



4:45 p.m.

Workshop in the County Council Chambers.

5:30 p.m.

Call to order

Opening remarks/Pledge – Brady Christensen

Review and approval of agenda.

Review and approval of the minutes of the May 7, 2015 meeting.

5:35 p.m.

Regular Action Items

- (1) **PUBLIC HEARING: 5:40 p.m. – Fuhriman Farm Rezone** – A request to rezone 20.18 acres from the Forest Recreation (FR40) Zone to the Agricultural (A10) Zone located at 8400 South 3700 West Old Sardine Canyon Road, Mt. Sterling.
- (2) **PUBLIC HEARING: 5:50 p.m. – UT1 Wellsville V2W Rezone** – A request to rezone a leased portion of 42.14 acres to include the Public Infrastructure (PI) Overlay Zone located in the Agricultural (A10) Zone at 6100 South 3200 West, east of Wellsville.
- (3) **PUBLIC HEARING: 6:00 p.m. - Title 17 - Airport**
- (4) **Mountain View Kennels Conditional Use Permit** – A request for approval of a conditional use permit to allow a Home Based Kennel for no more than 12 dogs located at 374 North 6000 West, north of Mendon (Agricultural (A10) Zone).
- (5) **Crow Mountain Broadcast Facility Conditional Use Permit** – A request for approval of a conditional use permit to allow the modification of existing telecommunications towers, located on Crow Mountain at approximately 7530 N Highway 91, north of Smithfield (Public Infrastructure (PI) Overlay Zone).

Board Member Reports

Staff reports

Adjourn

Go to www.cachecounty.org/pz/ for more information



PLANNING COMMISSION MINUTES

07 MAY 2015

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DRAFT

1 **Present:** Stephanie Nelson, Chris Harrild, Josh Runhaar, Jason Watterson, Leslie Larson, Phillip
2 Olsen, Chris Sands, Lane Parker, Brady Christensen, Jon White, Lee Edwards, Megan Izatt

3
4 **Start Time:** 05:30:00

5
6 **Sands** welcomed and **Olsen** gave opening remarks

7
8 **05:3:00**

9
10 **Agenda**

11
12 Approved with no changes.

13
14 **Minutes**

15
16 Approved with minor changes.

17
18 **05:34:000**

19
20 **Consent Agenda**

21
22 **#1 Scott Wells Subdivision (Scott Wells)**

23
24 **Nelson** reviewed Mr. Scott Wells' request for a recommendation of approval to the County
25 Council for a 1-lot subdivision on 11.98 acres of property in the Agricultural (A10) Zone located
26 at approximately 4840 West 4600 South, Wellsville, currently part of the North Pine Canyon
27 Ranch Subdivision

28
29 **#2 North Pine Canyon Road Ranch Subdivision Amendment (Claren J. Maughan and**
30 **Jarvis Maughan)**

31
32 **Nelson** reviewed Mr. Claren J. Maughan and Mr. Jarvis Maughan's request for a
33 recommendation of approval to the County Council to amend the existing 3-lot, two (2)
34 agricultural remainder subdivision on 149.68 acres of property in the Agricultural (A10) Zone
35 located at 4901 West 4600 South, Wellsville

36
37 **Larson** motioned to accept the consent agenda items for approval; **Watterson** seconded; **Passed**
38 **6, 0.**

39
40 **05:38:00**

41
42 **Regular Action Items**

43
44 **#3 Fire Fighter Practice Cars LLC (H. Reid Smith)**

45
46 **Nelson** reviewed Mr. H. Reid Smith's request for approval for a conditional use permit (CUP) to
47 allow the storage of fire fighter practice cars are on a portion of 0.85 acres of property in the

1 Industrial (I) Zone located at approximately 7032 West 5800 North, Cache Junction. The
2 proposed site location will store and/or work on vehicles awaiting their intended use for fire
3 department drills in extrication or for use in demolition derbies. There will only be one
4 employee. The proponent has also identified signage to be placed on the property and existing
5 building, however the current proposal will need to be revised to meet the Cache County Sign
6 Standards found in 17.23. Additional permitting will be required for the signage.
7

8 **Reid Smith** the state requires a 6 foot chain link fence and I will be fencing prior to occupation.
9 I work with Newton fire department and I'm a mechanic. Since living in Newton I have
10 provided fire departments cars to train with, not to burn, but to practice fire extrication and
11 extinguishing.
12

13 **Sands** there is going to be a regular turnover of vehicles?
14

15 **Mr. Smith** we may have some that we store for awhile if it would make a decent derby car to
16 advertise our business.
17

18 **Staff and Commission** members asked what the difference between this type of project and a
19 salvage yard is. The proponent is not planning on removing car parts and selling to the public.
20 The intent is for this to be a couple of cars sitting for a couple of months before they are used for
21 other things.
22

23 **Sands** is the fence going to follow the red line on the photo?
24

25 **Mr. Smith** yes.
26

27 **Sands** any questions?
28

29 **Mr. Smith** under 4500 you are not allowed to dismantle, under 2200 the industrial salvage yard
30 you are allowed to dismantle. So that I can qualify for my state license I need to be able to
31 obtain a dismantler's license so that I can sell more than 2 cars a year. And that would be selling
32 to a salvage yard, not the public. So the exception I am asking for is that you allow me to
33 dismantle in writing so that I can go ahead for my dismantler's license.
34

35 **Runhaar** so you plan on 8 cars?
36

37 **Mr. Smith** yes, the state requires that the fenced portion be larger enough to hold at least 3
38 vehicles but we don't plan on more than 8 cars.
39

40 **Staff and Commissioners** discussed the addition of a 5th condition. The 5th condition will read,
41 "No more than 8 vehicle frames and parts for 4 additional cars are allowed on site at one time.
42 Operator is allowed to dismantle and provide repairs to vehicles as necessary for the intended use,
43 but not as a commercial mechanic open to the public."
44

45 **Mr. Smith** would I be allowed to be a mechanic in a mobile sense? I mean would I be able to be
46 a mobile mechanic if my business takes off.
47

1 **Runhaar** that should be covered under a home based business license. If needed we can amend
2 the conditional use permit in the future if you need to expand or do other things on the site then
3 what this permit currently states.
4

5 **Larson** wouldn't that be allowed in the industrial anyways?
6

7 **Runhaar** we can amend/expand this permit fairly simply much easier than issuing a new permit.
8

9 ***Olsen** motioned to accept and approve the Fire Fighter Practice Cars, LLC Conditional Use
10 Permit with the written conditions and findings of fact as stated, with the addition of Condition
11 #5 which will read as "No more than 8 vehicle frames and parts for 4 additional cars are
12 allowed on site at one time. Operator is allowed to dismantle and provide repairs to vehicles as
13 necessary for the intended use, but not as a commercial mechanic open to the public."*

14 ***Parkinson** seconded; **Passed 6, 0.***
15

16 **05:53:00**
17

18 **#4 Trout of Paradise, Inc. (Grant L. White)**
19

20 **Nelson** reviewed Mr. Grant L. White's request for approval for a conditional use permit (CUP)
21 to allow the expansion of an existing CUP with a 30' X 40' dining room addition and a 26' X 30'
22 extension to the south end of the existing structure on 29.48 acres of property in the Agricultural
23 (A10) Zone located at approximately 750 West 8900 South, Paradise. This will be done in two
24 phases. The first will occur within one year and would be the 26'X30' extension on the southwest
25 side of the existing facility with another restroom. Over the next 1-15 years the proponent would
26 like to expand their overnight accommodations by five or six more rooms. The proponent would
27 also like to add trailer hookups; the location of the hook ups would be on the south side of Mt.
28 Pisgah Road, directly north of the cabins. Access is adequate. All the parking must be done off-
29 street and in the designated parking area on-site. Water and septic services are adequate. There
30 is a possibility they would have to meet flood plain standards with their building.
31

32 ***Parkinson** motioned to approve the Trout of Paradise, Inc. Conditional Use Permit with the
33 written conditions and findings of fact as stated; **Watterson** seconded; **Passed 6, 0.***
34

35 **06:00:00**
36

37 **#5 Discussion: Title 17 – Airport**
38

39 **Harrild** since the last meeting the FAA and State have been contacted regarding the airstrip
40 piece. The FAA and State have both identify airstrips as airports. If you are landing or taking
41 off in a consistent manner the FAA considers it an airport. That covers everything from helipads
42 to drones; if you are landing and taking off it is an airport. The state issues permits for public
43 airports but not private. The FAA 7408-1 form is submitted to the FAA and they issue notice of
44 objection or no objection. The other thing to note is that private airports do not have to be
45 marked on maps. They are also making sure there are no flight safety issues based on the
46 location whether the airport is public or private. As soon as a plane leaves the ground it is
47 outside the county's jurisdiction; airspace falls under the jurisdiction of the FAA. For the public

1 airport the county would like a copy of what is required to be turned into the FAA and what the
2 applicant receives back from the FAA. The county is also identifying that public and private
3 airports meet the minimum design standards outlined by the FAA. For a public airport the county
4 is also going to require that a copy of the State license issued by the Utah Division of
5 Aeronautics be submitted.

6
7 In the use chart, a public airport is only allowed in the Public Infrastructure (PI) Zone. Staff has
8 identified that private airports should not be allowed in the RU2 and RU5 zones. Some
9 commissioners feel that it should be a conditional use in the A10, FR40, RR, C, and I because
10 then adjacent landowners will be able to note any concerns. The reason this was originally
11 brought up was due to complaints about planes taking off and landing in the A10 zone.

12
13 **Joe Chambers** you are incorporating a federal standard and that may be a moving target. You
14 might want to, as the FAA increases their requirements by the form, have that be the target, but
15 you might also want to freeze to the FAA requirements now. By drafting the way you have you
16 automatically incorporate federal changes.

17
18 **Harrild** it was intentionally drafted that way to make sure the most current law/standards are
19 applied.

20
21 **06:35:00**

22
23 **Staff Reports**

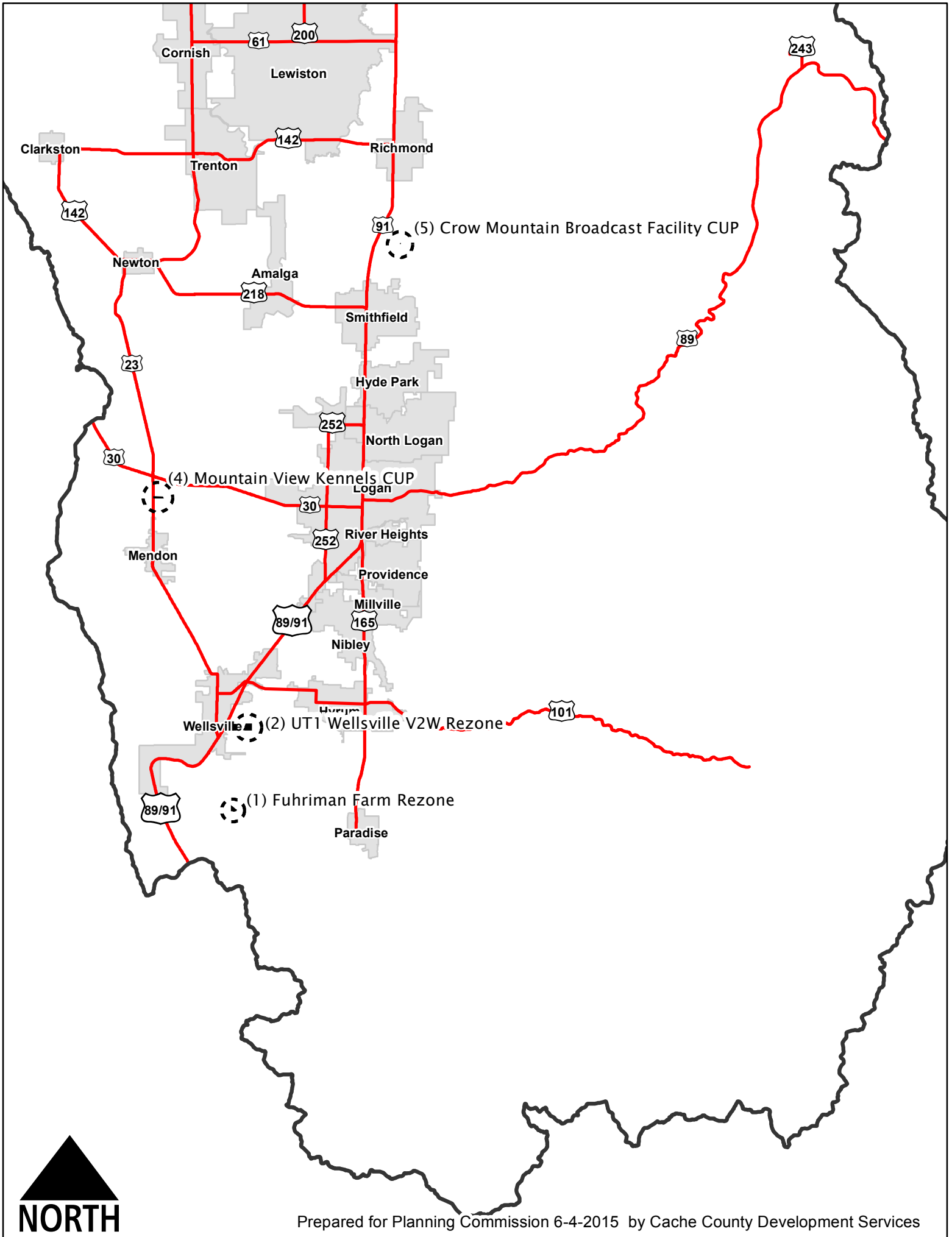
24
25 **Harrild** Beaver Mountain came before the board several years ago. They have come back since
26 and would like to add expand a shed into a 3,000 sq feet building. Staff is asking if the Planning
27 Commission would be fine with this going through the Development Services office as an
28 administrative process or if the Planning Commission would like it to come back for a complete
29 review. This building is going to not house any food distribution or lodging but is a gathering
30 area and for storage.

31
32 **Sands** and **Larson** disclosed that they are donors to this project.

33
34 **The Commission** indicated that they believe that due to its size, it would be appropriate to have
35 the request for a minor expansion go through the Development Services office only, and not
36 come before the Commission.

37
38 **06:42:00**

39
40 **Adjourned.**



Cornish

Lewiston

243

Clarkston

Trenton

Richmond

142

91

(5) Crow Mountain Broadcast Facility CUP

Newton

Amalga

218

Smithfield

89

23

Hyde Park

252

North Logan

(4) Mountain View Kennels CUP

30

Logan

30

252

River Heights

Mendon

Providence

89/91

Millville

Nibley

(2) UT1 Wellsville V2W Rezone

101

89/91

(1) Fuhriman Farm Rezone

Paradise



STAFF REPORT: FUHRIMAN FARM REZONE

04 June 2015

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. Additional information may be provided that supplements or amends this staff report.

Agent: Jerry W. Fuhriman

Parcel ID#: 10-059-0001

Staff Recommendation: Approval

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

6100 South 3200 West
Wellsville, Utah 84339

Current Zoning:

Agricultural (A10)

Acres: 20.18

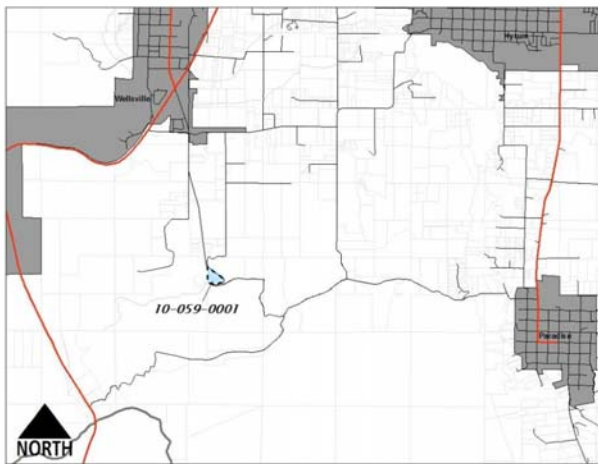
Surrounding Uses:

North – Agricultural/Residential/Forest Recreation

South – Forest Recreation

East – Forest Recreation

West – Forest Recreation



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding a request to rezone a 20.18 acre parcel currently zoned Forest Recreation (FR40) to the Agricultural (A10) Zone.

Ordinance:

As per Title §17.08 Zoning Districts, the purpose of this zone is:

1. To provide areas to promote and protect the opportunities for a broad range of agricultural uses and activities where farming is a viable component of the local economy.
2. To implement the policies of Cache Countywide Comprehensive Plan, including those regarding agricultural promotion, prime farmlands, density based residential standards, and clustering.”

Any impacts related to permitted development and conditional uses allowed within the Agricultural (A10) Zone shall be addressed as part of each respective approval process required prior to site development activities.

Summary:

There are no existing dwellings on this property. The majority of this parcel appears to have been farmed and existed as an agricultural parcel since as early as 1981 and likely earlier. The parcel to the north, 10-059-0002, also appears to be a historically agricultural parcel. While this parcel is not currently part of the request, it would be in the interest of the county, and likely the property owner, to also rezone this parcel in order to reflect the historic and current use, and to keep the county zoning contiguous.

Access:

- Access to this property is from Old Sardine Canyon Road. Old Sardine Canyon Road consists of a 22’ wide paved surface with 1’ wide gravel shoulders and is adequate.

Storm Water:

- Any development and/or future land disturbance shall require additional storm water review.

Service Provision:

- Emergency access to the site is adequate. Water supply for fire protection will be provided by the Wellsville Fire Department.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

If the Planning Commission finds that the rezone of parcel 10-059-0002 should be pursued as part of this application, staff recommends that this request be continued until staff is able to contact and discuss said rezone with the parcel owner, and potentially allow this parcel to be considered as an addition to this request.

If the Planning Commission finds that the rezone request can be recommended to Council as has been presented, findings of fact to support that recommendation have been provided.

STAFF DETERMINATION & FINDINGS OF FACT (2)

It is staff’s determination that the Fuhriman Farm Rezone located approximately 8400 South 3700 West Old Sardine Canyon Road, parcel 10-059-0001, is in conformance with the Cache County Ordinance and should be recommended for approval to the Cache County Council. This determination is based on the following findings of fact:

1. The location of the subject property is compatible with the purpose of the proposed Agricultural (A10) Zone.
2. The historic and current use of this property is agricultural, and the subject property is suitable for development within the Agricultural (A10) Zone district without increasing the need for variances or special exceptions within this zone.

6-30-81 CACHE CO.

1: 9600

2- 94

Parcel 10-059-0001

KODAK SAFETY FILM

KODAK SAFETY FILM



STAFF REPORT: UT1 WELLSVILLE V2W REZONE

04 June 2015

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. Additional information may be provided that supplements or amends this staff report.

Agent: TAEC/Verizon Wireless (Daniel Thurgood)

Parcel ID#: 10-042-0015

Staff Recommendation: Approval

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

6100 South 3200 West

Wellsville, Utah 84339

Current Zoning: Acres: 1,700 sf. of 42.14 ac.
Agricultural (A10)

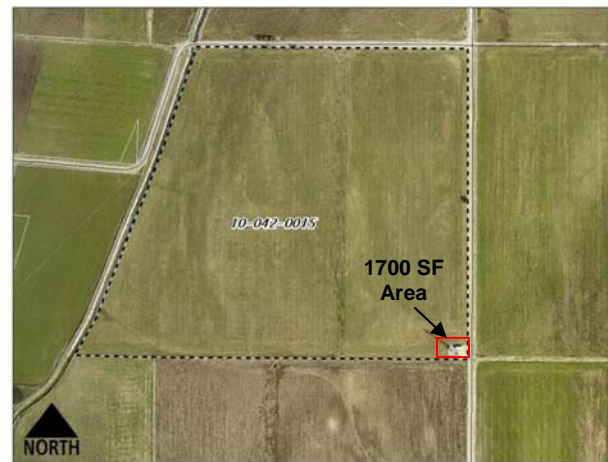
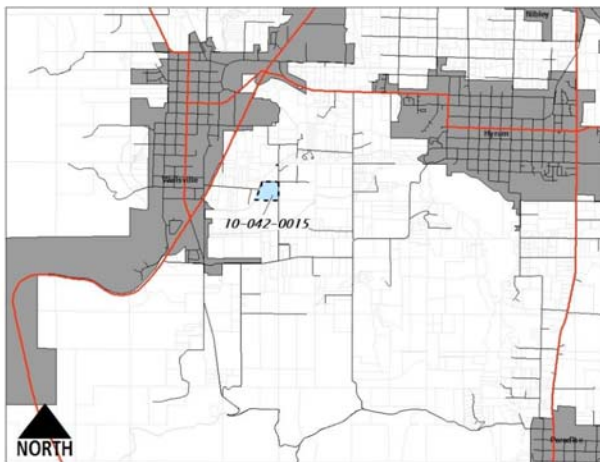
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Wellsville/Agricultural/Residential



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding a request to rezone 1,700 square feet of a 42.14 acre property in the Agricultural (A10) to include the Public Infrastructure (PI) Overlay Zone.

Ordinance:

As per Title §17.19 Public Infrastructure (PI) Overlay Zone, the purpose of this zone is:

- “A. To provide for the siting and operation of public infrastructure in an environmentally sound and economically competitive manner.
- B. To inform current and potential residents of the county of the possible location of future public infrastructure locations.
- C. To ensure that any public infrastructure be designed, constructed, and operated in a safe and efficient manner, and in compliance with all federal, state, and local laws and regulations for the protection of the general health, welfare, and safety of the citizens of the county.”

As per §Title 17.09 Schedule of Zoning Uses, the PI Overlay Zone permits telecommunications as an site/facility conditional use. The existing tower and equipment building at this site are a legal, nonconforming use. Approval of the rezone request would bring the tower into conformance with the Cache County Zoning Ordinance, and allow additional permitting to occur on the site.

Summary:

There is an existing tower and equipment building at this site. The conditional use permits have been recorded allowing a 120' tall lattice tower with 14 antennas and 1 dish. At present, the tower is 120' tall with 14 antennas.

As per the Cache County Ordinance the request by the proponent to expand the original conditional use permit requires a rezone to the Public Infrastructure Overlay, Commercial, or Industrial Zone. The proponent has elected to request a rezone to the Public Infrastructure Overlay Zone. Additional permitting for the antennas not originally permitted, and for any expansion shall be required if the rezone request is approved.

Access:

- Access to this property is from County Road 3200 West. 3200 West is a 20 foot wide gravel road with 1' wide gravel shoulders. Due to the type of use, access to this facility is adequate.

Storm Water:

- Any additional development and /or future land disturbance shall require additional storm water review.

Service Provision:

- Emergency access to the site is adequate. Water supply for fire protection will be provided by the Wellsville Fire Department.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (2)

It is staff's determination that the UT1 Wellsville V2W rezone request to include the Public Infrastructure (PI) Overlay Zone in the Agricultural (A10) Zone at approximately 6100 South 3200 West, on a 1,700 square foot leased portion of parcel 10-042-0015 is in conformance with the Cache County Ordinance and should be recommended for approval to the Cache County Council. This determination is based on the following findings of fact:

1. The location of the subject property is compatible with the purpose of the proposed Public Infrastructure (PI) Overlay Zone.
2. The subject property is suitable for development within the Public Infrastructure (PI) Overlay Zone district without increasing the need for variances or special exceptions within this zone or the underlying Agricultural (A10) Zone.

Proposed Amendments to 17.07 DEFINITIONS and 17.09 USE CHART

17.07

6300 PUBLIC AIRPORT: ~~An area where aircraft can land and take off~~A site licensed by the State for the takeoff or landing of aircraft, including uses that may be appurtenant and accessory to said activity (e.g., ~~Accessory uses include~~ runways, hangars, facilities for refueling and repair), ~~and various accommodations for passengers.~~ The following are required at the time of application:

1. ~~A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:~~
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to Form the 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.
3. A copy of the State of Utah license as issued by the Utah Division of Aeronautics.

6310 PRIVATE AIRPORT: Any area for the takeoff or landing of aircraft and that is not open to the public, including uses that may be appurtenant and accessory to said activity (e.g., runways, hangars, facilities for refueling and repair). The following are required at the time of application:

1. A copy of any and/or all FAA reviews, forms, and analyses regarding the airport location, activity, and design including:
 - a. The current FAA Form 7480-1, and;
 - b. FAA response to the Form 7480-1 submission.
 - c. A copy of the Airport Master Record.
2. A copy of the design criteria as per the current FAA Airport Design Advisory Circular AC 150/5300-13A as applicable to the type of aircraft proposed to operate at the site. Said design criteria must be implemented at the site.

Permitting is not required for temporary or intermittent airports as defined by the Federal Aviation Administration (FAA) under Title 14 of the Code of Federal Regulations Part 157 Notice of Construction, Alteration, Activation, and Deactivation of Airports.

17.09

Index	Description	Base Zone							Overlay Zone	
		RU2	RU5	A10	FR40	RR	C	I	ME	PI
6300	<u>Public Airport</u>	N	N	N	N	N	N	N	N	C
<u>6310</u>	<u>Private Airport</u>	<u>N</u>	<u>N</u>	C	C	C	C	C	-	-

STAFF REPORT: MOUNTAIN VIEW KENNELS CONDITIONAL USE PERMIT

04 June 2015

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. Additional information may be provided that supplements or amends this staff report.

Agent: Patricia Skinner-Bennett

Parcel ID#: 12-036-0043

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Planning Commission

PROJECT LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

374 North 6000 West
Mendon, Utah 84325

Current Zoning:

Agricultural (A10)

Acres: 18.42

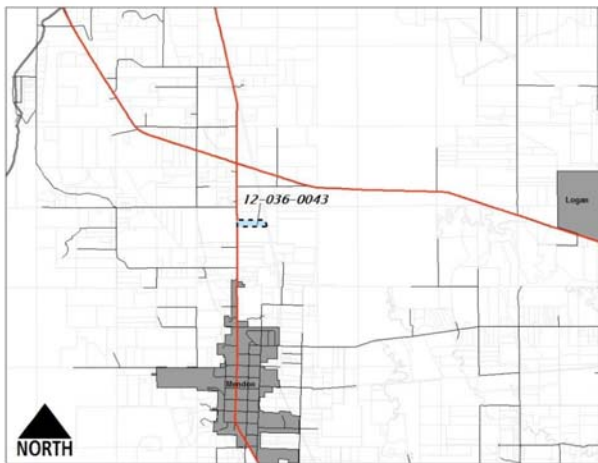
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

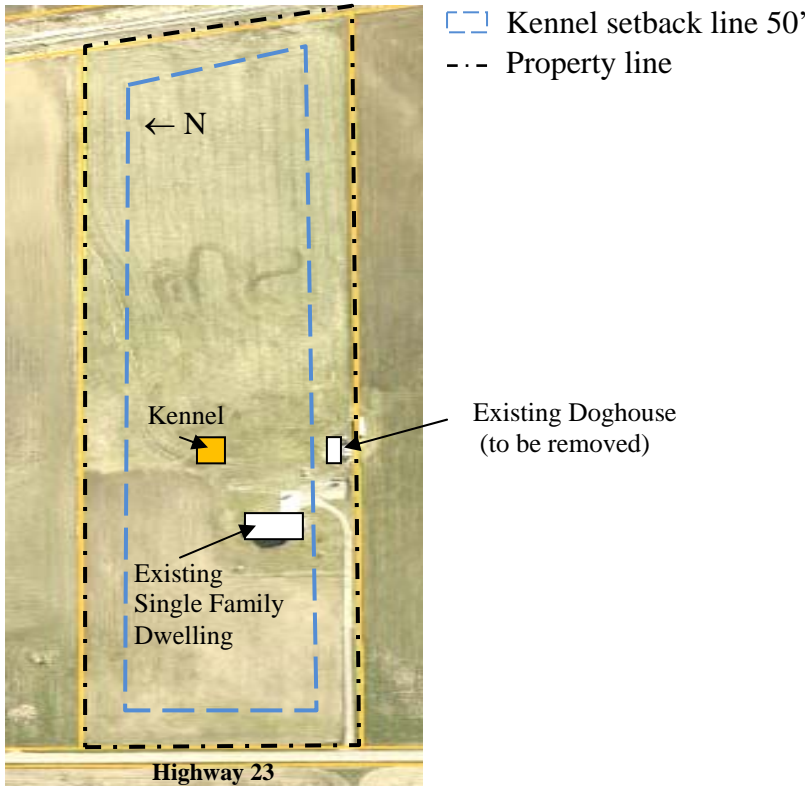
To review and make a decision regarding the request to allow a Home Based Kennel.

Ordinance:

This proposed use is defined as “7200 Home Based Kennel” under Cache County Ordinance §17.07.020 Definitions, and as per §17.09.030 Schedule of Uses by Zone, this use to allow up to 12 dogs and requires a 50’ setback and a Sound Level Impact and Assessment Report, and is permitted as a conditional use in the Agricultural (A10) Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses. These procedures are detailed under §17.06.060 Conditional Uses and §17.06.070 Standards and Criteria for Conditional Use.

Summary:

There is an existing single family dwelling on this parcel. This request includes the construction of an additional building for a new kennel and to allow up to 12 adult dogs on site. The dogs consisting of personal pets and breeding sets shall be confined to the property within the fence and/or building(s). The proposed structure/kennel location meet the minimum 50’ setback requirement. A Sound Level Impact and Assessment Report has not yet been completed and shall be required.



Customers will not visit or purchase dogs at the site/kennel. All puppies/dogs are sold on-line at bmdjustlikeme.webs.com and/or personally delivered at another location. There is no anticipated increase in traffic due to the proposed kennel. The only employees shall be the residents of the property. Hours of operation shall be seven days a week from 7:00 a.m. to 10:00 p.m.

Access:

- Access to this property is from UDOT Road HWY 23 and UDOT review and approval shall be required prior to issuance of the conditional use permit.

Service:

- Water supply for fire protection will be provided by Mendon Fire Department.

Sensitive Areas:

- Fault lines are adjacent to this property, but the specific location is not known. A geotechnical report, as specified in §17.18.060, was previously completed for the adjacent subdivision to the south. The location of said fault line was not discovered in the mapped location, but it is the opinion of the geotechnical engineer that it is located several hundred feet to the east. This would also apply to this property and therefore a new report is not required.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time, no public comment regarding this proposal has been received by the Development Services Office.

STAFF DETERMINATION AND FINDINGS OF FACT (3)

It is staff's determination that the request for a conditional use permit for Mountain View Kennels, located in the Agricultural (A10) Zone at approximately 374 North 6000 West Mendon, Utah on parcel 12-036-0043 is in conformance with the Cache County Ordinance and should be approved. This determination is based on the following findings of fact:

1. The Mountain View Kennels 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 Mountain View Kennels Conditional Use Permit has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Mountain View Kennels Conditional Use Permit has been reviewed in conformance with §17.06.070 of the Cache County Ordinance, Standards and Criteria for Conditional Use, and conforms to said title, pursuant to the conditions of approval.

CONDITIONS OF APPROVAL (6)

The following conditions must be met for the development to conform to the Cache County Ordinance and the requirements of county service providers.

1. Prior to recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to recordation the proponent must obtain UDOT access review and approval.
3. No more than 12 adult dogs (over 6 mos. in age) shall be allowed on site at any one time, including breeding and grooming services.
4. As per the Cache County Ordinance, any employees of this business must be residents of the property.
5. Any further expansion or modification of the facility or site, or in the number of adult dogs shall require the approval of the designated land use authority.
6. A Sound Level Impact and Assessment Report shall be submitted prior to recordation.

LETTER OF INTENT

NAMES: MICHAEL & PATRICIA BENNETT 435 881-9012/435 232 0664

MAILING : P O BOX 4916

LOGAN UT 84323

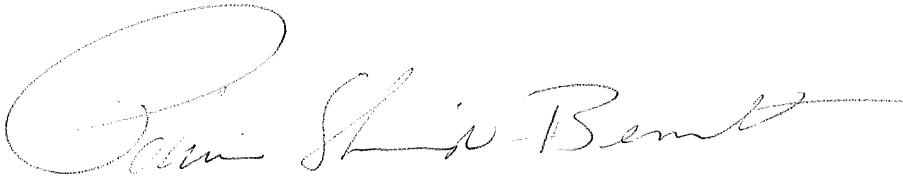
PROPERTY ADDRESS; 374 n 6000 w Mendon ut

NAME : MOUNTAIN VIEW KENNELS

OUR INTENT IS TO HOUSE OUR OWN ANIMALES OF 4 + (DOGS) PER CODE, AND IN THE FUTURE HOME BASE KENNEL (on small scale) FOR BREEDING AKC REG DOGS.

no more than 12

PATRICIA SKINNER - BENNETT

A handwritten signature in cursive script that reads "Patricia Skinner-Bennett". The signature is written in dark ink and is positioned below the printed name.

HYW 23

(Bennett
374 no 6000 W)
Mendon ut 84325

$\frac{1}{4}'' = 20ft$

Driveway

Property line

Right of Way



HOUSE

Approx 100ft

36ft

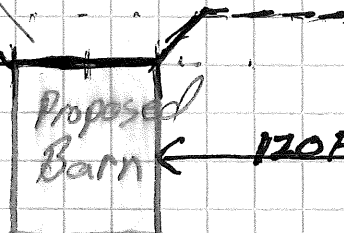
720 ft

Driveway

Property line

Fence line

Doghouse



Proposed Barn

120 FT

↓ 1200 FT TO PROPERTY LINE ↓

STAFF REPORT: CROW MOUNTAIN CONDITIONAL USE PERMIT

04 June 2015

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. Additional information may be provided that supplements or amends this staff report.

Agent: Joe Chambers

Parcel ID#: 08-020-0010

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Planning Commission

PROJECT LOCATION

Reviewed by: Christopher Harrild, Senior Planner

Project Address:

7530 N Highway 91

North of Smithfield (Crow Mountain)

Current Zoning: Acres: 1.0

Agricultural (A10) Zone and

Public Infrastructure Overlay (PI) Zone

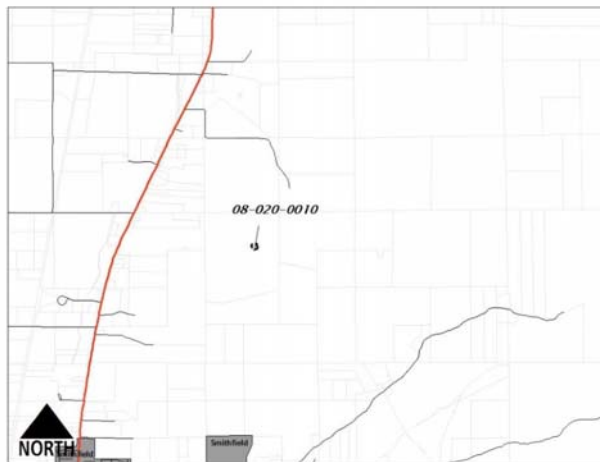
Surrounding Uses:

North – Agricultural/Telecom facilities

South – Agricultural/Telecom facilities

East – Agricultural/Telecom facilities

West – Agricultural/Telecom facilities



PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

To review and make a decision regarding the expansion of the existing conditional use permit

Ordinance:

This proposed use is best defined as “6240 Telecommunication Facility” under Cache County Ordinance §17.07 Definitions, and as per §17.09.030 Use Related Definitions, is permitted as a conditional use in the Public Infrastructure (PI) Overlay Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses. These procedures are detailed under §17.06.060 Conditional Uses and §17.06.070 Standards and Criteria for Conditional Use.

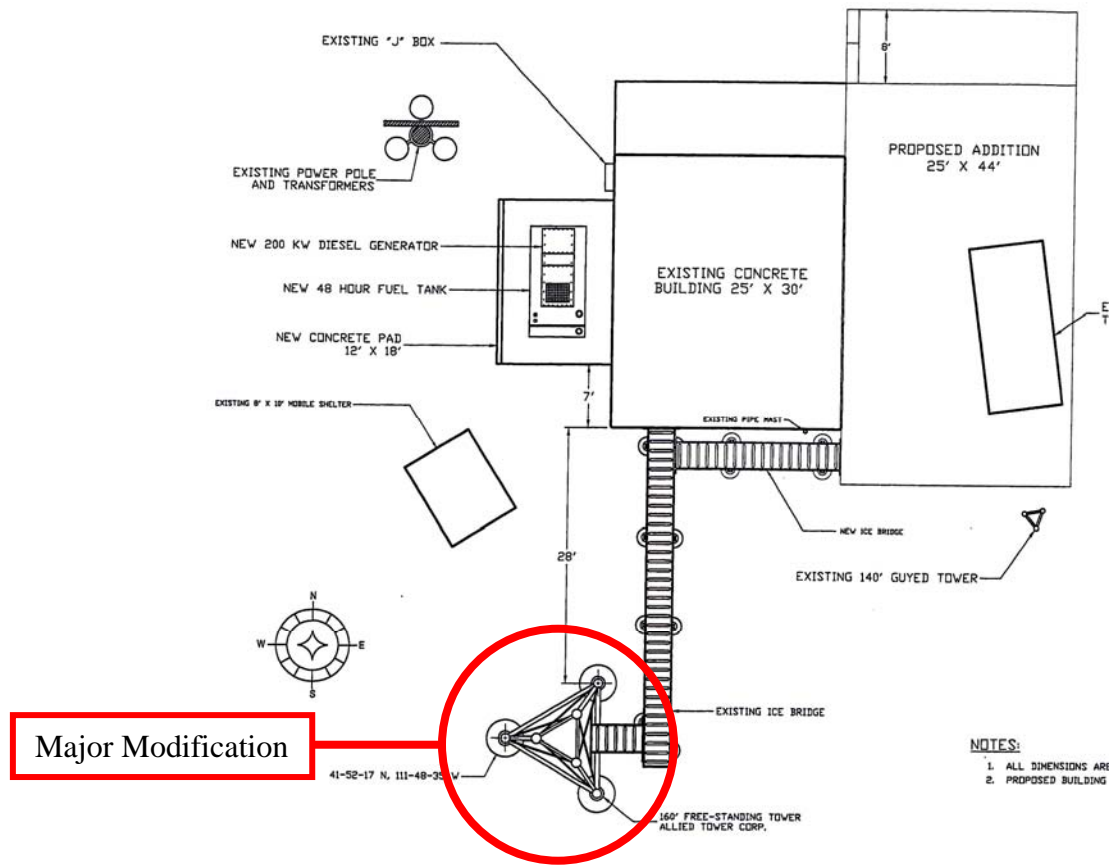
Under the Middle Class Tax Relief and Job Creation Act of 2012 (Spectrum Act), section 6409(a) mandates that a State or local government approve certain wireless broadband facilities siting requests

for modifications and collocations of wireless transmission equipment on an existing tower or base station that does not result in a substantial change to the physical dimensions of such tower or base station. In October 2014, the Federal Communications Commission (FCC) unanimously approved rules interpreting Section 6409(a). Said approval and interpretation became active on 9 April 2015. In part, under said interpretation as to the tower height, “a change is considered substantial if it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater.” Only those requests that meet this interpretation must be approved. This is such a request. An expansion of tower width and/or height is based on the width and height as originally or most recently permitted.

Summary:

This parcel was rezoned to include the Public Infrastructure (PI) Overlay zone on 6 November 2013 as Ord. 2013-15. There are two existing towers on the site. The existing telecommunications tower that is 160’ tall was permitted to a height of 140’, however, a 160’ tall tower was built instead. The guyed tower is 140’ tall as permitted. There are also multiple antennas and a diesel generator that have been added without review or approval. As identified in the letter of intent and more specifically, these changes include:

1. Major Modification – Approval of the CUP expansion formally recognizes the existing height of the free-standing tower structure as 160’ instead of 140’. This exhausts the allowable height expansion under the current interpretation of 6409(a).
2. The other requested amendments are minor modifications and will be reviewed through the administrative zoning clearance process once the CUP has been approved.



Access:

- Access to this property is from a private road that is accessed from Highway 91 and is adequate.
- UDOT has no concerns in regard to the existing access.

Sensitive Areas:

- Moderate and steep slopes are present on the site; however, they do not impact the existing structure or proposed addition.
- Fault lines are directly adjacent to this property, but the specific location is not known. A geotechnical report shall be required as specified in §17.18.060.

Service:

- Water supply for fire protection will be provided by the Smithfield Fire Department.

Public Comment:

Notices were mailed to the property owners located within 300 feet and municipalities within one mile of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the request for the expansion of the existing Crow Mountain Conditional Use Permit, located in the Agricultural (A10) and Public Infrastructure (PI) Overlay zone at approximately 7530 N Highway 91 on parcel 08-020-0010 is in conformance with the Cache County Ordinance and should be approved. This determination is based on the following findings of fact:

1. The Crow Mountain 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 Crow Mountain Conditional Use Permit has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Crow Mountain Conditional Use Permit has been reviewed in conformance with §17.06.070 of the Cache County Ordinance, Standards and Criteria for Conditional Use, and conforms to said title, pursuant to the conditions of approval.
4. The maximum height of 160' of the free standing tower structure has been achieved as relates to section 6409(a) of the 2012 Spectrum Act.

CONDITIONS OF APPROVAL (3)

The following conditions must be met for the development to conform to the County Ordinance and the requirements of county service providers:

1. Prior to recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to recordation, a geotechnical report must be completed as specified in §17.18.060 and any mitigation measures as recommended by said report must be completed. A copy of said report must be provided to the Development Services Office.
3. Any further expansion or modification of the facility or site shall require the approval of the designated land use authority.

Request for Site Plan Modifications

Crow Mountain Broadcast Facility

March 27, 2015

PURPOSE

The broadcast facilities owned by the Cache Valley Media Group (CVM) at the Crow Mountain site appear to be at variance with Cache County's planning documents and associated records. Facility changes have been necessary in order to meet broadcast requirements, comply with federal regulations and satisfy practical broadcast engineering methods. Since the most recent planning documents were approved, CVM has moved ahead with modifications and site improvements which the county may not have been aware of. In an effort to keep records current, CVM will therefore request formal approval of those changes which are deemed necessary to the Crow Mountain broadcast site.

In addition to those changes which have already been effected, CVM seeks approval to enlarge the existing concrete building housing transmitting and ancillary equipment.

More specifically, these changes include:

1. Modification to the overall height of the free-standing tower structure from 140' to 160' resulting from the addition of a 20' section stacked at the top of the non-tapered segment of the tower.
2. Addition of concrete pad poured west of main transmitter building to support a new 200 kW Diesel generator installed for emergency back-up power.
3. Modification to the number and types of antennas mounted on each of the two towers owned by the Cache Valley Media Group.
4. Expansion of the existing concrete transmitter building adjacent to the current building's east wall adding roughly 1100 sq. ft. of floor space.

RATIONALE

Development of the Crow Mountain facility required a number of simple but unanticipated design changes necessitated by selection of specific product manufacturers. Other changes came about over time because of CVM's expanded and more diverse listenership and the need to add fill-in signals. Other modifications, such as the addition of emergency backup power, were driven by repeated commercial power outages which were seriously affecting CVM's on-air program delivery and impacting its obligation to serve the public in case of a national emergency or disaster.

Moreover, adequate floor space was not fully anticipated when the previous Crow Mountain site plan was developed and submitted. Equipment additions and changes inside the concrete transmitter building over time have crowded existing floor space creating the need for more room.

Rationales for those changes are further delineated as follows:

1. **Tower height increase to 160’:** The origin of this change is not clear, however, it appears to be obvious that the required 8-bay FM antennas would not fit on the shorter, non-tapered section of a 140’ tower without distorting the bottom bay and rigid feed-line. Thus, an additional 20’ section was added to facilitate vertical mounting of the two Jampro 8-bay antennas.
2. **Concrete pad and generator:** On January 2, 2013, CVM experienced an unusual and extended power outage at the Crow Mountain site lasting over three days. In the dead of winter with subzero temperatures, the power failure left CVM scrambling to find ways to restore limited broadcast service while Rocky Mountain Power was working to restore service which had failed as a result of a downed power pole situated just below the west face of Crow Mountain. As a means of mitigating any future power outages and at the recommendation of Rocky Mountain Power, CVM opted to install a Diesel generator of sufficient capacity to handle the power demand at the Crow Mountain facility.
3. **Change in number of antennas mounted on the two towers:** CVM is currently leasing all the tower space on the 140’ guyed structure to DIGIS Networks, a wireless Internet service provider. CVM has decommissioned all its equipment inside the associated container / shelter which is located on the concrete pad immediately north of the guyed tower. DIGIS has located their terminal equipment inside the container using existing racks. From time to time, DIGIS has and will add new backhaul microwave dishes and panel antennas as necessary to enhance coverage and improve system bandwidth to their customer base in the Smithfield / Richmond service area. Realignment, repositioning or replacing of those antennas is an ongoing process as warranted by changes to their network. CVM installed the free-standing tower to support the three primary FM antennas and their associated STL (Studio to Transmitter Link) antennas. Those antennas have been in place from the outset and the tower design was largely driven by the requirements of those high power, high gain antennas. Other ancillary antennas have been mounted on the available tower space.
4. **Expansion of Concrete Transmitter Building:** The concrete transmitter building at the Crow Mountain site has been crowded from the outset particularly following the addition of three large cavity filters installed to reduce interference. Consequently, limited workspace and expansion room have warranted the need for a larger building. Added space would facilitate relocation and consolidation of equipment owned by DIGIS Networks, currently housed in a temporary container which could then be removed from the site. The existing 8’ ceiling height has also proved to be problematic for broadcast installations because of the requirement to mount bulky components, interconnects and

HVAC ducting above tall transmitter cabinets. Thus, any proposed addition must include sufficient ceiling clearance for RF interconnects and HVAC ductwork.

MODIFICATIONS AND REQUIREMENTS

TOWER: The 160' free-standing tower was erected to support CVM's three primary FM broadcast stations: KBLQ, KKEX and KLZX. Because of space limitations, the initial antenna design likely considered a common, wideband panel antenna which would easily fit on the initially considered 140' tower. However, due to budgetary considerations and other factors, the decision was made to install three separate antennas. Free-standing was the only tower option given the lack of space for guy wires and the necessity of mounting of three FM antennas side by side radially on the three tower legs. A heavy duty tower manufactured by Allied Tower was selected as the most suitable option to support the three FM antennas. The bottom 80' of the Allied tower is tapered and not practical for mounting of multi-bay FM antennas. The 8-Bay antenna manufactured by Jampro extends 66' 8-5/8" which will obviously NOT fit on 60' of non-tapered tower section mounted above the 80' tapered section (See Attachment A1). Moreover, each antenna must be mounted 5' below the top for lightning considerations. Thus, a height of 160' is the minimum tower height required to support the 8-Bay FM antennas (See Attachment A1).

GENERATOR: A 200 kW Cummins diesel generator was selected for backup power based on Crow Mountain's peak power demand. A diesel powered generator was the only viable option given the sites power demand. An over-size, environmentally stable, double-walled fuel tank was selected for the application to insure at least 48 hours of run time (See Attachment A2). The generator was anchored to a concrete pad close to the transmitter buildings' power entry and change-over switch.

ANTENNA LAYOUT: The original three FM stations would have only required a total of six antennas including two 8-Bay FM antennas (KBLQ and KKEX) and a 3-Bay FM antenna (KLZX). Three 4' parabolic microwave STL antennas were also necessary to feed programming from the Logan studio to Crow Mountain. After construction of the 160' free-standing tower, all antennas and related services were moved off the 140' guyed tower and relocated to the new tower. Subsequently over time, additional translator antennas have been installed as new services have been added. Others have been added as emergency backups in case of main antenna or transmitter failure (See Attachment A3 for a general listing of antennas, tower location).

SITE PLAN: The revised site plan, which is attached to this document and is now under consideration, reflects a number of changes which may differ slightly from what was originally proposed. Various distances were measured on-site at the Crow Mountain facility. The site drawing was created using building locations and relative placements overlaid with a Google Earth screenshot of the Crow hilltop.

The 160' free-standing tower and its associated ice bridge may not have been illustrated on the original plan view drawings. A concrete pad was poured in the fall of 2013 to support the new 200 kW Diesel generator and fuel tank (See Attachment A4). The

revised drawing reflects all changes made at the Crow Mountain site up to the date this document was prepared. The proposed building expansion is shown in redline on the plan view drawing. The following requirements are anticipated:

- a. Removal of existing 8' X 20' skid-mounted container building occupied by DIGIS Networks. Removal of existing concrete pad, overhead utility power line and other signal interconnects.
- b. Excavation immediately east of the existing concrete building to lower the grade roughly 4' matching the average grade of the east slope for convenient entry to the new addition.
- c. Construction of a new 25' X 44' concrete building with access doors at the lower grade level and at the landing level of the existing concrete building. Wall penetrations will be located on the southwest corner with a new ice bridge installed adjacent to the existing building's south wall.
- d. Roof-mounted HVAC to be added as necessary to support equipment moved or added.
- e. Utility power to be extended internally via generator electrical changeover panel. No underground utilities are anticipated.

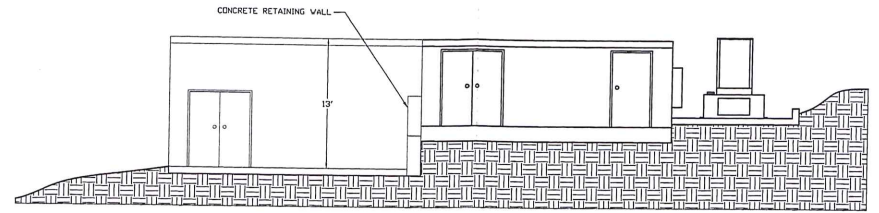
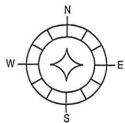
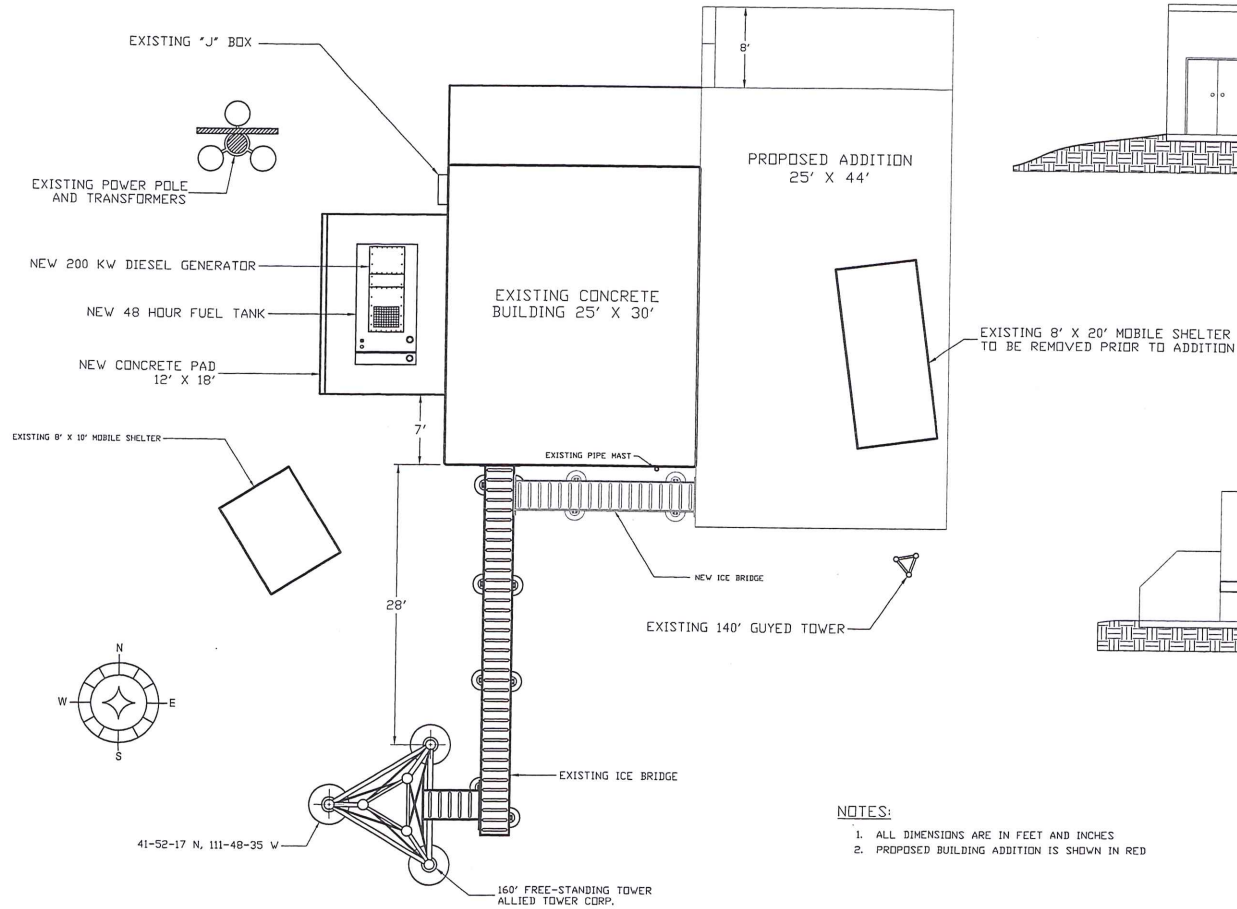
Please direct any questions relating to Cache Valley Media Group's proposed site modifications at Crow Mountain to one of the following:

Administrative: Kent Frandsen, President & CEO
Cache Valley Media Group
810 West 200 North
Logan, UT 84321
kent@cvradio.com
(435) 752-1390

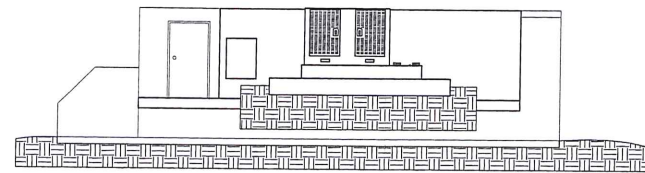
Legal: Joe Chambers
Harris, Preston & Chambers
31 Federal Avenue
Logan, Utah 84321
(435) 752-3551
jchambers@utahlawfirm.com

Technical: Rick Hughes, Contract Engineer
Cache Valley Media Group
810 West 200 North
Logan, Utah 84321
(435) 752-1390
rick@cvradio.com

PLAN VIEW



ELEVATION FACING SOUTH



ELEVATION FACING EAST

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES
2. PROPOSED BUILDING ADDITION IS SHOWN IN RED

CROW MOUNTAIN BROADCAST FACILITY
CACHE VALLEY MEDIA GROUP

PROPOSED SITE MODIFICATIONS
MARCH 16, 2015

SCALE: 1" = 12'