



**4:45 p.m.**

Workshop in the County Council Chambers.

**5:30 p.m.**

Call to order.

Opening remarks/Pledge – Jason Watterson.

Review and approval of agenda.

Review and approval of the minutes of the November 7, 2013 meeting.

**5:35 p.m.**

**Regular Action Items**

- (1) **Elections** – for 2014 Planning Commission Chairman and Vice-chairman.
- (2) **Discussion:** Amendments to Titles 16 and 17.
- (3) **Discussion:** Telecommunication Facilities.
- (4) **Discussion:** Title 17.18 - Sensitive Areas

Board Member Reports

Staff reports

Adjourn

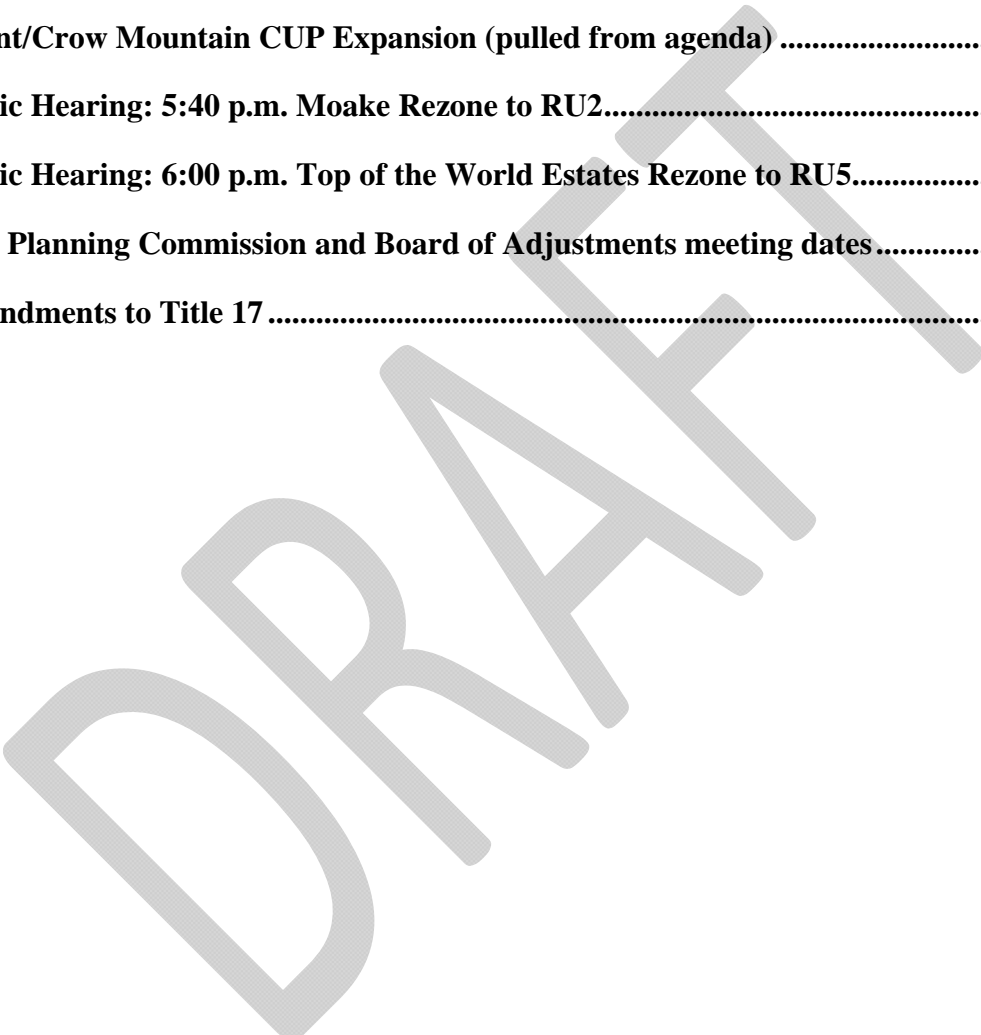


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44

**PLANNING COMMISSION MINUTES**

**07 NOVEMBER 2013**

<b>Item</b>	<b>Page</b>
1. Consent Item: Daug's Minor Subdivision Amendment .....	2
2. Sprint/Crow Mountain CUP Expansion (pulled from agenda) .....	n/a
3. Public Hearing: 5:40 p.m. Moake Rezone to RU2.....	2
4. Public Hearing: 6:00 p.m. Top of the World Estates Rezone to RU5.....	4
5. 2014 Planning Commission and Board of Adjustments meeting dates.....	6
6. Amendments to Title 17 .....	7



1 **Present:** Chris Allen, Chris Sands, Clair Ellis, Phillip Olsen, Stephanie Nelson, Chris Harrild, Josh  
2 Runhaar, Megan Izatt, Denise Ciebien

3  
4 **Start Time:** 05:34:00

5  
6 **Larsen** welcomed and **Allen** gave opening remarks

7  
8 **Agenda**

9  
10 Item #2 was removed because it was not ready to be heard.

11  
12 **Minutes**

13  
14 Passed - no changes.

15  
16 **05:37:00**

17  
18 **Consent Agenda**

19  
20 **#1 Daug's Subdivision Amendment (Nathan Daug's)**

21  
22 **Harrild** reviewed Mr. Nathan Daug's request for a recommendation of approval to the County Council to  
23 amend the Daug's Minor Subdivision including the adjustment of the line between the existing lots 1 and 2  
24 and creation of an additional lot from lot 1, on 12.82 acres of property located in the Rural 2 (RU2) Zone  
25 at approximately 2460 South 1800 West, Young Ward.

26  
27 *Sands motioned to accept the consent agenda with the noted findings of fact and conditions of approval;*  
28 *Allen seconded; Passed 5, 0.*

29  
30 **05:40:00**

31  
32 **#3 Public Hearing 5:40 pm: Moake Rezone (Steven Taylor)**

33  
34 **Harrild** reviewed Steven Taylor's request for a recommendation of approval to the County Council for  
35 the rezone of 10 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at  
36 approximately 13975 North 400 West, Beaver Dam. There is currently one dwelling located on the  
37 property and this rezone would allow the potential of up to four more buildable lots. This parcel is  
38 adjacent to a 70 acre property that was rezoned to the RU2 Zone. Within a one-mile radius of this parcel,  
39 the surrounding vicinity is comprised of parcels with an average parcel size of 19.8 acres. Of the parcels  
40 that have homes on them the average parcel size is 28.26 acres.

41 The intent behind the RU2 Zone adoption was discussed. The county is not currently capable of  
42 maintaining the existing county roadway systems, and therefore this increased burden is likely to impact  
43 the maintenance of all county roads. Consideration of the long term cost to maintain and serve high  
44 density areas in the unincorporated county is an appropriate tool when determining necessary action  
45 regarding such requests. This is an area where Box Elder and Cache County share winter maintenance of  
46 the road. Access by 8000 West is adequate but there are issues on 600 North. At this time no public  
47 comment has been received regarding this application.

48  
49 **05:53:00**

50  
51 *Ellis motioned to open the public hearing; Olsen seconded; Passed 5, 0.*

1  
2 **Steven Taylor** I represent the Moake family. This subdivision is currently for the Moake family only.  
3 The staff report was excellent but within a mile of the home there are 30 completed homes that are being  
4 lived in. There are 52 lots just behind this that are less than an acre each and there are 12 lots under  
5 construction or in various planning stages as well.

6  
7 **Sands** does this area have a water system?  
8

9 **Mr. Taylor** yes, there is a state approved water system. There are new roads and those roads have been  
10 accepted by the County and the Box Elder roads are in the process of being accepted as well. There is  
11 one road that is substandard. It is graded but it gets wash boarded and I have been informed that that is to  
12 be paved in early spring by Box Elder. The Moake's came to us and I suggested that they build on their  
13 own property because the larger lots in the county aren't selling. So having a smaller density is a little  
14 more effective in selling these lots and getting people to move to this location. The water company will  
15 serve these new homes and the water company has the water and capability to do so. This is an adequate  
16 subdivision. They are looking for two additional lots and the reason for the RU2 Zone was because an  
17 RU5 zone will not allow us to subdivide to get the additional lots we needed.

18  
19 **Sands** the water company will provide water?  
20

21 **Mr. Taylor** yes and the water company currently serves the home that is there as well.  
22

23 Notification of adjacent property owners was sent out.  
24

25 **06:03:00**  
26

27 *Ellis motioned to close the public hearing; Olsen seconded; Passed 5, 0.*  
28

29 Currently under the A10 Zone the applicants are allowed one lot. Under the RU2 Zone there is the  
30 potential for four lots. The previous rezone request in this area was recommended for denial due to the  
31 scale of the project. There are people who want to live in the country and the county is better served if  
32 those homes are clustered together in one area and this rezone application seems to fit with the  
33 surrounding area where there is a subdivision behind this already. Some of the commissioners expressed  
34 concerns with the argument of the cost to the county for road maintenance to recommend denial. It  
35 doesn't seem at this point like the county is trying to address the cost issue of meeting the growth demand  
36 for road building and maintenance. However, the money to pay for roads comes only from gas tax.  
37 There are several problems facing the road issue but at the moment there are no viable solutions for those  
38 problems. Budgeting for roads from the general fund not only affects the unincorporated area of the  
39 county but the city residents. The county has never had to use general fund money for roads but that is  
40 going to have to change in the future to keep the road department running. Staff and commission  
41 discussed language for findings of fact and conditions. The location of the subject property is compatible  
42 with the purpose of the proposed RU 2 zoning district and is appropriately served by suitable public  
43 roads, has access to necessary water and utilities, and adequate public services. There is minimal impact  
44 to agriculture with this rezone. The scale of the development is suitable to the area and is consistent with  
45 the adjoining 70 acre properties zoning.  
46

47 *Olsen motioned, Ellis seconded; Passed 5, 0, to recommend approval for the rezone with the findings of*  
48 *fact as follows:*

- 49 1. *The location of the subject property is compatible with the purpose of the proposed Rural 2*  
50 *zoning district and is appropriately served by suitable public roads, has access to necessary*  
51 *water and utilities, and has adequate public service provision.*

2. *The subject property is suitable for development within the proposed Rural 2 zoning district without increasing the need for variances or special exceptions.*
3. *The subject property is suitable as a location for all of the permitted uses within the proposed Rural 2 zoning district as there is an existing cluster of homes in the immediate area.*
4. *The subject property, when used for the permitted uses in the Rural 2 zoning district, would be compatible with adjoining land uses.*

06:32:00

**#4 Public Hearing 6:00 pm: Top of the World Estates Rezone (Bob Wright)**

**Harrild** reviewed Mr. Bob Wright's request for a recommendation of approval to the county Council for the rezone of 129 acres of property from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone located at approximately 1550 West 6600 South, Hyrum. There is a portion of 129 acres of the property that is undevelopable due to steep slopes. Therefore, the requested rezone would allow up to 24 lots on the 129 acre property. The density within a one-mile radius of this property reflects an average parcel size of 14.57 acres. Of the parcels that have homes on them the average parcel size is 4.5 acres. This proposed rezone is about ¾ of mile from Hyrum City. The maintenance of the roads is an issue because the county is not currently capable of maintaining the existing county roadway systems, and therefore this increased burden is likely to impact the maintenance of all county roads. Access to the property from county road 1600 west is adequate with the exception of an approximately 800 foot long portion that averages 16 feet in width and is a substandard dirt/gravel road. The applicant has expressed a willingness to improve the road to meet county standards. Notice was sent to surrounding property owners and no public comment has been received at this time. Wells will provide culinary water. Finding water is hit or miss in this area, but staff has no detailed information. There is a 16 acre parcel adjacent to this property that was rezoned to the RU 5 zone. This property was previously recommended for approval to the Council by the Commission as a 1 lot subdivision. Council approved that request but the approval is now void as the plat was not recorded.

06:41:00

*Ellis motioned to open the public hearing; Olsen seconded; Passed 5, 0.*

**Jake Young** I represent the applicant. When we looked at putting together a concept plan, the idea is to do a cluster development and put all the homes and the lots in the middle and leave ag and pasture land out to the side and everything west of the hillside undeveloped. If this were developed a new road would replace the existing dirt road. The owner has done research and has found there is adequate water for wells. Electricity is nearby and for gas they would have to do propane. I did look at lots close by this and there are some lots that are in the 1.5 acre range and some that are 5 acres. I just wanted to bring up that there is some precedent of smaller cluster lots being close by. We looked at the zoning and we did feel that this meets the intent of the RU5 zone.

**Sands** does the applicant own other large parcels adjacent to this one?

**Mr. Young** no.

**Sands** I remember there were some big development plans for this area, but it doesn't look like that went anywhere?

**Runhaar** incorporation for this area was looked at but not pursued.

1 **Allen** is the farm ground irrigated or dry?  
2  
3 **Mr. Young** Dry farm. The area to the upper right is not farmed and neither is the area to the west but the  
4 rest is dry farm.  
5  
6 **Larsen** what percentage of the dry farm would be taken out of production?  
7  
8 **Runhaar** at least half if not more.  
9  
10 **Larsen** you've already been to the water department?  
11  
12 **Mr. Young** the owner of the property has talked to adjacent landowners and they have had good success  
13 with wells. So no, we haven't talked to the water department but the owner is hoping to do smaller lots as  
14 well. The goal is to cluster the lots.  
15  
16 **Larsen** so you are looking for the density not specific lot sizes?  
17  
18 **Mr. Young** yes.  
19  
20 **Ellis** are you looking for multiple wells or what is the plan?  
21  
22 **Mr. Young** I think it would be one well per multiple lots.  
23  
24 **Larsen** is that permissible?  
25  
26 **Runhaar** it can be but it depends on how many dwellings will be served. The state has been forcing  
27 those types of situations into public water systems.  
28  
29 **Mr. Young** if the water is a big concern could that it be a requirement for the owner to do a test before  
30 the County Council meeting?  
31  
32 **Runhaar** no because we have no power over that.  
33  
34 **Staff and Commission** discussed the ordinance requirement for adequate water. Many commissioners  
35 would like to see some sort of evidence of adequate water. This would require a judgment call because  
36 usually that type of evidence is required at time of development. This is a difficult area for the county to  
37 service and there are going to be issues with maintenance. The parcel immediately to the north was  
38 rezoned but no subdivision has been approved. Water is still a concern for many commissioners.  
39  
40 **Bob Wright** one of the other proposals that has been brought forward was to do a holding tank with an  
41 oversized well because of the way the gravity is up there it could service all the lots. But that is  
42 something that I don't want to go into as this is a bank owned property.  
43  
44 **Runhaar** you are going to have some issues with a community well because zones 1 and 2 have to be  
45 kept clear of septic tanks. So there are going to be some issues.  
46  
47 **Richard Miller** I own a lot of the property north of this. From my stand point, you can see the cluster  
48 that I developed and you can see all of the remaining farm land. So it makes sense to me, and I think  
49 when you worry about farm ground it makes sense to cluster it. This proposed development leaves a lot  
50 of ground available for farming. I personally think that 5 acres is a mistake because people can't take  
51 care of it. To cluster and make small acreages is what should be considered proper for this area.

1  
2 **Larsen** one of the things that is not obvious to people who don't deal with this all the time, is that it used  
3 to be that we considered lot size but that has changed and when we talk about RU5 that is a density  
4 standard.

5  
6 **Mr. Miller** the property in front of this is 5 acres.

7  
8 **Runhaar** no, it was rezoned to RU5 but they can do 1 acre lot sizes

9  
10 **Mr. Miller** well I do know the property up here and we have drilled many wells and have had no  
11 problems with them but they are at a much lower level than these would be. The road access, the county  
12 won't even take care of it. The private road is taken care of by the landowners.

13  
14 **07:00:00**

15  
16 *Sands motioned to close the hearing; Ellis seconded; Passed 5, 0.*

17  
18 **Staff and Commission** discussed the application. One concern raised is this is a bank owned property  
19 and while the applicant has presented a clustered approach that isn't guaranteed. Whoever buys this  
20 property can come in and do whatever they want as long as they meet the ordinance. They don't have to  
21 cluster the lots. Some commissioners felt like this could be spot zoning. Also, no services are currently  
22 there and this area is hard to access. The current road is a county road but it is not serviced or maintained.  
23 The road that is currently serving homes in that area is a private road. There is no evidence of the  
24 services needed for this area like there has been for other applications that have been approved. Many  
25 commissioners expressed the need for development in this area to catch up to the location of the property.  
26 If there was more development in the area many commissioners would be inclined to approve the rezone  
27 but at this point it is hard to make a case for a rezone here.

28  
29 **Mr. Young** if it was left at A10 and developed at 12 lots they would not be able to cluster it?

30  
31 **Larsen** no, you could still cluster. It's a density standard not a lot size. The one concern is the drainage  
32 area for septic fields, and that will need to be determined with help from the Bear River Health  
33 Department.

34  
35 **Mr. Young** okay.

36  
37 The possibility of this being a private road was discussed. That would be considerably harder to do  
38 because of the way the ordinance is now.

39  
40 *Ellis motioned, Allen seconded; Passed 5, 0, to recommend denial to the County Council with the*  
41 *findings of fact as follows:*

- 42 1. Consistency with the existing density of the surrounding area was not shown.
- 43 2. Appropriate service by suitable public roads, access to necessary water and utilities, and
- 44 adequate public service provision was not shown.

45  
46 **07:25:00**

47  
48 **#5 2014 Planning Commission and Board of Adjustments Meeting Dates and Deadlines**

49  
50 *Sands motioned to adopt the meeting schedule with the noted meeting date changes; Allen seconded;*  
51 *Passed 4, 0. (Olsen not in room at time of vote)*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18

**07:30:00**

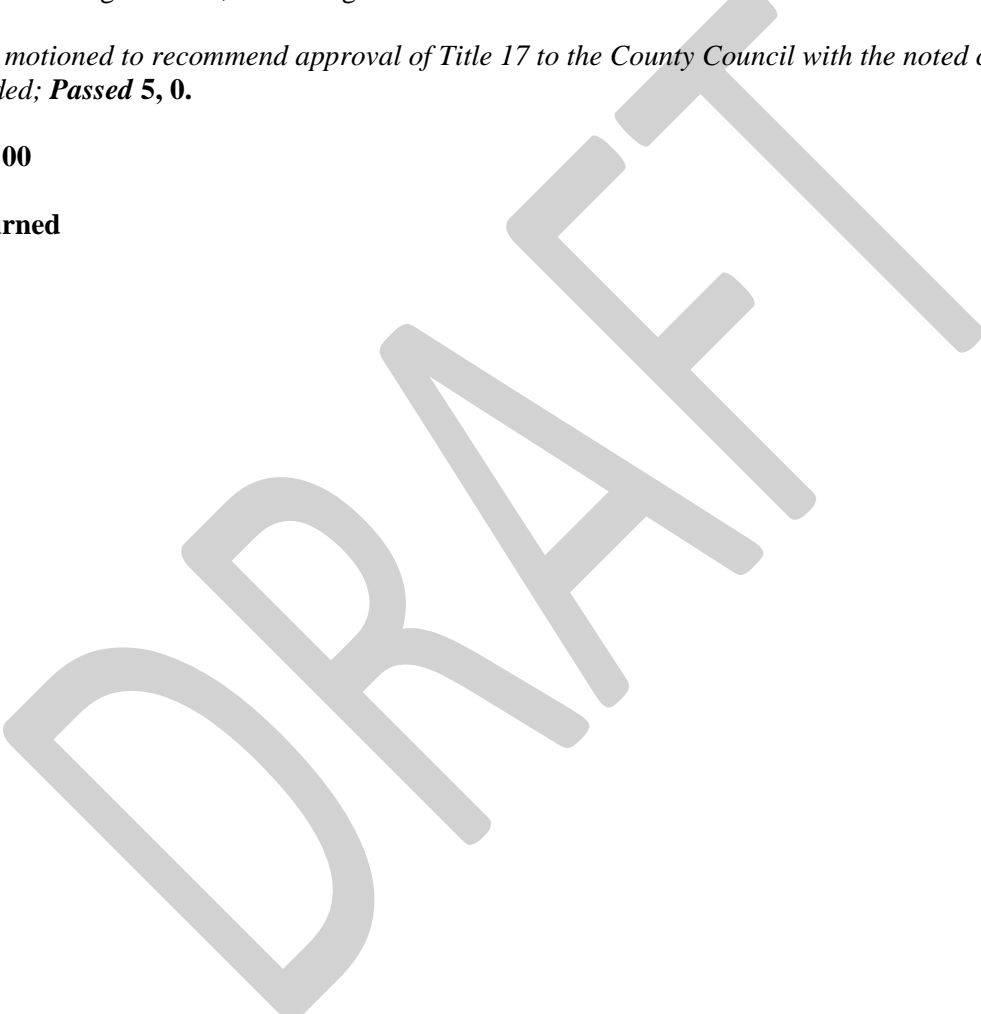
**#6 Amendments to Title 17**

**Runhaar** reviewed the amendments to Title 17. Zoning administrator has been changed to Director of Development Services throughout Title 17. The effective period for land use authority approval was added and made part of 17.02.070. Notice of meetings was discussed and the 300 foot standard was kept because it is a clear standard that is easy to follow. In 17.07 a section regarding agricultural remainders was added. Infrastructure improvements are not development agreements they are infrastructure improvement agreements, that change will be added into section 17.07.

*Sands* motioned to recommend approval of Title 17 to the County Council with the noted changes; *Allen* seconded; **Passed 5, 0.**

**07:55:00**

**Adjourned**





## **AMENDMENTS TO TITLES 16 AND 17**

**16.02.050 and 16.02.070** – Amendments to requirements for subdivision amendments and boundary line adjustments to bring the county ordinance into compliance with state code.

**16.03.030 [C][9]** - "government control monuments" replaced with "Cache County section corners"

**16.03.030 [D-H]** - D-H moved to become C-G. Preferred scale clarified.

**16.03.040 [A]** placement of setbacks on final subdivision plat clarified

**16.04, 17.07.040, and 17.10.060** – The term “development agreement” replaced with the term “improvement agreement”.

**17.07.040** – the term “density” defined

**16.02.050: Subdivision Plat Amendment:**

~~A. Changes-Amending a Legally Recorded Subdivision To-Plat: Any fee owner, as shown on the last county assessment rolls, of land within a subdivision may, in writing, petition the land use authority to have the plat, any portion of it, or any road or lot contained in it, vacated, altered, or amended.~~

~~B. The County Council~~land use authority may consider any proposed vacation, alteration, or amendment of a recorded subdivision plat ~~based upon the recommendation of the Planning Commission~~ in compliance with section 17-27a-608 and 609, Utah Code Annotated, 1953, as amended.

C. A request for a subdivision amendment must include the following material:

1. For the adjustment of boundary lines between existing, legal lots: A record of survey showing the parcels or lots identifying the existing lot line dividing the parcels and the proposed new lot line(s) after the adjustment including the legal description for each amended lot or parcel.

2. For the creation of a new lot/parcel: Any division of property that results in the creation of a developable lot must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.

~~Any fee owner, as shown on the last county assessment rolls, of land within the subdivision may, in writing, petition the Planning Commission and County Council to have the plat, any portion of it, or any road or lot contained in it, vacated, altered, or amended.~~

~~D. Minor Amending an Approved Subdivision Plat Prior to Recordation: With the written approval of all owners of interest in a proposed subdivision that are directly affected by an amendment or alteration, a~~An approved, unrecorded subdivision plat may have minor modifications made to the final plat so long as the modifications are not substantial, as determined by the ~~zoning administrator~~Director of Development Services. The final plat must ~~then~~ contain all necessary signatures and be recorded in compliance with this title.

**16.02.070: Lot Boundary Line Adjustments:**

- A. Within a legally recorded subdivision: An agreement to adjust lot-property lines between adjoining properties within or affecting the boundary of a legally recorded subdivision requires the approval of the land use authority and may must be executed upon the approval and completion of a subdivision amendment/recording of an appropriate deed if: (see 16.02.050.)
- B. Outside a legally recorded subdivision: In compliance with section 17-27a-522 and 523, Utah Code Annotated, 1953, as amended, an agreement to adjust property lines between adjoining properties must meet the standards of, and shall be recorded in the office of the Cache County Recorder and is not subject to the review of the land use authority.
- ~~1. No new dwelling lot or housing unit results from the lot line adjustment;~~
  - ~~2. The lot sizes, frontages, and configurations are consistent with this title and Title 17 of this code;~~
  - ~~3. No lot is made to be undevelopable without variances, special approvals, or other considerations;~~
  - ~~4. All property owners that are directly affected by the adjustment consent to the lot line adjustment;~~
  - ~~5. The lot line adjustment does not result in a remnant piece of land that did not exist previously;~~
  - ~~6. The lot line adjustment does not result in the violation of any applicable zoning district requirements;~~
  - ~~7. The lot line adjustments do not substantially alter legal lots that may otherwise need further review of the Planning Commission of the County Council in the form of a subdivision amendment.~~
- B. The applicants requesting the lot line adjustment shall provide the zoning administrator with the following material:
- ~~1. A record of survey showing the two (2) parcels or lots identifying the existing lot line dividing two (2) parcels and the proposed new lot line after the adjustment including the legal description for each new lot or parcel.~~
  - ~~2. A copy of the recorded deeds transferring the property to the appropriate owner(s). Upon the completion of recording the deeds, each lot or parcel shall have one boundary description reflecting the legal descriptions on the survey.~~

### 16.03.030: Preliminary Subdivision Plat Requirements:

The following information is required for the subdivision of all lands located within Cache County. The applicant may be required to provide other information as required by the Director of Development Services, Planning Commission, and/or County Council necessary to evaluate the proposed subdivision.

- A. An application for a subdivision, provided by the Director, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided.
- B. A preliminary subdivision plat shall be prepared by a licensed land surveyor in pen-ink and the sheets shall be numbered in sequence if more than one sheet is used or required by the Director.
- C. ~~D.~~ A title report for the property proposed to be subdivided provided by a title company within thirty (30) days of the date of subdivision application.
- D. ~~E.~~ A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.
- E. ~~F.~~ A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.
- F. ~~G.~~ The names and addresses of all owners of record of real property within three hundred feet (300') of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.
- G. ~~H.~~ Payment of the nonrefundable administrative processing fee, and a refundable preliminary plat application fee, as established by resolution by the County Council.
- H. The preliminary subdivision plat shall show the following:
  1. The layout or configuration of the proposed subdivision at a the preferred scale of ~~no more than~~ one inch equals one hundred feet (1" = 100'), ~~or as recommended by the Director;~~
  2. Located at the top and center of the subdivision plat the proposed name of the subdivision and the section, township, range, principal median, and county of its location;
  3. A title block, placed on the lower right hand corner of the plat showing:
    - a. Name and address of owner(s) of record; and
    - b. Name and address of the licensed land surveyor responsible for preparing the preliminary plat; and
    - c. Date of preparation of the preliminary subdivision plat, and any revision dates;
  4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the County Council Chair attested to by the County Clerk, Planning Commission Chair, Deputy County Surveyor, County Attorney, County Recorder and Bear River Board of Health Director;
  5. North arrow, graphic and written scale, and the basis of bearings used;
  6. Bearings shall be shown to the nearest second; lengths to the nearest hundredth foot; areas to the nearest hundredth acre;
  7. Tabulation of the number of acres in the proposed subdivision, showing the total number of lots, and the areas of each lot;
  8. A vicinity map of the site at the preferred ~~minimum~~ scale of one inch equals two thousand feet (1" = 2,000');
  9. Surveyed boundary of the proposed subdivision; accurate in scale, dimension, and bearing; giving the location of and ties to the nearest two (2) existing Cache County section corners ~~government control monuments~~. This information shall provide data sufficient to

- determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners shall be shown;
10. A legal description of the entire subdivision site boundary;
  11. All existing monuments found during the course of the survey (including a physical description such as "brass cap");
  12. Identification of known natural features including, but not limited to, wetlands as identified by the U.S. army corps of engineers, areas which would be covered in the event of 100-year floods, all water bodies, floodways and drainage ways, slopes exceeding twenty percent (20%) and slopes exceeding thirty percent (30%), and any other natural features as required by the Director, planning commission, or county council for the entire or a portion of the subdivision site, including a tabulation of the acres in each;
  13. Identification of known manmade features including, but not limited to, high voltage power lines, high pressure gas lines, hard surfaced roads, road easements, road rights of way, bridges, culverts and drainage channels, field drains, existing water and sewer trunk lines, all utility easements, railroads and railroad easements, irrigation ditches, canals and canal easements within and adjacent to the subdivision site as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site;
  14. The location and dimensions of all existing buildings, existing property lines and fence lines;
  15. The location with name and parcel number of all existing platted lots within, or contiguous to the subdivision site;
  16. All lots, rights of way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given. The addresses of all lots shall be shown. All proposed new roads, whether public or private, shall be numbered, as provided by the Development Services Department, with the coordinates to proposed connections to existing county roads being shown;
  17. All existing and proposed roadway locations and dimensions, including the width of the driving surface and the rights of way, with cross sections of all proposed roads. All proposed roads shall be designed to comply with the adopted road standards of Cache County;
  18. Location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells proposed, active and abandoned, and springs used for culinary water and the location of all septic systems and drain fields, as applicable, and the location of fire hydrants, and secondary water facilities if proposed as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site shall be shown;
  19. Proposed storm water drainage system for both surface and flood water, including any drainage easements and natural drainage ways, indicating how the flow will be altered with the proposed development;
  20. Layout of proposed power lines, including the source and connection to the existing power supply, together with the location of existing and proposed bridges, culverts, utilities, utility easements, and any common space or open space areas including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set aside, and conditions, if any, of the dedication or reservation;

21. Located on the preliminary plat, or separate map, the identification of the minimum building setback lines for each lot shall be shown;
22. An indication of the use for all proposed lots including required plat notes identifying agricultural protection areas, and other proposed or required protective and restrictive covenants;
23. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes, and easements imposed on the property;
24. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted. The legend for metal monuments shall indicate the kind of metal, the diameter, and length of the monuments;
25. A letter or other written form of consent by the owner including a reference to the named subdivision and the dedication of public ways or spaces, as required. This shall be signed, dated, and notarized;
26. A surveyor's certificate showing the name and registration number of the land surveyor responsible for making the final plat, and certifying to the plat's accuracy. A simple subdivision may not require a full survey, but instead may be completed through a metes and bounds determination. A waiver form shall be approved by the Cache County Recorder, the County Surveyor (or their designee), and the Director;
27. Any subdivision notes as required ~~by the Director~~. An approved list of all possible notes and their applicability shall be maintained by ~~staff~~ the Director.

~~D. A title report for the property proposed to be subdivided provided by a title company within thirty (30) days of the date of subdivision application.~~

~~E. A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.~~

~~F. A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.~~

~~G. The names and addresses of all owners of record of real property within three hundred feet (300') of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.~~

~~H. Payment of the nonrefundable administrative processing fee, and a refundable preliminary plat application fee, as established by resolution by the County Council.~~

#### **16.03.040: Final Subdivision Plat Requirements:**

The final subdivision plat is required for the recordation of a subdivision plat as approved by the Planning Commission and County Council. The final plat shall reflect any changes to the preliminary plat as required by the County Council, and shall be reviewed by the Director of Development Services for completeness prior to recordation.

- A. A final subdivision plat shall be prepared by a licensed land surveyor, and conforming to current surveying practice and in a form acceptable to the Cache County Recorder for recordation. The final subdivision plat shall contain all of the information required in the preliminary subdivision plat, with the exception of setbacks, and shall be presented to the Director in the following form: One 24-inches-by-36-inches copy of the final subdivision plat, in ink, on reproducible mylar copy, of the final subdivision plat along with and one digital copy (type to be specified by the Director) at the same scale and containing the same information. All sheets shall be numbered and referenced to an index map and all required certificates shall appear on a single sheet (along with the index and vicinity maps). All revision dates must be shown as well as the following:
1. Notation of any self-imposed restrictions, or other restrictions, if required by the Planning Commission or County Council in accordance with this title or Title 17 of this code;
  2. Other final subdivision plat notes, as required by the Planning Commission or County Council.
- B. All of the required signature blocks shall be signed prior to the recordation of the final plat.
- C. All other requirements of this title, Title 17 of this code, or of the County Council shall be met prior to the recordation of the final plat.

**DENSITY:** The number of net acres required per dwelling unit as specified in Table 17.10.040. Net acreage shall be calculated by taking the total gross acreage and subtracting non-developable sensitive areas (wetlands, open water, steep slopes) and the area in rights-of-way for roads.



## **Telecommunications Facilities**

**Driving principles/consideration: Safety, function, visual impacts**

**Level of regulation: County Council/Rezone**

**Major issues re:**

Rezone all existing towers to reflect PI overlay zone?

**Level of regulation: Planning Commission/CUP**

**Major issues re:**

Height of towers

Tower type - lattice/monopole

Max number of antennas/dishes per tower

Aesthetics - Colors and materials – BLM color swatches

Coverage mapping - What is needed/necessary?

Co-location - Height bonus? – Advantage to fewer tall towers or more short towers? (we currently have more tall towers)

Setbacks - Equal to the height of the tower?

**Level of regulation: Director/Zoning Clearance**

**Minor issues re:**

Buildings/generators/cabinets

Co-location - Adding antennas/dishes

## **Discussion: Title 17.18 Sensitive Areas**

### **Existing Purpose:**

The purpose of this chapter is to provide a mechanism for the protection of those areas of Cache County which are determined to be environmentally sensitive or that may pose a potential threat or danger to development. This chapter is intended to:

- A. Protect the general health, welfare, and safety of the citizens of Cache County.
- B. Minimize public and private property damage and emergency tax assistance.
- C. Provide for an awareness of sensitive areas.
- D. Provide a mechanism with which to determine developable acreage for development within Cache County.

### **Sensitive Areas currently include:**

- **Non-Developable** - encumbered acreage not counted as developable acreage\*:  
Jurisdictional wetlands – as defined by US Army Corps  
Steep slopes – A slope equal to or greater than 30%  
Natural waterways or open water – top of bank to top of bank  
\*Possibility of exception/reconsideration of developable acreage by appealing to Council
- **Potentially Developable:**  
Steep slopes - A slope equal to or greater than 20% but less than 30%  
Floodplain – As identified by the FEMA FIRM maps  
Crucial wildlife habitat – As identified by the DWR  
Geologic hazards – Earthquake fault lines, areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the USGS  
Wildfire hazards – Areas with moderate to extreme wildfire potential as identified by the BLM

### **Issues:**

Crucial wildlife habitat includes the entire county

The entire county qualifies as a sensitive area. Any development in a sensitive area is considered a conditional use and must follow that process

Levels related to geologic sensitivity and hazard identified in the ordinance as extreme, high, etc. do not match existing mapping – update is required

How do we want to handle sensitive areas that are “fuzzy”?

### **Considerations:**

Review applicability/function of Crucial Wildlife Habitat component:

- Is there a more detailed habitat layer that can be used?
- Focus on threatened and endangered species only?
- Focus on state and/or federally recognized sensitive, specially valued, threatened, endangered etc. species?
- Require a wildlife/habitat report?
- Require a development plan (combination of letter of intent, site plan, and new construction details for CUPs and subdivisions )?
- Improve detail of wildlife component, i.e., corridors, nesting, feeding, watering, etc.?
- How to prevent fragmentation, impairment, alteration, etc.?

*continues on next page...*

- Mitigation strategies?
- What is the best way to tie all of this to the ground?

Endangered and threatened plant species as a sensitive area?

Watersheds as a sensitive area?

Shallow water table as a sensitive area?

Scenic corridors, ridgelines, and viewsheds as a sensitive area?

Prehistoric, historic, and cultural resources as a sensitive area?

Review and update geotechnical report requirements

General clean up - emphasize process, consistency of terms, and clarity throughout

Update all sections of code to reflect revisions