



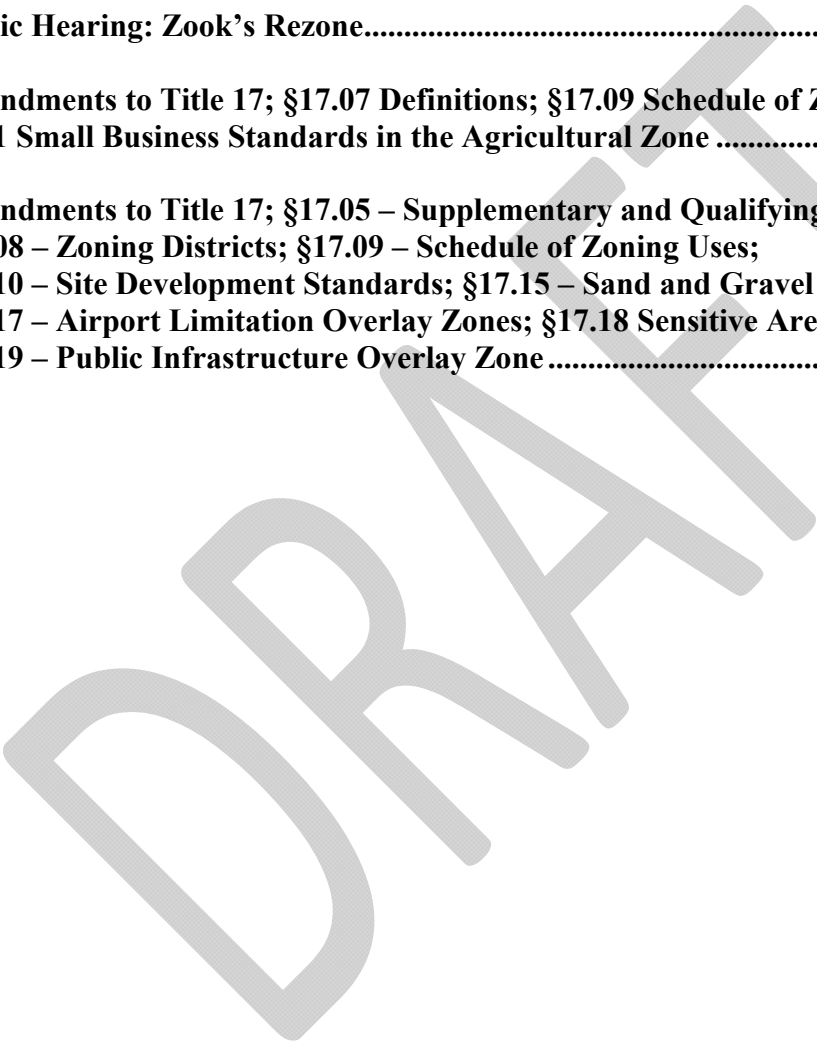
**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

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 3

4 **Planning Commission Minutes** **06 December 2012**  
 5

6 <b>Item</b>	<b>Page</b>
7	
8 <b>1. Consent Agenda: Munk Subdivision .....</b>	<b>2</b>
9	
10 <b>2. Public Hearing: Zook’s Rezone.....</b>	<b>3</b>
11	
12 <b>3. Amendments to Title 17; §17.07 Definitions; §17.09 Schedule of Zoning Uses;</b>	
13 <b>17.21 Small Business Standards in the Agricultural Zone .....</b>	<b>5</b>
14	
15 <b>4. Amendments to Title 17; §17.05 – Supplementary and Qualifying Regulations;</b>	
16 <b>§17.08 – Zoning Districts; §17.09 – Schedule of Zoning Uses;</b>	
17 <b>§17.10 – Site Development Standards; §17.15 – Sand and Gravel Overlay Zone;</b>	
18 <b>§17.17 – Airport Limitation Overlay Zones; §17.18 Sensitive Areas Overlay;</b>	
19 <b>§17.19 – Public Infrastructure Overlay Zone .....</b>	<b>6</b>
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1 **Cache County Planning Commission**

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3 Minutes for 06 December 2012

4  
5 **Present:** Chris Harrild, Josh Runhaar, Jason Watterson, Leslie Larson, Chris Sands, Clair Ellis, Chris  
6 Allen, Jon White, Denise Ciebien, Megan Izatt

7  
8 **Start Time: 5:33:00**

9  
10 **Larson** welcomed and **Sands** gave opening remarks/pledge.

11  
12 **5:37:00**

13  
14 **Agenda**

15  
16 *Passed*

17  
18 **Minutes**

19  
20 *Passed*

21  
22 **Consent Agenda**

23  
24 **#1 Munk Subdivision (Nancy Munk)**

25  
26 **Harrild** reviewed Nancy Munk’s request for a 2-lot subdivision and an agricultural remainder on  
27 4.40 acres of property in the Agricultural (A-10) Zone located at approximately 4860 North 2400  
28 West, Benson. Staff received a single comment regarding water collecting on the property in  
29 wet years.

30  
31 ***Watterson** motioned to recommend approval of the Munk Subdivision to the County Council with*  
32 *the stated conditions and findings of fact; **Ellis** seconded; **Passed 5, 0.***

33  
34 **05:41**

35  
36 **Staff and Commission** discussed the wording of the notice to the public. The wording is seems  
37 confusing. The best way for the public to get answers to their questions is to come into or call  
38 the Planning and Zoning Office.

1 05:43

2  
3 **Regular Agenda**

4  
5 *Sands motioned to open the public hearing; Watterson seconded; Passed 5, 0.*

6  
7 **#2 Public Hearing: Zook's Rezone (Lonny Zook) – 5:40**

8 **Harrild** reviewed Mr. Lonny Zook's request for a rezone of 10.29 acres of property from the  
9 Agricultural (A-10) Zone to the Rural-2 (RU-2) Zone located at approximately 1215 East 8412  
10 South, Paradise. County ordinance does not give direction in regards to where the RU-2 Zone  
11 maybe located. The ordinance does specify that within the RU-2 Zone there must be adequate  
12 public service provision, suitable public roads, and access to necessary water and utilities.  
13 Access to the property is from 8600 South which does not provide adequate or safe vehicle  
14 access. The County Engineer has identified the following major failures on 8600 South: Drop  
15 off and steep slopes combined with significant portions of substandard width and the lack of a  
16 barrier system. These major failures have been identified in the Capital Improvements Plan  
17 (CIP) and are tentatively scheduled for improvement in 2017. The requested rezone would allow  
18 subdivision of the property at a density of one (1) unit per two (2) acres. This would allow a  
19 maximum potential of five (5) building lots and four (4) additional houses. Within a one-mile  
20 radius of this parcel, the surrounding vicinity is comprised of parcels with an average parcel size  
21 of 36 acres. Of the parcels with homes the average parcel size is 9.79 acres. Fire suppression in  
22 this area would be provided by the Paradise Fire Department however the City of Paradise has  
23 stated opposition to the rezone due to the nature of the access and their limited ability to provide  
24 fire suppression.

25  
26 **Lonny Zook** the narrow road, I agree with. There are parts that are narrow. I've lived there  
27 almost 40 years and we are the ones that developed that road and now we had to come up with  
28 the money to pave and improve it. We do have a bus that comes up and that's why we wanted it  
29 paved and wanted it there.

30  
31 **Larson** does the bus run all the way to your home?

32  
33 **Mr. Zook** yes it does.

34  
35 **Larson** where does it turn around?

36  
37 **Mr. Zook** just at my house, they do a three point turn and turn around. When they developed  
38 that part up there and widened it we wanted them to go further down. It was okay that they  
39 developed that and so that's all been approved for that development. But that's not what I'm  
40 really getting out. Again, I've traveled that road and I agree at times that I've passed buses and  
41 semis and it's not easy. It really gets tight right there and you have to watch but it widens back  
42 out again so you just have to drive careful. Anyway my land is pretty much all rocky. The south  
43 part is all slate gravel and that is where my boy wants to build. It really hasn't served the  
44 purpose of being good agricultural land so I told them down the road if they wanted to build and  
45 we could get it approved, they could. That's all I want, I've only got the two kids. But anyway,  
46 we have put all the money into improving that road in the past and we only got it paved down  
47 right to where it connected to the town part. All the landowners chipped in and the county did

1 fix the gravel and everything for us, we just had to do the oil. So the other portion wasn't done  
2 but someone came along and told us we shouldn't have had to pay for the other part. And so  
3 they agreed that they would finish paving the rest of the road for us and compensate us, so that's  
4 how that all got paved all the way. But the county has been really good at chipping it and  
5 maintaining it and we've talked to them quite a bit but again we're all for improving the road.  
6 Again I think they've talked about making it a right of way through to the canyon.

7  
8 **White** yeah, they've been working on that.

9  
10 **Mr. Zook** even if that falls through you would think they would want to widen it due to more  
11 traffic coming through. Because they've always had it blocked off. The natural gas does have a  
12 station up there and they have to access that all the time too and like I said we all pass the  
13 tractors and everything else. As far as I know there haven't been too many accidents on that  
14 road. If that was a big issue I would think you would have a lot more accidents. Anyway it's all  
15 rocky and not good farm ground.

16  
17 **Ellis** what if everybody came in and asked for the same thing in regards to a rezone?

18  
19 **Mr. Zook** that's been discussed and way back when this was approved they did approve that we  
20 could have another home on that other 5 acres providing that it was family and only family.

21  
22 **White** I know the guy on the one end over here has expressed an interest in it being changed.  
23 Most of the people out there that have 10 acres would like to have more homes on their land.  
24 From a farming standpoint it's a good area to develop. This area looks like volcanic ash gravel.

25  
26 **Mr. Zook** out of our gravel area they've used a lot of that too develop the road.

27  
28 **Runhaar** the issue is really one of timing. With the road the way it is now, we can't approve  
29 further development. The road issues are too extensive to even put it to a group of landowners  
30 and legally we can't do that. That is really the crux of this problem, the road. It may or may not  
31 be a good area to develop, but the road is going to prohibit development.

32  
33 **Mr. Zook** I don't disagree with that. We've tried to encourage the county to fix the road and  
34 improve it.

35  
36 **Larson** it sounds like you've been able to get by because it is so sparsely populated.

37  
38 **Mr. Zook** you have a lot of tractors and the cattle trucks and the sheep trucks that come up and  
39 stop in front of my house because they can't go further. A lot of people do come up there for  
40 hunting, etc. It's a road that is used pretty extensively.

41  
42 **White** it is a crappy road and needs to be fixed.

43  
44 **Runhaar** it has recently been moved up to 2017 on the CIP.

45  
46 **Roger Sheppard** I live next door to Lonnie to the east. It's been pretty nice up there and most  
47 that live up there like it the way it is. We're not looking to develop into a conglomeration of

1 housing. We moved up there to basically get away from government and people. We wanted  
2 some elbow room. I'm supportive of Lonnie's situation and that but I don't want to see that  
3 snowball into something that people can take advantage of. I like the way the road is because it  
4 controls the traffic and keeps us out of the beaten path. I would like to see Lonnie be able to  
5 have his family live out there, but I'm hoping that we can keep it very similar to the way it is  
6 now. The road isn't a very good road; it's a lot better that it was. People are conscientious of  
7 that and drive a little slower. I understand the concerns of the council, but people don't want this  
8 to explode with development.

9  
10 ***Sands motioned to close the public hearing; Allen seconded; Passed 5, 0.***

11  
12 Staff and commission discussed the application. The road is a significant enough of an issued  
13 that it really drives the decision of the commission in this case. The road is bad and it is going to  
14 be expensive to fix. Concerns about the change in density were expressed. Other applications  
15 that were similar to this fit more with the surrounding areas and changing this one to a different  
16 density seems like it would stick out. Finding of fact number two was discussed. Commission  
17 members asked to change it and strike the comments on agricultural and put comments regarding  
18 density in.

19  
20 ***Ellis motioned to recommend denial to the County Council based on the first finding of fact and***  
21 ***the second finding of fact as amended; Sands seconded; Passed 5, 0.***

22  
23 **06:27**

24  
25 **#3 Amendments to Title 17 – 17.07, 17.09, 17.21**

26  
27 **Runhaar** reviewed the amendments to Title 17 sections 7, 9, and 21. Many of the definitions  
28 were deleted because they were not necessary. The split between use related and general  
29 definitions was kept. Use related definitions have a four digit number attached to each definition  
30 which will make it easier to amend or add uses in the future. General use definitions are listed  
31 alphabetically. The permitted and conditional uses by zones were rewritten. The small business  
32 use was deleted from this section and added into the definitions section. Sexually oriented  
33 businesses (SOB) were discussed. Mobile food trucks were discussed and were fitted under a  
34 temporary use and are allowed to operate for up to six (6) months in one location. Wind and  
35 water energy systems were added back in. Cell phone towers are listed under conditional uses in  
36 the telecommunications section. How these changes are going to impact the current zones and  
37 the current uses was discussed.

38  
39 ***Sands motioned to recommend to County Council to adopt the changes to Titles 17.07, 17.09,***  
40 ***and 17.21 of the Cache County Ordinance; Ellis seconded; Passed 5, 0.***

41  
42  
43  
44  
45  
46 **07:09**  
47

1 **#4 Amendments to Title 17 – 17.05, 17.08, 17.09, 17.10, 17.15, 17.17, 17.18, 17.19**

2  
3 **Runhaar and Harrild** reviewed the amendments to Title 17 sections 5, 8, 9, 10, 15, 17, 18, and  
4 19. Section 17.05 was removed entirely and combined with 17.10; 17.05.160 was added to  
5 17.09.080 [B]. 17.08 was amended to include the overlay zoning district and to clarify the  
6 difference between the base and overlay zoning districts. 17.09 was amended to include overlay  
7 districts, and clarify the difference between base and overlay zoning districts. 17.10 was  
8 amended to include 17.05, to account for overlay zoning districts, and general restructuring.  
9 17.15 was reserved for future use; this “zone” was removed to clarify and distinguish between  
10 base zoning districts, overlay zoning districts, and sensitive areas. Mapping of the areas of  
11 potential sand and gravel deposits was moved and referenced in 17.18.100 – Areas of Potential  
12 Sand and Gravel Deposits. 17.17 was amended to clarify between overlay zoning and airport  
13 limitation areas. The airport area is not an overlay zone. 17.18 was amended to include  
14 17.18.100 – Areas of Potential Sand and Gravel Deposits and to clarify overlay zoning and  
15 sensitive areas. Sensitive areas are not an overlay zone. 17.19 was amended to include  
16 17.05.160 under 17.19.080 [B] and to incorporate both pieces into one.

17  
18 **Staff and commission** discussed the mineral extraction zone. All zones that are under the  
19 mineral extraction zone will become overlays and the original mineral extraction zone will be  
20 inserted under that.

21  
22 The items on next month’s agenda were discussed.

23  
24 **7:47:00**

25  
26 **Adjourned**