wants more than four lots then does he have to abide by these standards?

46  
47 **Runhaar** It depends on the location and what they want to do with their land.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**Ellis** Then it's decided by the Planning Commission and the County Council.

Discussion on Road Development.

**Lynn Lemon** One of the questions that I have is if you allow a road that is three quarters of a mile long, should the County take it over? I don't think we can build roads to people, but if they build a road to these standards then should the County take it over?

**Runhaar** The problem is chip and seal and snow plow. Do we want to start taking long roads that lead to a cul de sac or take roads that lead somewhere?

**Nebeker** how do you balance land value; we need to be careful to not having a taking without compensation. It goes back to the notion of what they plan to do with their land.

**Lynn** What is the standard right now for someone to pave a road.

**Runhaar** The County Council makes the decision. It has been typically required on 4 lot subdivisions or greater.

**Lynn Lemon** So we don't have anything?

**Runhaar** We have the standard in title 12 and the determination from the attorney's office on the right of ways. We have a very basic cross section in the Surveyor's office.

**Lynn Lemon** It seems like we should reflect Cache Valley like the project states leave the County, County and City, City. Should our roads reflect that? If there's a nice road, then it could invite more development.

**Runhaar** The issue of a level of development within the standard will not dictate how much development you will see, that is determined by the zoning. Standards may help determine where development will occur first as it will more likely occur where existing roads are adequate.

Planning Commission has a discussion private drives and private roads, road widths, and the new standards.

4:37:00

Adjourned