

County Planning Commission (CCPC)

Minutes for 03 March, 2011

Present: Josh Runhaar, Chris Harrild, Chris Sands, David Erickson, Phillip Olsen, Clair Ellis, Leslie Larson, Chris Allen, Jon White, Denise Ciebien, Megan Izatt

Start Time: 5:31:00 (Video time not shown on DVD)

Ellis welcomed and **White** gave opening remarks.

5:33:00

Agenda

Agenda approved.

5:34:00

Minutes

Feb 3, 2011 –Passed with grammatical change to pg. 6 and change of date on pg.1.

05:36:00

#1 Delectable Mountain Retreat (Elizabeth A. Coats)

Harrild reviewed Ms. Elizabeth A. Coats request for a Conditional Use Permit (CUP) to allow a Bed and Breakfast on 10.93 acres of property in the Agricultural Zone located at approximately 5094 W. 3400 S. Wellsville. The idea for this is for quilters to have a place to get away to and work on projects, etc.

White what about parking?

Harrild there is abundant parking around this area and no one has raised concerns.

Larson on service provision, in the very first item under service provision it states that water supply is inadequate but was approved. How is that possible?

Hammer the water for fire suppression is inadequate which means that there are no fire hydrants or system we can tap into. The water will be brought in by tender if needed.

Erickson this is just a notice to the owners that there could be increased property damage.

Hammer correct. We are working on this and we didn't deny the application because we haven't in the past.

Elizabeth A. Coats It is called Delectable Mountain Retreat. It is not planned to be exclusively for quilters, but whoever would like to have a place to get away for a weekend for projects. The groups coming will be limited to 8 people.

Larson motioned to approve the Conditional Use Permit for the Delectable Mountain Retreat with the stated conditions and findings of facts; *Erickson* seconded; **Passed 5, 0.**

FINDINGS of FACT

1. The Delectable Mountain Retreat conditional use permit 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 Delectable Mountain Retreat conditional use permit 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 Delectable Mountain Retreat conditional use permit is issued in conformance with the standards and criteria for a conditional use permit within Title 17 of the Cache County Code.

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 recordation of the conditional use permit adequate, approved, domestic water rights shall be in place.
2. The operation of this business shall follow all requirements of the Bear River Health Department (Attachment A).
3. The applicant must abide by the details listed in the letter of intent as submitted to the Cache County Zoning Office (Attachment B).
4. The operation of this business is subject to all conditions as set forth and approved on all existing conditional use permits as follows:
 - a. This business shall obtain a County Business License to operate at this location.
 - b. Any further expansion or modification of the facility, site, or of the business shall require a review by the Land Use Authority for a new conditional use permit and must meet the requirements of the Cache County Ordinances.
 - c. The applicant and property owners shall comply with all State and County regulations.
5. The applicant shall provide sufficient space for placement of refuse and recycling containers so they do not interfere with traffic. This requires that a completed encroachment permit be obtained and work completed prior to recordation.

5:43:00

#2 Discussion – Cache County Fire District Wild land – Urban Interface (Rod Hammer)

Chief Rod Hammer I just wanted to educate the commission on what is going on in the Wild Land Urban Interface area in the county. Typically in the Urban Interface area we require more stringent conditions on building materials, etc. These pictures are from the Herriman fire from last summer; the vegetation down there isn't much different from here. This fire extended for miles across that subdivision and in some instances was right behind homes. The issue is that if we can enforce stronger building codes in these areas there is a better chance for the fire to blow through. The three homes that did burn due to this fire weren't due to direct flames, but because of embers being blown into the attics. Until we expand these Wild Land Urban Interface code areas, we can't enforce stricter building codes on homes. Until the area is designated Wild Land Urban Interface we can't enforce the code.

White what qualifies it to be designated Wild Land Urban Interface?

Chief Hammer I can't give the exact definition, but any undeveloped land could be considered Wild Land Urban Interface. What I'm looking for is that the FR-40 zones be designated Wild Land Urban Interface so that we can enforce more stringent building codes. I lose sleep every summer about fires happening in these areas and not for the structures but for the fire fighters that are sent into these areas. I'm not looking to change any of the farm ground or down in the valley, but anything upon on the benches and into the forest.

Ellis so you're mostly interested in expanding the areas in the forest recreation zone.

Chief Hammer correct.

White have they thought about requiring Scare Canyon to put in a 10,000 gallon tank?

Chief Hammer they do have a tank right now, but it's not very big. If Scare Canyon ever has an issue we would pull resources from Weber County and every department in Cache County.

Ellis I remember when this was discussed there was no controversy in designating the FR-40 being designated Wild Land Urban Interface.

Runhaar we put the original map on a white board a couple of years ago and the Planning Commission removed a lot of area they felt didn't fit there.

Chief Hammer talking to legal counsel, we can't change the map if someone applies to build in an area we feel should be Wild Land Urban Interface to include that area.

Olsen don't people know when they build in this area that there are increased risks?

Chief Hammer there are three hazard classification for the Interface area and different requirements for each. One requirement could be brush clear, or more resilient roofing and different mesh materials for vents and chimneys. The focus of saving buildings in case of a fire is on homes if a fire does happen. The previous discussion from a couple of years ago was for the interface area being limited to areas that currently have development which, in some instances, puts staff at a disadvantage. The requirements for Wild Land Urban Interface only applies when a structure is built, it does not apply to land that is undeveloped. The fire district is looking for the FR-40 zone to be designated as Wild Land Urban Interface. Salt Lake County currently applies the stricter building requirements in the high and extreme areas and Weber County just passed a map that anything in the unincorporated area is Wild Land Urban Interface. The general consensus of the Planning Commission is in favor of this move to place the FR-40 Zone in the Wild Land Urban Interface.

6:28:00

Recess

6:35:00

#3 County Road Standards

Staff and Commission discussed retention/detention ponds and who is responsible for that pond. Access Management, section 5, was discussed. A simple chart has been created to help deal with access management and give spacing standards. The section also states that roads will connect to the lowest classification as feasible. The county is now responsible for some roads that do require curb and gutter and standards for that curb and gutter have been included. Driveway locations and standards for the apron of driveways also are included in the Access Management section of the ordinance.

Sections 2.6 and 2.7 were discussed. Section 2.6 deals with right-of-way encroachment permits. 2.6 also states that all work done in the County right-of-way will be done by a license and bonded contractor. This section also gives definitions of what minor, moderate, and major work done in the county right-of-way and if a license and bonded contractor is needed for that work. 2.7 gives a little more detail for right-of-way encroachment. It discusses mail box standards, fencing, and street trees or shrubs. Staff and Commission discussed the replacement of fencing, and want it stated that no permanent fencing will be allowed in the county right-of-way.

7:50:00

#4 Discussion – Ordinance Revision Work List

Staff and Commission discussed the ordinances that need to be worked on and staff's suggestion for prioritization.

7:58:00

Adjourned



Executive Director - Lloyd C. Berentzen, M.B.A.
Deputy Director - Todd Barson
Deputy Director - Edward H. Redd, M.D.

Environmental Health Division
Division Director - Grant Koford, L.E.H.S.
www.brhd.org

February 3, 2011

RE: **Onsite wastewater disposal systems at: 5094 W 3400 S, Cache County, UT
Parcel number 11-070-0051**

To whom it may concern:


A file search of the septic system, at the above-referenced address for **Elizabeth Coats** was completed by Richard Worley of this office. It is proposed that a bed and breakfast will be operated out of the home. It is determined that the existing septic system is found to be adequate for a bed and breakfast operation under the following conditions:

- 1- The total number of people staying in the home at any given time (bed and breakfast patrons, workers, full time residents) does not exceed twelve (12).
- 2- The septic tank is pumped every five (5) years.

Should there be any changes made to the above conditions that will increase the wastewater flow of the home, the septic system will need to be increased and an alteration permit will need to be obtained from this office.

If you have any further questions, contact this office at your convenience.

Sincerely,



Richard Worley
Division of Environmental Health

John C. Bailey Building: 655 East 1300 North • Logan, UT 84341 • Phone: (435) 792-6500
 Environmental Health Services Building: 85 East 1800 North • Logan, UT 84341 • Phone: (435) 792-6500 • Fax: (435) 752-1570
 Brigham City: 992 South 800 West • Brigham City, UT 84302 • Phone: (435) 695-2076 • Fax: (435) 723-6747
 Randolph: 275 North Main • Randolph, UT 84064 • Phone: (435) 793-2445 • Fax: (435) 793-2444

February 15, 2011

In regards to: Utah Food Code exemptions for a bed & breakfast

Elizabeth Coats
5094 West 3400 South
Wellsville, UT 84339

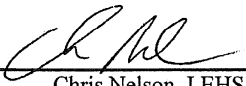
To Whom It May Concern,

By Utah state law any place that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption may not operate without a valid permit from the local regulatory authority (either the Bear River Health Department or the Utah Department of Agriculture). A bed-and-breakfast operation may be exempt from this requirement if all of the following items are met:

1. The establishment must be owner occupied.
2. The number of available guest bedrooms does not exceed 6.
3. Breakfast is the only meal offered (no food prepared or served after 10am).
4. The number of guests served does not exceed 18.
5. The consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the health department.
6. Any other food served to guests must be either catered or home-delivered by a permitted establishment.
 - a. Whole, uncut fresh fruits and vegetables may be served any time

An establishment meeting the above requirements will not need a permit to operate.

Sincerely,



Chris Nelson, LEHS

January 21, 2011

This "Letter of Intent" is to apply for a business license. I would like to run a Bed and Breakfast out of my home.

Business Name and address:
Delectable Mountain Retreat
5094 West 3400 South
Wellsville, Utah 84339
435-755-9145

Type of Business:
Bed and Breakfast

Number of employees:
None

Hours of operation:
The Bed and Breakfast will only be opened when a retreat is scheduled. The retreats will be over a weekend, but may be extended by request. Requests for during the week retreats may be considered and will be for three days, but may be extended by request. Retreats will not be scheduled every weekend or week. I would like to schedule three this summer and will add more if these retreats are successful. Guest check in the afternoon of a Friday and will check out before noon on Sunday. This is an example of a retreat days or hours.

Number and type of deliveries to and from this business:
None

Methods of advertising:
The method of advertising will be the internet, fliers, making contact with quilters and quilt venues. It may expand to other groups for example scrapbookers, knitters and or any other groups that show interest.

Methods of disposal of waste or garbage:
I will only house up to 8 guests. Beside myself my mom and daughter live in the house. There is a mother-in-law apartment in the basement of the house that my mom lives in. We have plenty of room in my weekly garbage can to accommodate all the garbage that 8 guests and three people can generate plus room to spare for the farming garbage. If at any time I have more garbage than I can fit in the can I will be making a trip to the dump with my truck.
The waste disposal will be in the form of bathrooms, there are 5, three with showers and tubs and I have a septic tank.

Equipment used:

The equipment the guest will be using is a small refrigerator, a small microwave, desk
laps and sewing machines.

Impact on roads:

There will be a slit traffic in crease, but only during the retreat times. The guest will be
driving themselves to the Bed and Breakfast. I live real close to highway 23 between
Menden and Wellsville. This small traffic increase will not be any different then a bunch
of family coming over for a weekend.

Adequate Parking for customers and /or employees:

My home is nestled under the beautiful Wellsville Mountains there is farmland all around
me. I live on 11 acres of farmland. I have grave parking and if needs be there is parking
in the fields. There will be no street parking.

You may be wondering what the guests will be doing at a retreat. As I said before I will
be targeting quilters at first. The guests will check in and get settled in their rooms. The
rooms and quilting area is on the second floor of my house. There is about 1300 sq. ft. of
unused space. The evening will begin with a little snack, time to get to know each other
and a short welcome to the retreat. Then the guest will set up their sewing machines and
other quilting supplies they will be bringing. Their may be instructions given on a quilt
or quilt block, called a mini class. Then they have the rest of the weekend to sew and
quilt with out distraction or disturbances. Breakfast will be available in the mornings for
the guests. I will order out or cater the lunch and dinner. The guests may want to go out
for lunch or dinner and to see some of the sights.

Thank you for your time reviewing this application.

Sincerely,



Elizabeth A. Coats (Beth)
Owner