



**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 5, 2016 meeting.

**5:35 p.m.**

**Consent Agenda**

- (1) **Whittier Subdivision** — A request for a recommendation of approval to the County Council to create a new lot (lot 2) from an existing legal lot on 4.96 acres of property at 580 South 3200 West in the Rural 2 (RU2) Zone.

**Regular Agenda**

- (2) **Agriculture Protection Area** — A request for a recommendation to the County Council for Agriculture Protection Areas in six separate areas including multiple properties and totaling 1,884.91 acres located in the Agricultural (A10) Zone at approximately 8600 North 800 West, 5800 North (Sam Fellow Road) 4800 West, 5100 North 4200 West (Sam Fellow Road), 3200 West 4600 North, 3200 West 4100 North, and 2600 North 2400 West.
- (3) **Public Hearing (5:45 PM): Morley Rezone** — A request for a recommendation of approval to the County Council for a rezone of 9.09 acres of property at 686 East 10850 South in Avon from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
- (4) **Public Hearing (6:00 PM): Hansen Rezone** — A request for a recommendation to the County Council for a rezone of 8.76 acres of property at approximately 6500 North 400 West, north of Smithfield, from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
- (5) **Maple Rise Campground CUP** — A request for approval of a conditional use permit for the establishment and expansion of an existing non-conforming use on 214.12 acres of property at 6000 West 3400 South, southwest of Mendon, in the Agricultural (A10) and Forest Recreation (FR40) Zones.
- (6) **Nautica Subdivision** — A request for a recommendation of approval to the County Council for an 11-lot subdivision and agricultural remainder on 129 acres of property located at 1550 West 6700 South, Hyrum in the Agricultural (A10) Zone. Remanded back to the Planning Commission by the County Council.
- (7) **Darrel's Appliance Subdivision 1<sup>st</sup> Amendment** — A request for a recommendation of approval to the County Council to create a new lot (lot 3) from the existing lot 1 of the Darrell's Appliance Subdivision at approximately 3390 South and 2400 West in the Agricultural (A10) Zone.

(8) **Discussion** — Agri-Tourism.

(9) **Discussion** — Telecommunication.

Board Member Reports

Staff reports

Adjourn



**PLANNING COMMISSION MINUTES**

**05 MAY 2016**

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1 **Present:** Jacob Adams, Chris Harrild, Josh Runhaar, Lane Parker, Brady Christensen, Rob  
2 Smith, Jason Watterson, Chris Sands, Nolan Gunnell, Jon White, Lee Edwards, Megan Izatt

3  
4 **Start Time: 05:32:00**

5  
6 **Smith** welcomed and **Christensen** gave opening remarks

7  
8 **05:33:00**

9  
10 **Agenda**

11  
12 *Watterson* motioned to approve the agenda; *Sands* seconded; **Passed 5, 0.**

13  
14 **Minutes**

15  
16 *Christensen* motioned to approve the minutes; *Gunnell* seconded; **Passed 5, 0.**

17  
18 **05:35:000**

19  
20 **Consent Items**

21  
22 **#1 Andrew Lee Subdivision 1<sup>st</sup> Amendment (Jon G. Lee)**

23  
24 Mr. Jon. G. Lee is requesting a recommendation of approval to the County Council to create a  
25 new lot (Lot 1) from an existing 1 Lot subdivision on 62 acres of property at 7585 South  
26 Highway 165 (Agricultural (A10) Zone).

27  
28 **05:35:00**

29  
30 **Parker** arrived

31  
32 *Watterson* motioned to recommend the approval to the County Council of the Andrew Lee  
33 Subdivision 1<sup>st</sup> Amendment with the noted conditions and findings of fact; *Sands* seconded;  
34 **Passed 6, 0.**

35  
36 **Smith** introduced Nolan Gunnell as the newest member of the Planning Commission. Mr.  
37 Gunnell is replacing Leslie Larson.

38  
39 **05:37:00**

40  
41 **Regular Action Items**

42  
43 **#2 Public Hearing (5:40 PM): Kerr Basin Rezone (Brian Lyon)**

44  
45 **Adams** reviewed Mr. Brian Lyon's request for a recommendation of approval to the County  
46 Council for a rezone of 11.25 acres of property at 5700 South 5400 West, west of Wellsville City  
47 to add the Mineral Extraction and Excavation (ME) Overlay Zone to the existing Forest

1 Recreation (FR40) Zone. Wellsville City has been contacted regarding this application because it  
2 is within Wellsville's annexation area. The applicant has identified a 700x700 foot area for the  
3 extraction of gravel in the creation of a pond. There are several other gravel pits and ME overlay  
4 zones in this area. The main access is 5400 south and is a private a road; the road extends to 300  
5 west where it connects into Wellsville's City road network. There are no utilities in that area; the  
6 fire district has stated that until the last 100 feet, the road is acceptable for their equipment. The  
7 applicant has agreed to widen those 100 feet to meet the Fire District's requirements. This went  
8 before Wellsville City's city council last night and they stated they had no issues.

9  
10 The initial intention of the application was to create the retention pond, but because of the  
11 amount of gravel needing to be extracted, the applicant was also required to apply for gravel  
12 extraction. More detail on the project will be forthcoming with the conditional use permit  
13 application.

14  
15 **05:44:00**

16  
17 *Sands motioned to open the public hearing for the Kerr Basin Rezone; Watterson seconded;*  
18 *Passed 6, 0.*

19  
20 **Clint Kerr** I am a partial owner of the property with my dad. I don't know the reasoning for  
21 taking 11.25 acres; we were only asking for 5. It is natural drainage almost to this spot anyway.  
22 If there is a reason for taking more I would like to hear it; we don't want to take any more than  
23 we have to out of the greenbelt but need to deal with a water issue that we have had for a few  
24 years. It takes a lot of time to put the roads back in after water has washed them out which is  
25 what the pond or basin is for.

26  
27 **Smith** staff can address the acreage issue.

28  
29 **Adams** the legal language we received is where we got that number from.

30  
31 **Harrild** the outline that your engineer provided is what it is going to take for that pond. It  
32 appears that to be able to get back to the original contour lines the included acreage is required  
33 for the drainage pond. If there is less than what is planned, then we need an updated permit.

34  
35 **Mr. Kerr** I don't think we need to catch all the stuff from the way to the south.

36  
37 **Harrild** so the extraction is wholly secondary to your intent. You will need to discuss that with  
38 your engineer.

39  
40 **Mr. Kerr** I did that yesterday. The problem is right where the basin is going to be.

41  
42 **Harrild** my best guess, and you will need to check with your engineer, but the type of cut you  
43 need to create that pond is going to require that acreage.

44  
45 **Mr. Kerr** it's a problem for us.

46  
47 **White** is this NRCS?

1  
2 **Mr. Kerr** no. If we do this extraction, it's going to take a lot of time to do. It's basically  
3 something we want to do.  
4

5 **White** you are just going to use your truck?  
6

7 **Mr. Kerr** yes, and this seems way bigger than what we were planning.  
8

9 **Smith** for the purpose tonight, we are just doing the rezone and more in-depth information will  
10 come with the CUP. Who came up with the 11.25?  
11

12 **Mr. Kerr** the engineers did; but the other question is if the bottom is only going to be 2 acres  
13 then what is the purpose of pulling 11.25 acres? I don't want a cut like that. I talked to the  
14 engineers yesterday and I'm not sure why it is the way it is.  
15

16 **Harrild** the thing to note is that for the rezone if your footprint doesn't take the complete 11.25  
17 acres it isn't going to change the rezone.  
18

19 **Sands** just because the rezone is for 11.25 that doesn't mean that you are going to use the full  
20 11.25 acres.  
21

22 The lands greenbelt status was discussed. Staff will double check with the Assessor's office, but  
23 the Agricultural Zone designation is still in place because the ME is just an overlay.  
24

25 **Gunnell** do you own the road?  
26

27 **Mr. Kerr** yes.  
28

29 **05:54:00**  
30

31 **Sands** motioned to close the Kerr Basin Rezone public hearing; **Watterson** seconded; **Passed 6,**  
32 **0.**  
33

34 **Staff and Commission** discussed the application. If the rezone ends up being smaller than what  
35 the current application is, Staff does not see the need to bring the application back before the  
36 Commission.  
37

38 **Parker** motioned to recommend approval based on the findings of fact; **Gunnell** seconded;  
39 **Passed 6, 0.**  
40

41 **05:57:00**  
42

43 **#3 Holyoak Airport (CUP) (Nathan and Rachel Holyoak)**  
44

45 **Adams** reviewed Nathan and Rachel Holyoak's request for a conditional use permit (CUP) to  
46 allow a private airport located on 19.76 acres of property at 6523 West 200 South, northwest of  
47 Mendon. The area has been used as a runway previously. At that time the owners were contacted

1 by the county to inform them they needed a permit to operate an airfield out of this area. The  
2 property is accessed by county and private roads. The roads do not currently meet the County  
3 Road Standards, however, the subdivision was approved with the current roads and the proposed  
4 use is not going to increase the roadway use. Staff is recommending a design exemption for the  
5 roads. The applicant is running a modified Cessna 182. The applicants will be using the strip; as  
6 well as selected family and friends. The proposed airstrip is 1,300 feet long, which runs the  
7 complete north-to-south length of the property; a lot of the safety zones overlap the properties to  
8 the north and south. Those protective overlays cover almost all the property to the south and two  
9 properties to the north. The FAA suggests that the owners have some control of the land that  
10 those protective overlays cover to make sure there are no above ground obstacles. The airstrip is  
11 proposed to be 50 feet wide. The hours of operation will be 5:30 am to 10:30 pm and the  
12 applicant is willing to notify neighbors if they need to operate outside those stated hours. County  
13 code requires that the applicant meets the criteria of the FAA Airport Design Advisory Circular  
14 AC 150/5300-13A. The applicant needs to make the runway fit on their property. The code  
15 requires that the Airport Master Record be submitted to the FAA and the FAA doesn't want that  
16 submitted until the airport is built so staff just wants to see a copy of that record after it has been  
17 submitted. Staff has left it up to the Commission whether acquisition of the land in the runway  
18 protection zones is needed or if there is another way to meet that suggestion. One thing to note is  
19 that to the south there are platted lots for a subdivision.

20  
21 If the CUP was granted and a surrounding landowner was to build in the departure and arrival  
22 zone, the permit may be revoked because the airport operator would no longer be able to meet the  
23 conditions of the CUP. The total width of the lot is 650 feet and from the home to the east  
24 property boundary is about 400 feet.

25  
26 **Rachel Holyoak** I am the property owner. There are three conditions that staff were worried  
27 about; we are fine to state that development of any of the surrounding property would take  
28 precedence to the airport. Right now those properties are undeveloped and we don't feel like we  
29 will be a nuisance to the property owners. The distance to the house, the FAA circular does  
30 recommend 60 feet. The FAA circular is meant for any small aircraft, which includes passenger  
31 jets up to 10 passengers. It is very conservative in the overlay zones because anything that is  
32 considered a small aircraft has to meet these requirements. 60 feet wide is really wide for a small  
33 aircraft that has two passengers, the pilot and the co-pilot. The proposed 50 feet was enough;  
34 when this goes on an FAA sectional, if the pilot were to look quick and see the 50 feet and  
35 mistake the 1,300 for 13,000 feet when they see the 50 feet they are going to do a double take  
36 and any pilot is going to know it is for small aircraft. We only want people landing there that we  
37 approve and are ok with. Just in case, we felt that the off-width provided plenty of safety margin  
38 given our aircraft but also allowed for that conscious thought that something is off. As far as  
39 moving the runway, we can. We have tried to take advantage of the 20 years of compaction in  
40 this area and one of the major components of flipping a small aircraft is soft dirt. If you require  
41 us to move the runway you are asking us to give up the compaction of that dirt; we are willing to  
42 work with you on that, but in the name of safety it may be more unsafe to move it. Likewise it  
43 keeps the runway closer to our property and not the neighbors. If you think about a catastrophic  
44 event, the people most likely impacted by that would be my family and clearly we are going to  
45 operate safely but I would rather it is our family and our property in danger than a neighbor. All  
46 things considered in there. I am asking you to waive those two conditions. The planes that were  
47 not landed by us but by neighbors were on the private road that is 17 feet wide. So 50 feet is

1 three times the size of where aircraft were landing. Looking at that logistical we are three times  
2 bigger than where planes are landed currently. There is some precedence here not by us, but by  
3 the previous owner who also had a Cessna 382.

4  
5 **Gunnell** on that width, I wouldn't think we would shift the whole runway over. We would add  
6 10 feet so you would still have 50 feet of the original runway?

7  
8 **Ms. Holyoak** if you did that we would still be out of compliance, so I would ask why we would  
9 do that? It's from edge to edge and so the zone would be in to my house if you leave the current  
10 edge and to not grant the exception. I want the center line to be compacted dirt because the best  
11 spot to land is in the center of the runway in compacted dirt. I can't widen and still leave the  
12 center the compacted part and I also can't shift it and not get rid of compacted part and meet the  
13 zone that you are asking me to meet.

14  
15 **Smith** how long has it been used as a runway?

16  
17 **Ms. Holyoak** the only cease and desist letter we received was in 2013. We bought the property  
18 in 2011 and we asked that people not land here until we could legalize things and when we did  
19 that that is when people started landing on the road.

20  
21 **Smith** when you speak please state your name.

22  
23 **Bryan Gudmundson** I own the property directly across and to the south and Cookie owns the  
24 one directly in the landing path. I am also speaking on behalf of Paul Willie and he is the only  
25 one I contacted because of the short notice. Ms. Holyoak was right; the airplanes were landing on  
26 the road and previously were landing in the field. We were living out of state at that time but  
27 were invited to a meeting regarding landing any airplane in a subdivision. This is not agricultural  
28 but an 8 lot subdivision of 20 acres each with a road running down the middle with four on each  
29 side. Mr. Holyoak's current neighbor owned that home and then through bankruptcy proceedings  
30 Mr. Holyoak obtained that property. The previous owner moved next door and is a commercial  
31 pilot. When he owned the property he would fly out of his home and would go to work and when  
32 he couldn't do that anymore he would use the road. The neighbors were very concerned with that  
33 especially where children would drive four wheelers on that road. Sometimes there would be two  
34 airplanes in the curved driveway. He would taxi up the road and both would park on that and the  
35 neighbors didn't appreciate that. I don't have a house there yet but plan to have one there in the  
36 future. That approach is about level with where our windows would be. If you could imagine  
37 between 5 in the morning and 10:30 at night and having an airplane come down. We moved to  
38 Mendon for the quiet rural feel of the place and I believe the way it will impact our family is by  
39 not only destroying the quietness of the neighborhood but devalue the land as well. It will make  
40 it more difficult if we need to sell it if there is an airport there. What I've done with this very  
41 quickly put together paper is I've taken the Cache County; this is the six point criteria that you  
42 are being held to relative to making that decision. I don't believe the decision meets the criteria  
43 and would ask that you not grant an airport in the middle of a residential neighborhood. We hope  
44 to someday have a quiet existence here. I know that my neighbors in this area and in Mendon  
45 would not appreciate an airport being located here. I hope the zoning will protect those in the  
46 area as well as Mr. Holyoak's right to have an airport in a residential area if that is what you  
47 decide.



1  
2 **Debra Gudmundson** I just wanted to add that if you are going to continue to consider this that  
3 we would ask there would be a delay on this decision so more people may be notified so that  
4 there is a fair representation of the area.  
5

6 **Joe Chambers** it seems the comments were really directed towards the legislative decision that  
7 has been made by the county that has already been made and not the CUP. I think the comment  
8 that it doesn't meet the 6 criteria is contrary to Staff's report because they've stated that it  
9 already does. The third thing is that your job, as I understand it by the statute, is that once it is  
10 determined by the County Council that this property can be subject to a CUP is to mitigate the  
11 problems that are there. If there are reasonable conditions that can be set on the situation that  
12 would mitigate any concerns that you can see, then the property owner has the right to receive  
13 the CUP. Staff and I have gone that round with Ombudsman's office before and I think that is  
14 well understood. I asked my clients to go the CUP route to save on litigation costs. I actually  
15 believe there is a non-conforming use that predates your ordinance and that they complied with  
16 the letter from the county to comply but believe that a non-conforming use existed on the  
17 property already. My client has suggested some reasonable conditions, including the fact that the  
18 FAA regulation is also designed for 10 passenger jets and you have to look at what they are. You  
19 can be a little bit flexible and recommend you be a little bit flexible.  
20

21 **Ms. Holyoak** we have not talked to Gudmundsons or Mrs. Tanner due to time but have talked  
22 with the others around us and have received no negative responses. I don't think any of us can  
23 speak on behalf of other landowners. Paul Willie was mentioned and when we bought the  
24 property in 2011 and his views at that time were different. So I just ask that if we are going to do  
25 anything based on anyone speaking for anyone that we hear from those people directly or in  
26 writing.  
27

28 **Mr. Gudmundson** our point person was the Benson family which lives two lots down. That is  
29 the home we met in when we first met the Holyoak's and I know they are not interested in  
30 having an airport as far as we have been told. I know she took many pictures and a lot of  
31 complaining to the County attorney and it took the County attorney contacting them to stop it.  
32 He finally put a stop to it and that was in 2013. It has been a very quiet issue since then, thinking  
33 it had gone away. Just a little more background there and we appreciate your consideration.  
34

35 **Nathan Holyoak** I wanted to remind you that there has been an ongoing effort for legalities to  
36 accommodate airstrips. We've had several community members express their will and desire.  
37 This is not something that was done pretentiously or below public knowledge. There are also  
38 several lots around this that have not been built on and I do think it is advantageous that we have  
39 tried to work within the law with this situation. It has never been in our intent to blindside or to  
40 negatively impact our neighbors. There are some who do like this and some who don't. We tried  
41 to be reasonable with all involved and I believe that the new county codes put into place need to  
42 be part of the consideration for this and I thank the Commission for their time.  
43

44 The noticing requirements of 300 feet are based on property line, not the safety zone  
45 requirements of the runway.  
46

1 **Staff and Commission** discussed the flight path and the protection zones. For protection zones,  
2 there are supposed to be no objects in the protection zones. There are specific rules tied to the  
3 protection zones; if a home or a barn were to be built in the protection zones it would make it so  
4 the applicant cannot meet the requirements of that FAA circular and could void the CUP.

5  
6 **Joe Chambers** you approved a 40 foot runway in November and I think it was because you  
7 understood at that time is that regulation the county adopted states that aircraft capability takes  
8 precedence. Which means that smaller aircraft like the Cessna do not need the 60 feet width.  
9 Because this is a new area I just thought it needed to be clarified so that you can make the best  
10 decision.

11  
12 **White** what does friends mean?

13  
14 **Ms. Holyoak** we do have some friends that own aircraft and they would need to contact us ahead  
15 of time so there would be no surprise landings. They would need to ask to land and let us know  
16 they are coming. Right now that is less than 10 people we know, probably closer to 5 or 6. Our  
17 thoughts are that there are occasions that friends would like to fly up to our place and we would  
18 make sure that all their aircrafts meet the requirements for our runway and as of now their  
19 aircrafts have similar qualifications like our Cessna.

20  
21 **Harrild** there was a comment regarding the other runway we approved in November, that  
22 aircraft was a smaller plane so it doesn't have the same requirements as this plane but they went  
23 through this same process.

24  
25 **Ms. Holyoak** the Musselman's aircraft is 30 feet in wingspan and our wingspan is 34 feet; there  
26 is a 4 feet of difference. The table is not specific to an aircraft but is specific to all small aircraft  
27 that have an approach speed of less than 90 knots. Our plane is 70 knots and Mr. Musselman's is  
28 50. There is a different in approach speed but the table applies equal to the aircraft he was flying  
29 and our aircraft that we are flying.

30  
31 **Harrild** that is different then what we have discovered. The Cessna 182 and the Kit fox are  
32 different categories. The Kit fox qualifies as an A1 and the Cessna 182 is a B1. It's a higher  
33 qualification that has higher runway lengths, etc. If there is a disagreement there, we would need  
34 to see something to substantiate that but we haven't seen anything.

35  
36 **Staff and Commission** discussed the circular from the FAA and how the measurements for the  
37 runway and safety zones are created. Staff inputs the type of aircraft and then the FAA document  
38 populates the qualifications.

39  
40 **Mr. Gudmundson** in the past, I can see if someone is out in the middle of nowhere and there are  
41 no neighbors or residential area, sure land the plane. But in a residential area where people have  
42 paid considerable amount of money, there needs to be some room for leniency on both sides of  
43 the equations. We don't have legal counsel, but I would like to look into this more. This is a  
44 subdivision; it's not out in the middle of nowhere and is flying right past our bedroom window  
45 when we build our house. If someone wanted to have an airport across from your home, how  
46 would you feel? So if the law is to protect anybody, it should protect those in that subdivision  
47 both economically and relative to their peace and quiet. We have a zoning for airports and they

1 can land their helicopters and airplanes there and come and visit all they like. I would like to  
2 remind you that the neighbor next door originally owned the property and lost it in bankruptcy.  
3 He's the friend of the Holyoak's and he will be using that runway to come and go to work. 15  
4 times out of the year, almost every other day, we will wake up to the sound of aircraft warming  
5 up or taking off right past our home. If you can put yourself in that position, I hope you can  
6 understand how difficult that is.

7  
8 **Staff and Commission** discussed the conditions. Many members of the commission felt the  
9 conditions protected the surrounding landowners and the applicants as they were. If development  
10 were to happen in the departure or arrival areas of the runway, it would supersede the airport and  
11 the CUP may no longer be valid. The width of the runway was discussed. There needs to be a  
12 basis for changing the width of the runway from the way the code states it needs to be. The  
13 applicant can also seek a variance but there are specific requirements for a variance and staff  
14 does not anticipate that the applicant could meet the state requirements for a variance. Some  
15 Commission members felt that if the applicant can bring something in from the FAA that would  
16 support the width change they are requesting that option should be given to them. The  
17 Commission discussed the addition of language to condition 2 stating "or as otherwise approved  
18 as by the FAA" but Staff expressed concerns about changing FAA requirements when the FAA  
19 feels that once a plane has landed it is the purview of the land use authority not the FAA.

20  
21 **Staff and commission** discussed the addition of a condition regarding development on  
22 surrounding properties. The condition would become number 8.

23  
24 *Christensen* motioned to recommend approval of the Holyoak conditional use permit with the  
25 stated conditions and findings of fact and the addition of condition #8 as follows: "8. If any  
26 structures are built within the noted runway areas and zones, the Holyoak Airport Conditional  
27 Use Permit must be reconsidered by the Cache County Land Use Authority."; **Parker** seconded;  
28 **Passed 5, 1 (Sands voted nay).**

29  
30 **07:04:00**

31  
32 **#4 Pisgah Limestone CUP 1<sup>st</sup> Amendment (Mike Schugg)**

33  
34 **Adams** reviewed Mr. Mike Schugg's request for approval to amend an existing conditional use  
35 permit (CUP) to allow blasting at the Mt. Pisgah Limestone Quarry, in the Forest Recreation  
36 (FR40) Zone and Mineral Extraction and Excavation (ME) Overlay Zone. The original permit  
37 allowed for a rolling extraction area. The original CUP did not permit blasting. The applicant  
38 wishes to add blasting at this time. Access is from a private road off of the county road, Mount  
39 Pisgah Road. Both of the roads are in compliance with the current minimum county standards.  
40 County Code does not specifically regulate blasting, but has left it to state and federal standards.  
41 The applicant has included a sample blasting plan. The nearest man-made structures include a  
42 radio tower identified by the blasting company over 2,000 feet away and the UDOT facility at  
43 the summit of the canyon over 1 mile away while the nearest inhabited structure within Cache  
44 County is a home on parcel 10-056-0035 that is approximately two miles from the site. The  
45 applicant will have to follow all federal regulations provided for mitigating vibration load to  
46 nearby structures, which is the radio tower. The blasting permit from the Utah Fire Marshall will  
47 have to be submitted to staff when the applicant receives it.

1  
2 **Staff and Commission** discussed the number of trucks for the quarry. The blasting project  
3 should not affect the number of trucks entering and leaving the site. The quarry owners did have  
4 to complete a traffic study with the original CUP. Staff did receive public comment from a  
5 property owner down near Mantua with concerns about blasting. Staff relies upon state and  
6 federal standards to help regulate blasting for quarries. The applicant will have to obtain a federal  
7 permit for blasting and follow all federal guidelines.  
8

9 **Ken McCoy** I represent the owners for this project and work for Three Rivers Blasting who has  
10 been hired for this project.  
11

12 **Sands** is the work going to be focused in a particular area?  
13

14 **Mr. McCoy** yes, they are still going to work in the existing area.  
15

16 **Staff and Commission** discussed the Federal permits. Federal permits have been obtained and  
17 Three Rivers has submitted their State business permit. The Utah State Fire Marshall has a state  
18 blasting permit that they will issue and that permit will need to be submitted to staff when it was  
19 obtained.  
20

21 **White** is there a specific time of day they will be blasting?  
22

23 **Mr. McCoy** federal and state guidelines require that we blast during daylight hours. My guess  
24 would be that the blasting will be between three and five o'clock in the evening; to operate after  
25 that would require special permission on a Federal level.  
26

27 **Gunnell** will that increase the level of dust?  
28

29 **Mr. McCoy** no. There is some dust but generally it is not more than general mining or crushing  
30 creates.  
31

32 **White** are they crushing now?  
33

34 **Mr. McCoy** no.  
35

36 The County Code also regulates the hours of operation for a gravel pit. Currently extractors may  
37 operate between 6 am and 8 pm. From what the applicant representative has stated, Federal  
38 requirements are more restrictive.  
39

40 **Parkinson** motioned to approve the Pisgah Limestone CUP 1<sup>st</sup> amendment with the findings of  
41 fact and conditions; **Watterson** seconded; **Passed 6, 0.**  
42

43 **07:20:00**  
44

45 **Smith** recused himself due to a personal conflict with the next application and **Watterson** took  
46 over as chair.  
47

1 **#5 Cherry Peak CUP 1<sup>st</sup> Amendment (John Chadwick)**

2  
3 **Harrild** reviewed Mr. John Chadwick’s request for approval to amend an existing conditional  
4 use permit (CUP) to allow additional summertime uses at the Cherry Peak Ski Area in the Forest  
5 Recreation (FR40) Zone. The previous request was for winter activities and did not have specific  
6 information regarding summertime activities. There is a boundary line change in this applicant  
7 also; the size of the CUP is being reduced for this permit. The expansion of the CUP would be  
8 for multiple summertime activities. Those activities include weddings and receptions, lift-  
9 assisted mountain biking, concerts and dances, overnight youth campouts and other religious-  
10 group related activities, temporary waterslides, multiple zip lines, horseback riding, climbing  
11 wall(s), Frisbee golf, etc. The applicant’s thought process here is to cover as many activities as  
12 possible so the applicant doesn’t need to come back every time an activity is wanted. Activities  
13 like zip lines are going to require additional construction and will go through the needed reviews  
14 and processes. For access, 11000 North was improved but there are portions of the roadway that  
15 have failed. These have occurred on the steeper slope areas due to water issues, and so staff has  
16 identified that those deficient areas be improved prior to the recordation of this permit. There has  
17 been work done to help with the flow of water and its impacts on the road. In some of those  
18 places it has been very successful and in other areas additional work is going to be needed. The  
19 road department is checking the road and making sure the necessary precautions and work that is  
20 needed is completed. Erosion control is still being worked on but has not been completed yet.  
21 Staff has identified that re-vegetation of those areas needing it must be completed before  
22 recordation of the permit. Staff would like the applicant to provide a different solution then what  
23 has been tried to complete that condition. Water and septic issues were based on 1,000  
24 skiers/day. If the 1,000 people per day is exceeded, additional reviews are required. The  
25 applicant will need to go through a special events permit process to exceed that 1,000. That  
26 would also allow the Bear River Health Department (BRHD) to review the waste management.  
27 The plan so far, if they exceed 1,000 people, is to bus people up to the site and to also go through  
28 the special event permitting process. As for wildlife, the report from the previous CUP stated that  
29 the wildlife should not be impacted beyond what they already have been or less during the  
30 summertime. The areas marked in red on the site map are the existing lifts and the squiggly lines  
31 in orange are the proposed bike trails. So mountain bikers could ride the lift up to the top and  
32 then ride the bike trails down. The proposed zip line is marked in purple on the map. The intent  
33 for storm water control on the bike switchbacks is to push any water into already vegetated areas.  
34

35 **Brett Christensen** I am the contractor that built the road. John asked me to address the road and  
36 erosion questions you have. The hill has all been reseeded; we couldn’t get on the hill because of  
37 the wash outs and it’s been too wet. I tried to get with Jamie Jensen, the road superintendent, but  
38 due to ill health he wasn’t able to meet before today. We did meet today and plan to meet  
39 tomorrow to address Cherry Peak. We’ve had some issues with storm water and the particular  
40 place of the road that has settled, I fixed an area close by last year and I don’t understand why it  
41 has settle there. It’s actually in the area of the existing county road and under the existing road  
42 the grader would bounce over big boulders and lots of red clay. I dug out the boulders but it is  
43 under the original road area not where it was widened.  
44

45 **Parker** but you are going to address all of that tomorrow when you meet?  
46

1 **Mr. Christensen** yes, we are going to have to fix some asphalt and we are going to review it.  
2 I'm actually trying to do it at the same time that the Richmond Canal project. LeGrand has the  
3 contract for that and we are going to try and have them do it at the same time.  
4

5 **Runhaar** I don't think anything on the road and water issues is insurmountable; it just needs to  
6 be finished.  
7

8 **Staff and Commission** discussed the number of people allowed. During the winter time it is  
9 easier to monitor that with the sale of ski tickets. But the parking is limited. They aren't allowed  
10 to park on the side of the road. 1,000 person a day limit is when they are bringing in something  
11 that is going to generate concerts. That is when a special event permit is a good tool to use and  
12 revisit any minimum requirements.  
13

14 **John Chadwick** I don't know if we ever went over 1,000. We only have 300 parking stalls and  
15 industry standards are 2.8 visitors per vehicle. In general our average is significantly lower; the  
16 building has a capacity in excess of 1,000 people per day. Typically a skier doesn't spend the  
17 whole day up there; they spend 3 or 4 hours and are gone. We did have a couple of times where  
18 young single adult wards would come and there wasn't enough parking. What would happen  
19 would people would see there was no parking and drive back down the canyon. I don't know  
20 how to fix that unless you are going to increase it to 1,500 or more parking. In regards to the  
21 1,000 it was more just a shoot from the hip and that was a number that we never thought we  
22 would exceed. I don't know what needs to be done about that. Regarding erosion, the very worst  
23 part is what you see from the lodge because power lines had to go in and we decided we need  
24 more power poles and water lines so it had to be re-dug. Last May was the wettest May we have  
25 ever seen up there. We got 13 inches of rain in 30 days. We fought the excess water and have  
26 conquered most of it. If you go acre by acre there is 10 to 12 acres that need to be redone. If you  
27 go to the back, the vegetation is fabulous and there are no issues. The seeds that we planted last  
28 fall are coming in. It's the steeper areas where we put water bars in and some of those held and  
29 some didn't. We made the water bars deeper and those will stay there until 100% re-vegetation  
30 occurs. Any erosion Brad saw the other day when he was there, has been addressed and is gone.  
31 Additional erosion is smoothed out and reseeded as soon as possible. It's over 80% re-vegetated  
32 and we've made a lot of progress with re-vegetation. We had a very good first season for the  
33 winter but we need to keep the cash flow through the summer also. The number of people  
34 expected for mountain biking is not nearly as many as skiing but we can't people to get in the  
35 habit of coming and buying year round passes. We do plan to have a couple concerts a month.  
36 We have been in contact with the County regarding sewer and we will have to bring in port-a-  
37 potty's to help handle the extra sewer needs. The concern I have with is condition 21. We will  
38 vegetate and re-vegetate until it is done. This is an ongoing process and I anticipate being 100%  
39 done with it by the end of summer. The road was a million dollar upgrade. We anticipate the  
40 road being done in the next week or two. I hesitated putting all the activity requests on here, but  
41 Chris said I should put everything on the list so that we didn't have to come back. The things that  
42 are currently essential are the mountain biking and the concerts. The other activities are things  
43 that happen on all other resorts around the county. We are updating the storm water plan and  
44 working on the mountain bike trails. As for parking, Richmond City has been very cooperative  
45 with having people park down there. They are excited for the additional traffic and sales that will  
46 hopefully be coming.  
47

1 **07:56:00**

2  
3 *Parker motioned to extend the meeting for 15 minutes; Gunnell seconded; Passed 5, 0.*

4  
5 **Scott Walker** I represent the Division of Wildlife and Resources (DWR). The DWR owns the  
6 land to the south and west of this. We would like to comment with official written comment; we  
7 would have liked to been notified of this earlier. The Salt Lake office received the letter Monday  
8 and I received information on this yesterday. We haven't had time to look at this and see how  
9 summer activities will impact the wildlife management area. As an example, mountain bikes  
10 have been an issue at previous wildlife management areas. Most will stay on the trails, but if  
11 anyone comes off, it's all downhill and there is a real possibility of trespassing on the Wildlife  
12 area. There is an active shooting range on the property. There are some issues we would like to  
13 comment on with written comment from our director.

14  
15 **Watterson** is that your major concern, about people coming onto the Wildlife Management Area?

16  
17 **Mr. Walker** and the resource concern that they can cause and what happens when they come on  
18 to it. John has been really good to work with and manage his people and I think we can work  
19 together from a wildlife perspective. But I think there may be some issues we would like to  
20 address and have time to look at the impacts. I don't know what the impacts of a concert would  
21 be on the wildlife. I would like to take a little bit of time and really offer some official comment.

22  
23 **Watterson** I think for the original proposal was major concern for the winter activities was  
24 winter range.

25  
26 **Mr. Walker** yes, and that is the main reason it was purchased was for winter range, big game  
27 winter range. We do have some other species there; we have turkeys and other wildlife there  
28 during the summer. We also have a natural resource concern from a land management point of  
29 view we would like to address.

30  
31 **Christensen** is mountain biking prohibited on wildlife management areas?

32  
33 **Mr. Walker** it's the things they do. For example, on the Brigham Face wildlife management  
34 area, mountain bikers have been there. Riding bikes is one thing, but when you go on a hillside  
35 you dig it out and create structures; you build structures that end of being 15 feet high and 40  
36 feet long with 2x4s and those are the things we are concerned with. Not that Cherry Peak would  
37 have the control over that but it is having access. Where this is a gateway for the wildlife  
38 management area, that is a concern for us and the DWR is dealing with it in other areas.

39  
40 **Parker** at this point, you're not saying this facility has any problems but you would like time to  
41 address it?

42  
43 **Mr. Walker** yes just to make sure we can address how they will address their people and bring  
44 to light the issues that may have a concern to us on a wildlife management area. Like I said, I  
45 heard about this yesterday and my staff has been on spring range assessments and out and around  
46 the county and northern Utah and haven't had the time to look at this real close.

1 **Christensen** what did you do to mitigate skiers going on the wildlife management property?  
2

3 **Mr. Walker** define mitigate.  
4

5 **Christensen** I understand you had some signage for the shooting range?  
6

7 **Mr. Walker** yes, and as far as I know we didn't have any problems with skiers coming on to our  
8 property.  
9

10 **Jennifer Parker** I am the district ranger on the Logan Ranger district for the Forest Service. We  
11 didn't receive this letter until Tuesday in our office. We would like to have an opportunity to  
12 provide written comment. We provided written comment in response to the original permit  
13 application and we were one of the folks that asked for further definition on summer activities  
14 that would be happening. We are very supportive of the mountain biking as long as it stays  
15 contained within the boundaries of the ski area. I will echo what Scott said; we are having a lot  
16 of problems in other areas with mountain biking. They are very industrious; we can provide lots  
17 of detailed pictures of hundreds feet off the Powder Mountain Ski area of trails built with wood  
18 that we had to have people go tear out. I think lift assisted mountain biking is great and a great  
19 use of the ski area as long as we can contain it to the ski area. I want to express support to the  
20 County and to John for continuing with efforts to re-vegetate. I hope it is being done with native  
21 species and that we do that before weeds are established. A big concern would be trail  
22 construction and road construction and having weeds right up to the Mount Naomi Wilderness.  
23 We don't want to see weeds introduced there and mechanized and motorized uses are prohibited  
24 there. So mountain bikers extending trails or people going up and accessing with their ATV and  
25 taking off are a concern for us. The one thing that is a concern for the wilderness, I don't have a  
26 concern with concerts and dances because I don't think people will have time to wander into the  
27 wilderness but we do need to realize the impacts of those concerts do impact the wilderness. The  
28 wilderness was created for solitude and that experience for people in the wilderness is taken  
29 away if there is a loud concert or dance going on. The lights from night skiing and that are very  
30 visible so I'm assuming there will be impacts for night time concerts and activities. If there are  
31 ways to mitigate those issues we would like those to be considered.  
32

33 **John** in regards to trespassing, I don't even know there is trespassing, but we have done all we  
34 can to respect the properties on both sides, even to the point that I am a nazi with all employees.  
35 If they start using out of bounds properties to ski, they are fired. We have a business and we have  
36 bills to pay and we have done wildlife studies. I don't want the mountain bikers on DWR or the  
37 state's property if they don't want them there. The one boundary is incredibly thick and a  
38 mountain biker can't go through there. I have planted many pine trees along the boundary to  
39 define the boundary between us and the state of Utah. I can easily put a sign there stating if they  
40 are caught pass the boundary their pass will be revoked. There is an old horse trail that does go  
41 down to the DWR property and we can also create signage there to inform them they will lose  
42 their pass if they go down it. It's not like there is thousands of feet of open area for them to go.  
43 I've been watching the one slope and there are fewer ski tracks on it this winter and my guess is  
44 because of the runs open on the private property. The breeding grounds for the grouse are one  
45 mile to the west and straight up hill from the shooting range. It's a long ways away. In regards to  
46 mountain biking encroaching on the wildlife area, the lift is already done the wire just needs to  
47 be strung. We don't plan on operating three lifts for mountain biking. We would be depositing



1 people in two areas and the distance to the wilderness mile is about 2 ½ to 3 blocks up hill and  
2 we can put signage up warning them their pass will be revoked if they go there. We can put an  
3 end to those types of things very easily. But if this is put off, I anticipate, it will be put off and  
4 we will come to real logical conclusions that I need signage and that if someone is caught on the  
5 wilderness area their pass will be revoked. We've done a good job so far with that and I  
6 anticipate us continuing that. When you have a business and you have bills to pay time is of the  
7 essence. If we spend too much time on this it will really hurt our business model. I would urge  
8 the Commission to move this forward because we provide jobs and would like to continue to  
9 operate.

10  
11 *Sands motioned to continue the item to the next meeting to provide DWR and the Forest Service*  
12 *time to provide written comment; motion died due to lack of a second.*

13  
14 **Christensen** how do you feel about John's comments on signage and things like that?

15  
16 **Scott** if we can work with John I think we can cover most of the issues with the signage and  
17 trespassing.

18  
19 *Parker motioned to approve the Cherry Peak CUP 1<sup>st</sup> Amendment with the findings of facts and*  
20 *conditions of approval; Gunnell seconded; Passed 4, 1 (Sands voted nay).*

21  
22 **Staff and Commission** discussed condition 21 and the possible addition of 23 regarding signage.  
23 The current condition 21 states that no activity can occur on the property until the erosion issue  
24 has been taken care of. John identified that the deepening of the water bars as on solution to the  
25 problem but there could be other solutions out there that have not been discussed. Staff's issue is  
26 making sure that with the new disturbances that the applicant does what needs to be done to keep  
27 the erosion under control and keep seed there. It is not feasible to make them re-vegetate  
28 everything and have it perfect but there needs to be progress made. Condition 21 no longer is in  
29 the document and Condition 20 will be amended to include the concerns for erosion and  
30 controlling it. Condition #23 will be 22 and will state that the applicant must work with the US  
31 Forest Service and Department of Wildlife Management and Resources to address boundary  
32 management issues. If there becomes issues with boundary management Staff has the ability to  
33 recall the permit to come before this board and address it that way. The amended conditions are  
34 as follows:

- 35 "19. Prior to recordation, any failed or damaged sections of 11000 North, including the  
36 roadway surface, base, shoulders, and drainage channels, must be repaired by the  
37 proponent. An encroachment permit is required for any work in the county right-of-way.  
38 20. Prior to recordation, an updated SWPPP must be provided by the applicant to the  
39 Development Services Department that specifically addresses the areas with erosion  
40 issues, including future disturbances.  
41 21. A Cache County Special Event Permit must be obtained for any event or activity where  
42 more than 1,000 persons, including visitors and employees, are at the site.  
43 22. The proponent must work with the US Forest Service and Utah Department of Wildlife  
44 Resources to address boundary management concerns."

45  
46 **08:27:00**  
47

1 **Staff** will do their best to bring storm water before this Commission but there is a deadline of  
2 August to be adopted. Road ordinance language is being worked on and will be brought before  
3 the commission as needed.

4

5 **08:30:00**

6

7 **Adjourned.**

DRAFT

**STAFF REPORT: WHITTIER SUBDIVISION**

**Date:** 2 June 2016

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:** Dick Whittier

**Parcel ID#:** 11-002-0023

**Staff Determination:** Approval

**Type of Action:** Administrative

**Land Use Authority:** Director of Development Services

**LOCATION**

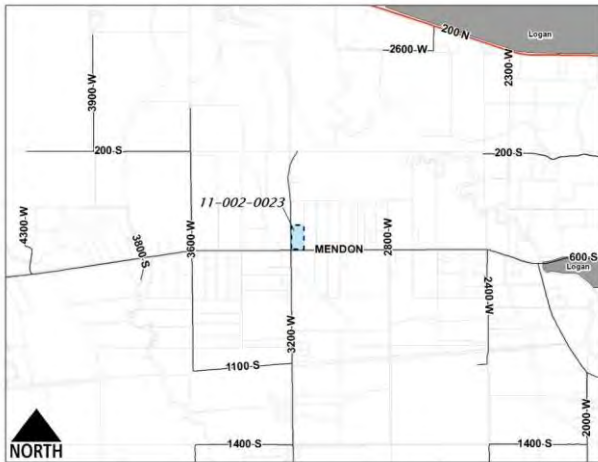
*Reviewed by: Jacob Adams - Planner I*

**Project Address:**  
580 South 3200 West  
Logan, Utah

**Current Zoning:** Rural 2 (RU2)      **Acres:** 4.98

**Surrounding Uses:**

North – Agricultural/Residential  
South – Agricultural/Residential  
East – Agricultural/Residential  
West – Agricultural/Residential



**PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY**

**Purpose:**

To review the proposed Whittier Subdivision.

**Ordinance:**

As per the Cache County Land Use Code Table 17.10.04, "Site Development Standards," this proposed 2-lot subdivision on 4.98 acres in the Rural 2 (RU2) Zone qualifies for a development density of one unit per two acres.

**Summary:**

This request for a two-lot subdivision will create one additional lot out of the existing 4.98-acre lot. Lot 1 will be 3.00 acres in size and contains the existing home; Lot 2 will be 1.98 acres in size and is currently vacant. The property was recently zoned RU2 to make this subdivision possible.

**Access:**

- County Land Use Code §16.04.030 [B] requires all lots created by a subdivision to have access to a dedicated street improved to minimum county standards. The County Road Manual requires any road serving three homes or less to have 24 feet of gravel width, and any road serving more than three homes to have 22 feet of paved width with one-foot-wide gravel shoulders on each side. All roads must have a minimum 66-foot-wide right-of-way.
- Access to this subdivision is from county road 3200 West, which has a 22-foot paved width with 2-foot-wide gravel shoulders and a 33-foot-wide right-of-way.
- 3200 West exceeds the minimum county standards for surface width and material but does not meet the minimum right-of-way width. The applicant must dedicate land to the county to create 33 feet of right-of-way width from the centerline of the road east to their property boundary for the entire length of the subdivision.

**Water & Septic:**

- Adequate water rights are in place for the existing home on Lot 1. A water right exists on the proposed Lot 2 but is not in the owner's name. The water right change printout indicates the water right will be put in the applicant's son's name pending approval of the water right change as the son will be purchasing Lot 2 after the subdivision is completed.
- An approved domestic use water right in the name of the applicant or his son, Chandler Whittier, must be in place for Lot 2 before the plat is recorded.
- Bear River Health Department has approved the subdivision.

**Service Provision:**

- Residential refuse and recycling containers will be placed on 3200 West. As this is a narrow street, shoulder improvements may be required as part of the zoning clearance process for a building permit to ensure the containers can be placed far enough from the road to not interfere with passing traffic.
- School bus service can be provided with a stop at 3200 West 600 South.
- The County Fire District has stated that "the fire department access road meets the code requirements."
- Water supply for fire suppression will be provided by the Logan Fire Department.

**Sensitive Areas:**

- A small portion of Lot 1 is within the 100-foot buffer around the 100-year floodplain, though no part of the subdivision is within the floodplain itself. No existing structures are within the floodplain buffer. Future development within these areas may require further review.
- The subdivision is within 300 feet of an agricultural protection area. The following note must be provided on the plat: "This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on the acceptance of any circumstance related to land use which may result from such normal agricultural uses and activities."

**Public Notice and Comment:**

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property and to municipalities within one mile on 27 May 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**STAFF DETERMINATION AND FINDINGS OF FACT (4)**

---

It is staff's determination that the Whittier Subdivision, dividing an existing property to create two separate parcels on property located at 580 South 3200 West, west of Logan, with parcel number 11-002-0023 in the Rural 2 (RU2) Zone, is in conformance with the Cache County Code requirements and should be approved. This determination is based on the following findings of fact:

1. The Whittier Subdivision 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 Whittier Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Whittier Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Whittier Subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

**CONDITIONS OF APPROVAL (2)**

---

1. An approved domestic use water right in the property owner's name or in Chandler Whittier's name must be in place for lot 2 prior to the plat being recorded.
2. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.

**SURVEYOR'S CERTIFICATE**

I, LAYNE J. SMITH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 334581, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS WHITTIER SUBDIVISION, AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

LAYNE J. SMITH \_\_\_\_\_ DATE \_\_\_\_\_

**BOUNDARY DESCRIPTION**

**LEGAL DESCRIPTION:**  
 PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 11 NORTH, RANGE 1 WEST, SALT LAKE BASE AND MERIDIAN, ALSO PART OF LOT 54 OF RICHLAND ACRES SUBDIVISION FURTHER DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT THAT LIES SOUTH 89°29'27" WEST (S 89°48' W B.R.), 371.93 FEET FROM THE SOUTHWEST CORNER OF LOT 53 OF RICHLAND ACRES SUBDIVISION, SAID POINT BEING IN THE NORTH RIGHT-OF-WAY OF MIDLAND ROAD;  
 AND THENCE SOUTH 89°29'27" WEST (S 89°48' W B.R.) ALONG SAID RIGHT-OF-WAY LINE THE EAST RIGHT-OF-WAY LINE OF 3200 WEST STREET;  
 THENCE NORTH 00°42'38" WEST (N 0°23'29" W B.R.) ALONG SAID EAST RIGHT-OF-WAY LINE, 645.22 FEET (647.65 FT. B.R.) TO AN EXISTING FENCE CORNER;  
 THENCE NORTH 89°45'25" EAST (N 89°48' E B.R.) ALONG SAID FENCE, 336.39 FEET TO AN EXISTING FENCE CORNER;  
 THENCE SOUTH 00°42'38" EAST (S 0°23'29" E B.R.) ALONG SAID FENCE, 643.66 FEET (647.65 FT. B.R.) TO THE POINT OF BEGINNING.  
 CONTAINING 4.98 ACRES +/-

**SURVEY NARRATIVE:**  
 1. THE BASIS OF BEARINGS FOR THIS SURVEY IS NORTH 89°28'21" EAST, BETWEEN THE WEST AND EAST QUARTER CORNERS OF SECTION 1, TOWNSHIP 11 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN AS MONUMENTED BY COUNTY MARKERS AS SHOWN.  
 2. THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE PARCEL SHOWN AND AS RECORDED IN THE OFFICE OF THE CACHE COUNTY RECORDER'S OFFICE UNDER ENTRY NUMBER 1010694, BOOK 1599 AND PAGE 636.  
 3. RETRACEMENT: THE SOUTH LINE IS THE NORTH LINE OF MENDON ROAD AS DETERMINED FROM EXISTING FENCES; THE WEST LINE IS AT A RECORD DISTANCE FROM THE EAST LINE, AND THE NORTH AND EAST LINES ARE ALONG EXISTING FENCES.  
 4. 3/4" REBAR WITH PLASTIC CAPS MARKED "SMITH, 334561" PLACED AT INDICATED CORNERS.

**NOTES:**  
 1. Culinary Water: Cache County has not determined the availability or adequacy of culinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.  
 2. Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office.)  
 3. Agriculture Protection Area: This property is located in the vicinity of an established agriculture protection area in which normal agricultural uses and activities have been afforded the highest priority use status. It can be anticipated that such agricultural uses and activities may now or in the future be conducted on property included in the agriculture protection area. The use and enjoyment of this property is expressly conditioned on the acceptance of any circumstance related to land use which may result from such normal agricultural uses and activities.

**OWNER/SUBDIVIDER**  
 NAME: **DICK WHITTIER**  
 ADDRESS: **580 S. 3200 W. YOUNG WARD, 84321**  
 PHONE: **435-512-4443**

No.	REVISION	DATE



Project Title:  
**WHITTIER SUBDIVISION**  
 CACHE COUNTY, UT

Sheet Title:  
**FINAL PLAT**

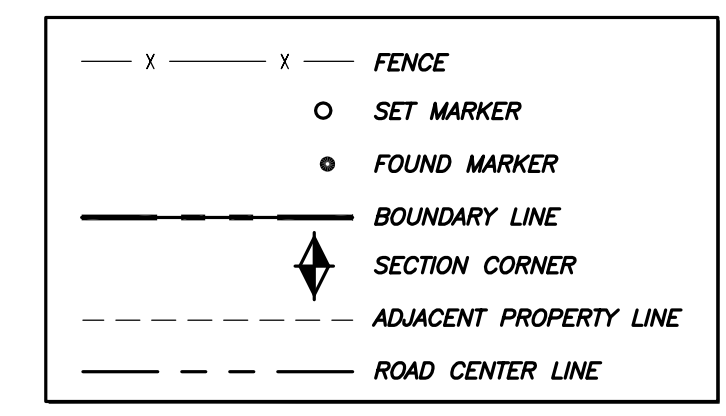
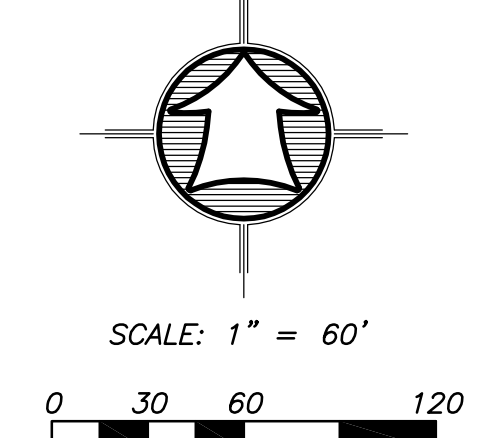
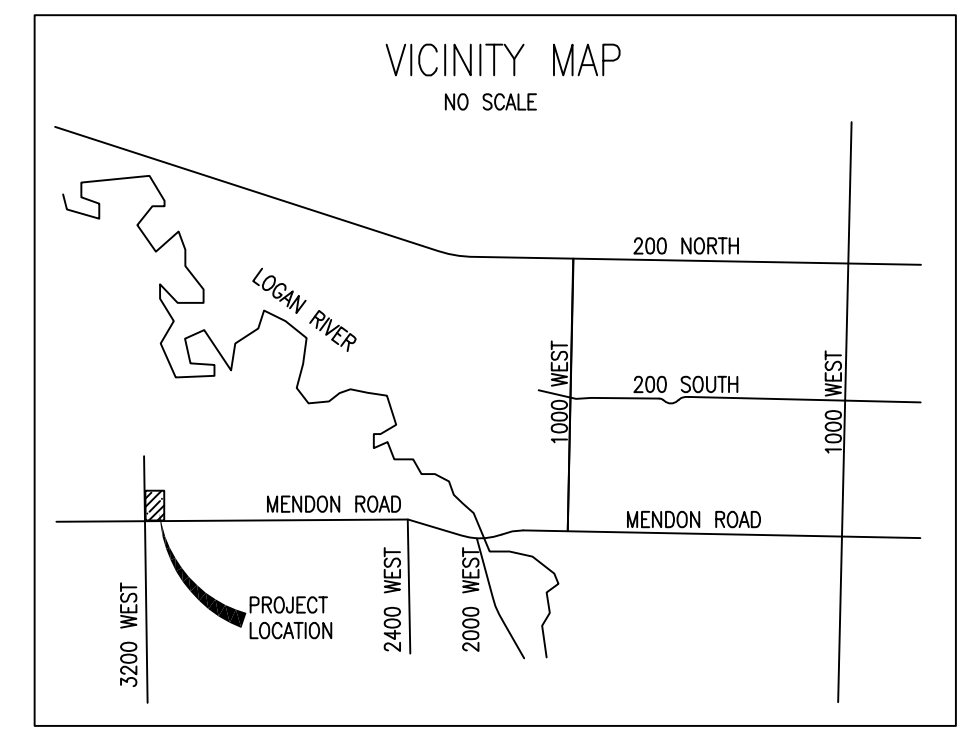
Drawn By: J. BODILY	Project Number: 16-018	Sheet No.:
Designed By:	Date: MARCH 21, 2016	<b>S1</b>
Reviewed By: L. SMITH	Sheet Scale: 1" = 60'	1 of 1

CJ/16-018/16/018.DWG

**Exhibit A**

**WHITTIER SUBDIVISION**

LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 11 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN, CONTAINING 4.98 ACRES +/-



**OWNER'S DEDICATION**  
 KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS (AS PERTAINS), THE WHILE TO BE HEREAFTER KNOWN AS WHITTIER SUBDIVISION, DO HEREBY WARRANT AND SAVE CACHE COUNTY HARMLESS FROM ANY EASEMENTS AND ENCUMBRANCES AND DO HEREBY DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.  
 IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR SIGNATURES THIS \_\_\_\_ DAY OF \_\_\_\_ A.D. 20\_\_

**ACKNOWLEDGMENT**  
 STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
 ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF \_\_\_\_\_ IN SAID STATE OF \_\_\_\_\_ THE SIGNERS OF THE ATTACHED OWNER'S DEDICATION, \_\_\_\_ IN NUMBER, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSES THEREIN MENTIONED.  
 MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

**CACHE COUNTY COUNCIL**  
 THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 BY: \_\_\_\_\_ CHAIR  
 ATTESTED TO: \_\_\_\_\_ CACHE COUNTY CLERK

**CACHE COUNTY PLANNING COMMISSION**  
 THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_ DATED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 BY: \_\_\_\_\_ CHAIR

**DIRECTOR OF DEVELOPMENT SERVICES**  
 THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY DIRECTOR OF DEVELOPMENT SERVICES ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 BY: \_\_\_\_\_ DIRECTOR

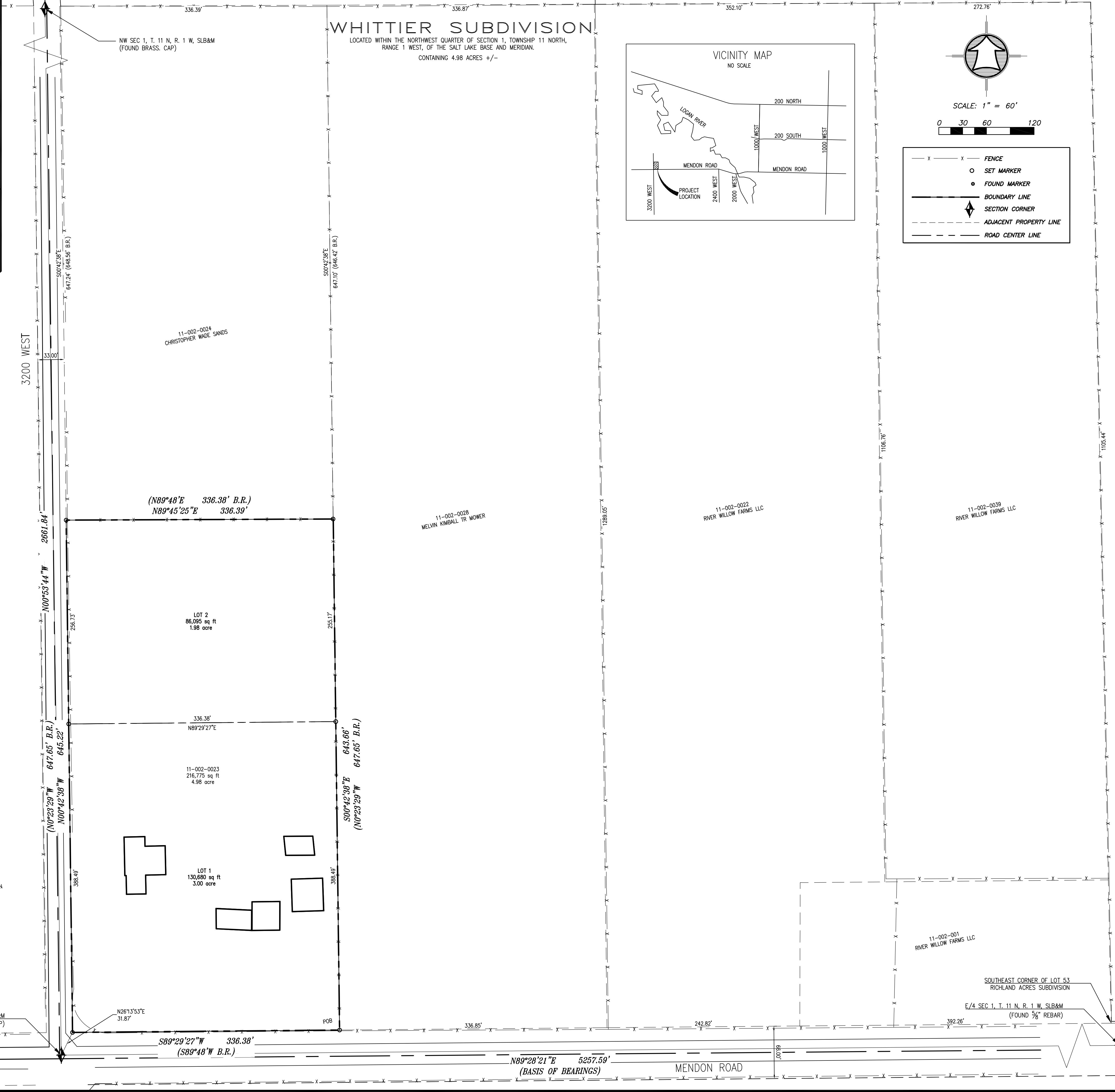
**COUNTY SURVEYOR'S CERTIFICATE**  
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE; AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.  
 DATE \_\_\_\_\_ DEPUTY COUNTY SURVEYOR \_\_\_\_\_

**COUNTY ATTORNEY APPROVAL**  
 I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVED AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE.  
 DATE \_\_\_\_\_ ATTORNEY \_\_\_\_\_

**BEAR RIVER HEALTH DEPARTMENT APPROVAL**  
 THE SUBDIVISION IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_  
 BY: \_\_\_\_\_ TITLE: \_\_\_\_\_

**COUNTY RECORDER'S No.** \_\_\_\_\_  
 STATE OF UTAH, COUNTY OF CACHE  
 THIS PLAT HAS BEEN DULY ACKNOWLEDGED, CERTIFIED, AND APPROVED AND MAY BE LAWFULLY RECORDED IN CACHE COUNTY, UTAH.  
 RECORDED AND FILED AT THE REQUEST OF \_\_\_\_\_ DATE \_\_\_\_\_  
 TIME \_\_\_\_\_ FEE \_\_\_\_\_  
 ABSTRACTED \_\_\_\_\_  
 COUNTY RECORDER \_\_\_\_\_

11-004-0015  
 CORDEL O & DONA A TRS JENSON  
 W/4 SEC. 1, T. 11 N. R. 1 W. SLB&M (FOUND ALUM. CAP)  
 233.00'



(N89°48'E 336.38' B.R.)  
 (N89°45'25"E 336.39')

11-002-0028  
 MELVIN KIMBALL TR MOWER

11-002-0022  
 RIVER WILLOW FARMS LLC

11-002-0039  
 RIVER WILLOW FARMS LLC

LOT 2  
 86,090 sq ft  
 1.98 acre

11-002-0023  
 216,775 sq ft  
 4.98 acre

LOT 1  
 130,680 sq ft  
 3.00 acre

11-002-001  
 RIVER WILLOW FARMS LLC

SOUTHEAST CORNER OF LOT 53  
 RICHLAND ACRES SUBDIVISION

E/4 SEC 1, T. 11 N. R. 1 W. SLB&M  
 (FOUND 3/8\"/>

S89°29'27\"/>

N89°28'21\"/>

MENDON ROAD



**STAFF REPORT: BALLARD AGRICULTURE PROTECTION AREAS**

02 June 2016

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:** Jace K. Ballard, Todd N. Ballard  
**Staff Determination:** Approval  
**Type of Action:** Legislative  
**Land Use Authority:** Cache County Council

**Parcel ID#:** Multiple - See Exhibit B

**PROJECT LOCATION**

*Reviewed by: Chris Harrild, Senior Planner*

Multiple - See Exhibit A

**PROJECT PURPOSE**

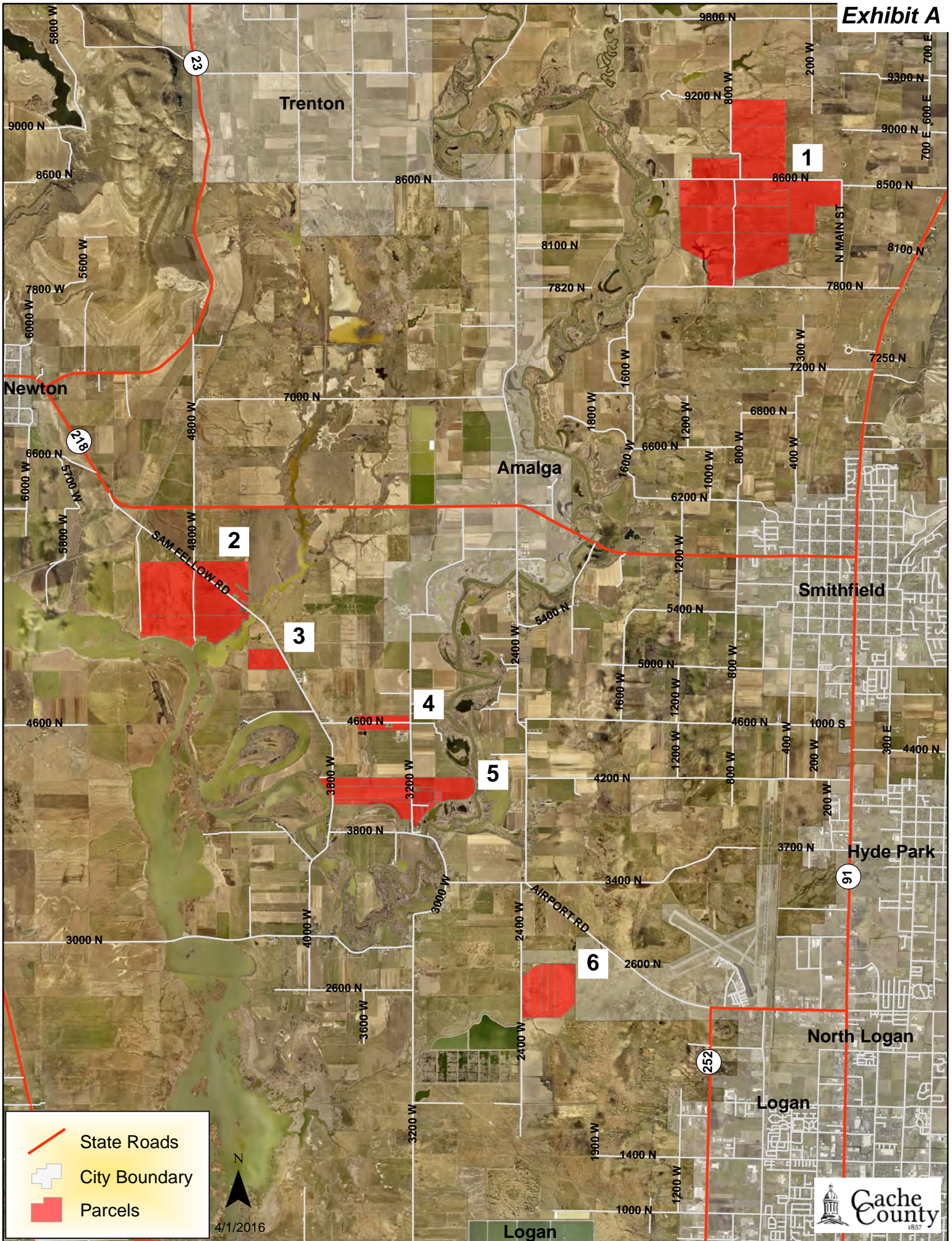
The Cache County Executive has forwarded an application to the Planning Commission for a review and recommendation to the County Council regarding the request for an agriculture protection area. This request includes 6 distinct Agriculture Protection Areas. These areas are described and addressed individually in the attached Exhibit B.

**CONCLUSION AND CONDITIONS**

The proposed Ballard Agriculture Protection Areas have been reviewed in conformance with, and meet the requirements and criteria of, §17-41-305 of State Code and §2.70 of the County Code and is approved. This conclusion is based on the findings of fact as identified in Exhibit B, and on the following condition:

1. The Ballard Agriculture Protection Areas must not include any portion of the 66 foot wide Cache County rights-of-way, reflecting 33 feet of each side from the existing center line, for any county roads as identified in Exhibit B.





Legend:

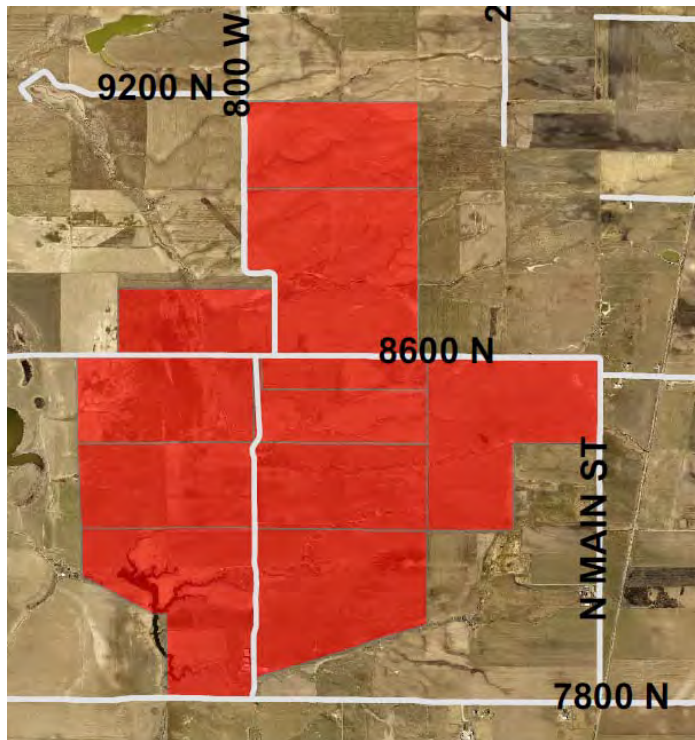
- State Roads
- City Boundary
- Parcels

4/1/2016





**Area 1: Ballard Agriculture Protection Area - 875.8 Acres**



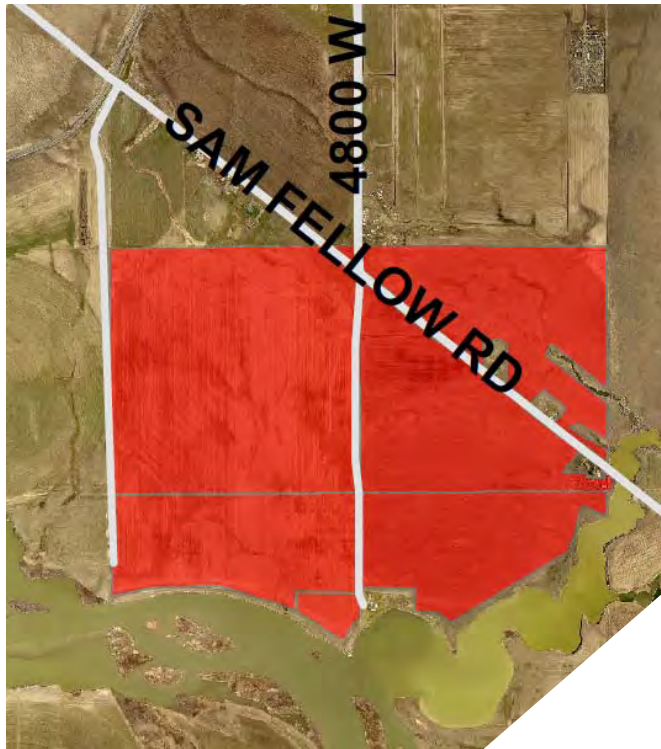
**Existing Zone:**  
Agricultural (A10)

**Parcels (11):**  
08-010-0013  
08-010-0014  
08-011-0017  
08-014-0004  
08-014-0005  
08-014-0011  
08-015-0002  
08-015-0003  
08-015-0004  
08-015-0005  
08-015-0007

**Findings of Fact:**

1. County roads 800 West, 8600 North, N. Main Street, and 7800 North bisect and/or border the proposed Ballard Agriculture Protection Area 1. Certain portions of 800 West and 8600 North are private roads and also bisect and/or border the proposed Ballard Agriculture Protection Area 1.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**Area 2: Ballard Agriculture Protection Area – 431.19 Acres**



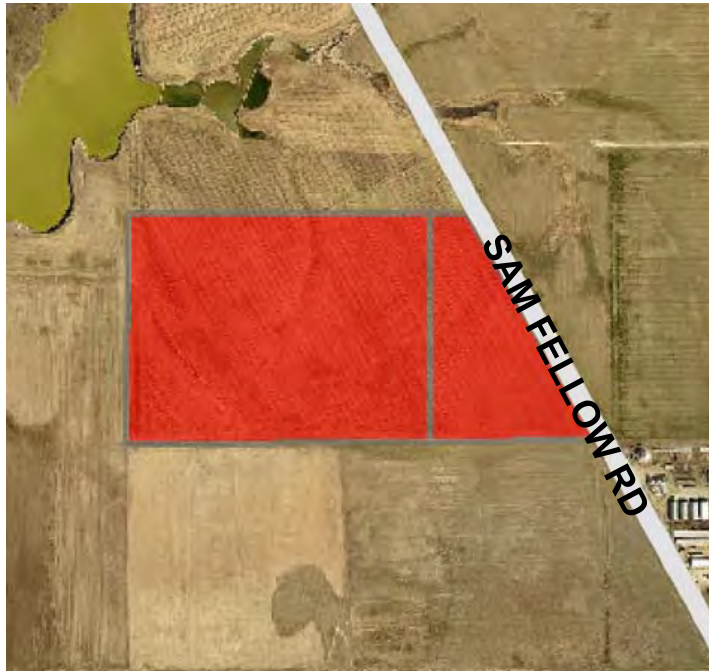
**Existing Zone:**  
Agricultural (A10)

**Parcels (5):**  
13-043-0002  
13-044-0009  
13-052-0001  
13-052-0007  
13-053-0001

**Findings of Fact:**

1. County road Sam Fellow Road and the private road 4800 West bisect the proposed Ballard Agriculture Protection Area 2. Area 2 also includes all lots of the Legacy View 2 Subdivision and Lot 1 of the Legacy View 1 Subdivision.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**Area 3: Ballard Agriculture Protection Area – 42.2 Acres**



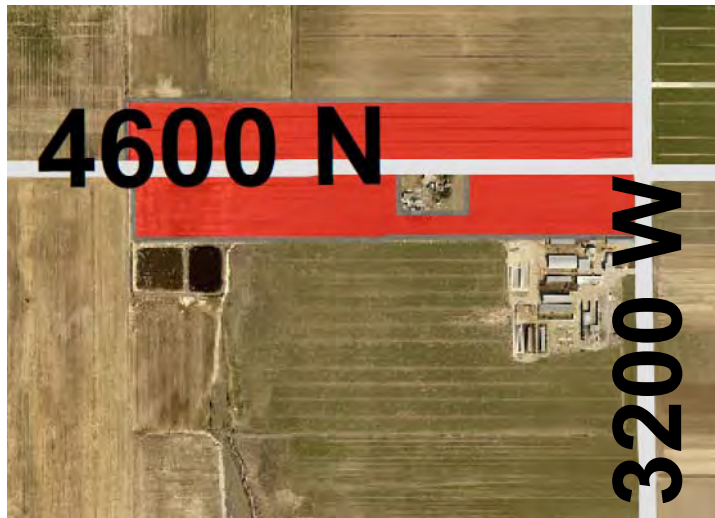
**Existing Zone:**  
Agricultural (A10)

**Parcels (2):**  
13-053-0004  
13-053-0005

**Findings of Fact:**

1. County road Sam Fellow Road borders the proposed Ballard Agriculture Protection Area 3.
2. As per Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**Area 4: Ballard Agriculture Protection Area – 36.64 Acres**



**Existing Zone:**  
Agricultural (A10)

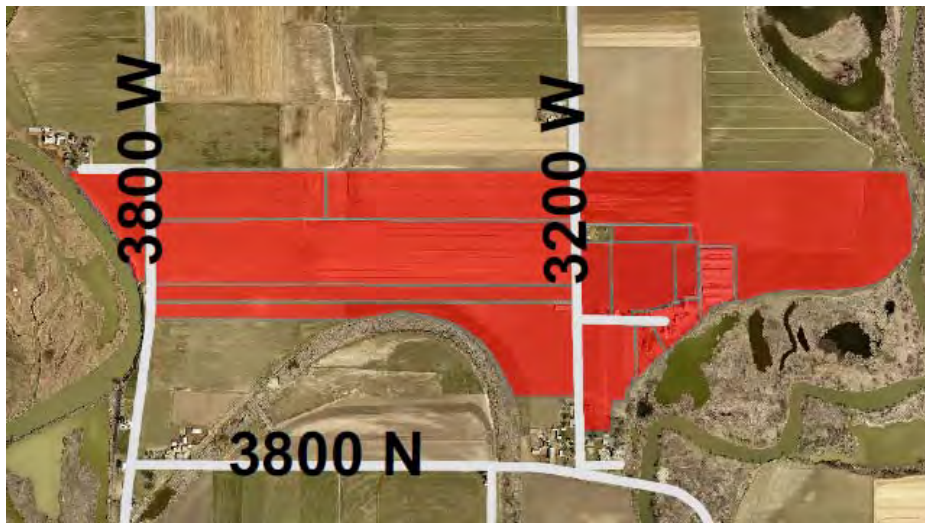
**Parcels (2):**  
12-002-0029  
13-054-0008

**Findings of Fact:**

1. County roads 4600 North and 3200 West bisect or border the proposed Ballard Agriculture Protection Area 4.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.



**Area 5: Ballard Agriculture Protection Area – 237.32 Acres**



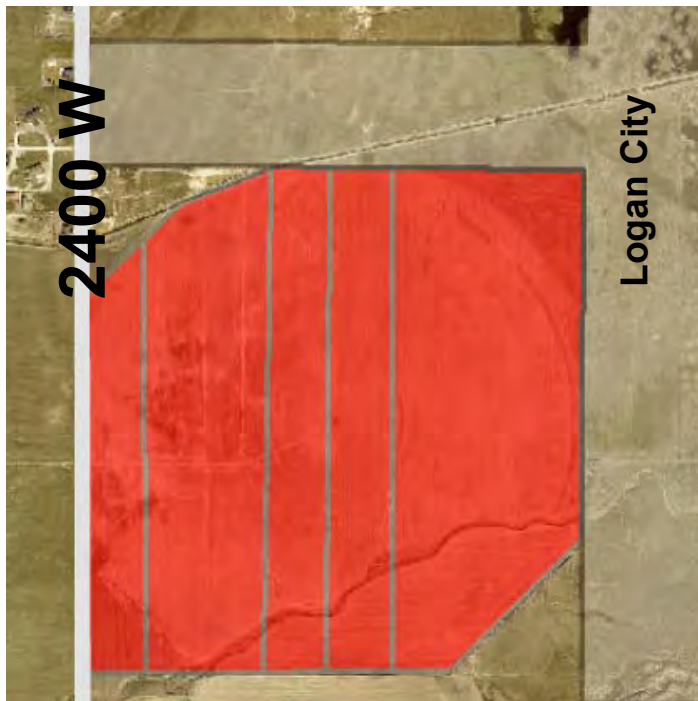
**Existing Zone:**  
Agricultural (A10)

- Parcels (15):**  
12-001-0007  
12-001-0008  
12-001-0009  
12-001-0015  
12-001-0016  
12-001-0017  
12-001-0020  
12-001-0025  
12-001-0041  
12-002-0010  
12-002-0011  
12-002-0012  
12-002-0013  
12-002-0016  
12-002-0021

**Findings of Fact:**

1. County roads 3200 West and 3800 West and private roads 4000 North and 4200 North bisect and/or border the proposed Ballard Agriculture Protection Area 5.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Single family dwellings (12-001-0009, 0015, 0016, 0017, 0025), crop and livestock production, farm equipment storage, a maintenance shop, feed mill, feed manufacturing, grain storage, hog production, and raw manure storage.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**Area 6: Ballard Agriculture Protection Area – 148.43 Acres**



**Existing Zone:**  
Agricultural (A10)

**Parcels (5):**  
04-067-0004  
04-067-0005  
04-067-0006  
04-067-0007  
04-067-0008

**Findings of Fact:**

1. County road 2400 West borders the proposed Ballard Agriculture Protection Area 6. The Logan City municipal boundary also borders this area.
2. As per State Code §17-41-305 and County Code §2.70, the following criteria have been reviewed and addressed:
  - a. *Is the area proposed greater than 5 acres in size?* Yes.
  - b. *Is the land currently being used for agriculture production?* Yes.
  - c. *Is the land zoned for agricultural use?* Yes.
  - d. *Is the land viable for agriculture production?* Yes.
  - e. *What is the extent and nature of the existing or proposed farm improvements?* Crop and livestock production.
  - f. *What are the anticipated trends in the agricultural and technological conditions?* This is a sizeable piece of agriculture, has functioned as such in the past, and will likely continue to function in that manner into the future.
3. Notice to surrounding property owners has been provided as per State and County Code. At this time, no public comment regarding this proposal has been received by the Development Services Office.

### STAFF REPORT: MORLEY REZONE

2 June 2016

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:** Ken Morley

**Parcel ID#:** 16-046-0031

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

#### LOCATION

*Reviewed by: Jacob Adams - Planner 1*

**Project Address:**  
686 East 10850 South  
Avon, Utah

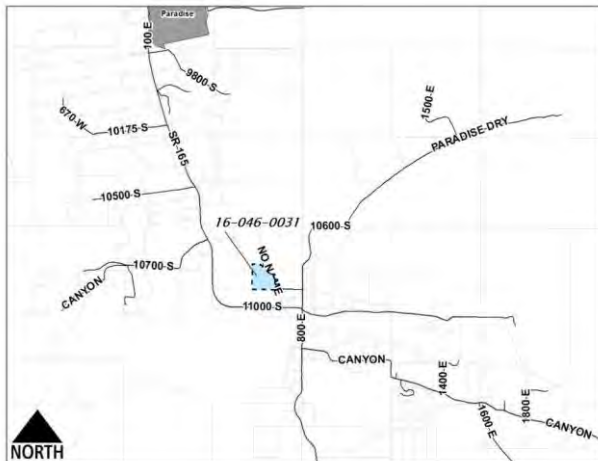
**Acres:** 9.09

**Current Zoning:**  
Agricultural (A10)

**Proposed Zoning:**  
Rural 2 (RU2)

#### Surrounding Uses:

North – Avon Cemetery/Agricultural/Residential  
South – Agricultural/Residential  
East – Agricultural/Residential  
West – Agricultural/Residential



#### PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

##### Purpose:

To review the proposed Morley Rezone; a request to rezone the 9.09-acre parcel 16-046-0031 currently zoned Agricultural (A10) to the Rural 2 (RU2) Zone.

##### Ordinance:

Current Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone. The Cache County Comprehensive Plan also does not currently support the RU2 Zone.

The Cache County Ordinance Title §17.08.030[A] identifies the purpose of the RU2 Zone and includes the following:

“A. Rural 2 Zone (RU2):

1. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent

agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.

2. To implement the policies of Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”

Any impacts related to permitted and conditional uses allowed within the Rural 2 (RU2) Zone will be addressed as part of each respective approval process required prior to site development activities.

**Summary:**

Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and in the following text:

**Property Context:** This is a legal parcel as per a CUP recorded on 13 April 1993. If rezoned, the RU2 Zone would allow the property to be divided at a density of one unit per two acres through the subdivision process according to the county and state laws in place at the time of subdivision. The property currently has one existing dwelling that was built in 1993.

**Density (see map, Exhibit A):** Within a one-mile radius of this property, the surrounding parcels reflect an average parcel size of 20 acres for properties without a dwelling and 9.3 acres with a dwelling.

**Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. This proposed rezone is approximately 1.3 miles south of Paradise and is near the area generally considered as the center of the unincorporated community of Avon. The proposed rezone on this approximately nine-acre parcel would reflect a maximum potential of three or four developable lots, depending on the amount of steep slopes and road rights-of-way.

**Access and Maintenance:** Access to this property is from county roads 800 East and 10940 South and is currently not adequate (Exhibit B). Creating adequate access may be feasible but may require substantial improvement to the road surface and width, modification of the bridge, and obtaining an extension of services per County Council Resolution 2015-20 (Exhibit C). These requirements will be reviewed when a subdivision application is submitted. Access for fire protection and emergency services will require further review prior to development but appears adequate at this time. There is existing county winter maintenance on both roads, ending at the intersection of 10940 South and the road leading to the Avon Cemetery.

The County Manual of Roadway Design and Construction Standards requires any road providing access to more than three homes to have a minimum of 22-foot paved width with 1-foot-wide gravel shoulders. 800 East has a 19-foot paved width with 3-foot-wide gravel shoulders; 10940 South is a 19-foot wide gravel road. The County road ends at the property boundary; a private road continues into the subject property and crosses a 17-foot concrete bridge before continuing to the existing dwelling. A private road with a 10-foot paved width with 2-foot-wide gravel shoulders runs along the east side of the property and provides access to the Avon cemetery.

**Water and utilities:** Further development will require additional review of access to culinary water. The property does not have access to any large-scale culinary or sewer system.



**Public Comment:**

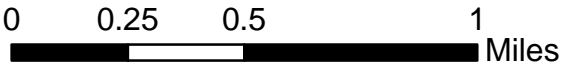
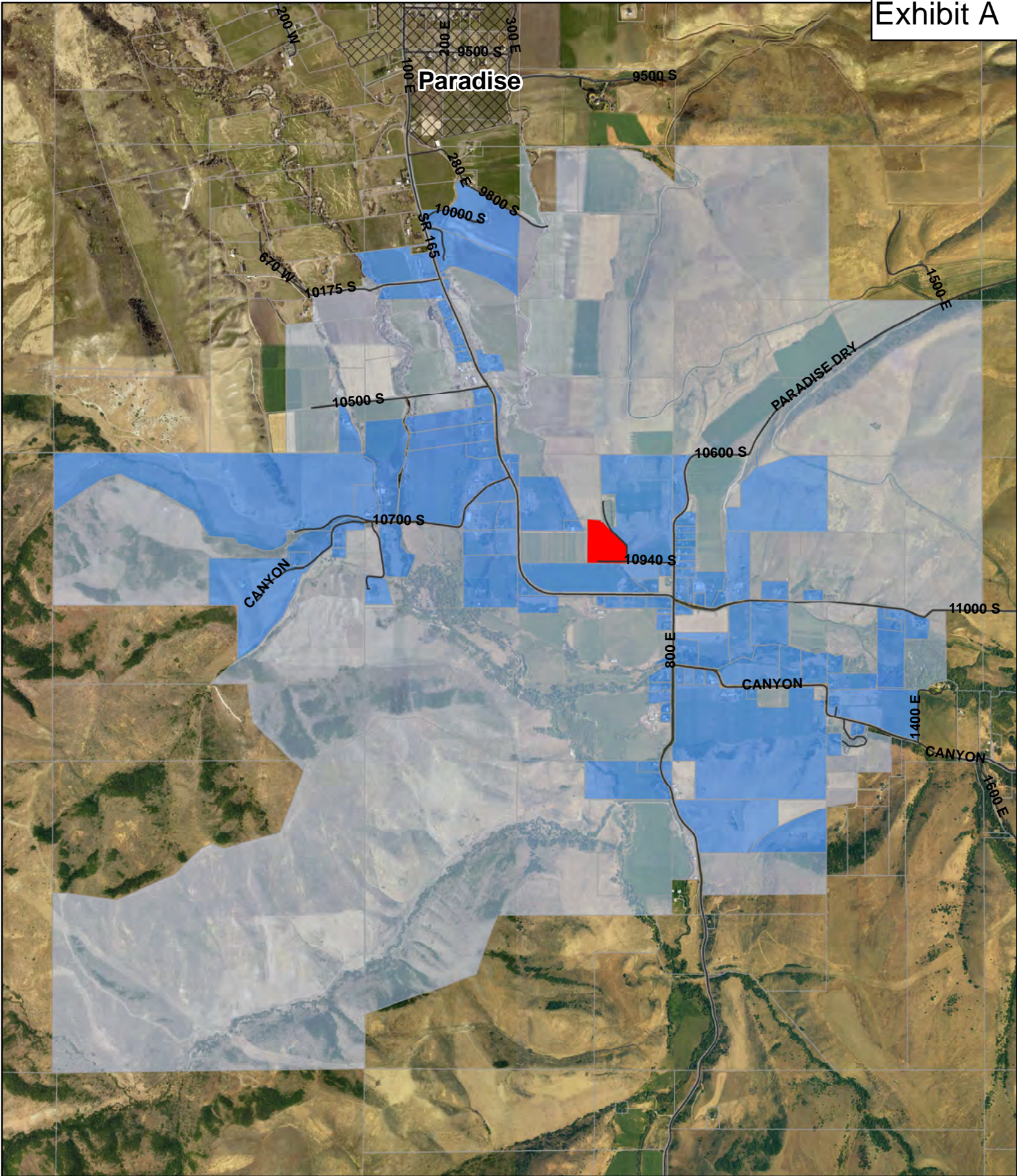
Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property on 27 May 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**STAFF DETERMINATION**





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This report has been provided to the Planning Commission and County Council to assist them in their review of this rezone request. No determination or finding(s) of fact has been identified by staff, however all relevant information regarding the rezone request has been provided.

Staff recommends that the Planning Commission and County Council strongly consider the intended location of the RU2 Zone and arrive at a determination based on finding(s) of fact prior to any legislative action. Staff will assist in the drafting of a determination and finding(s) of fact once they have been identified by the Planning Commission and/or County Council.



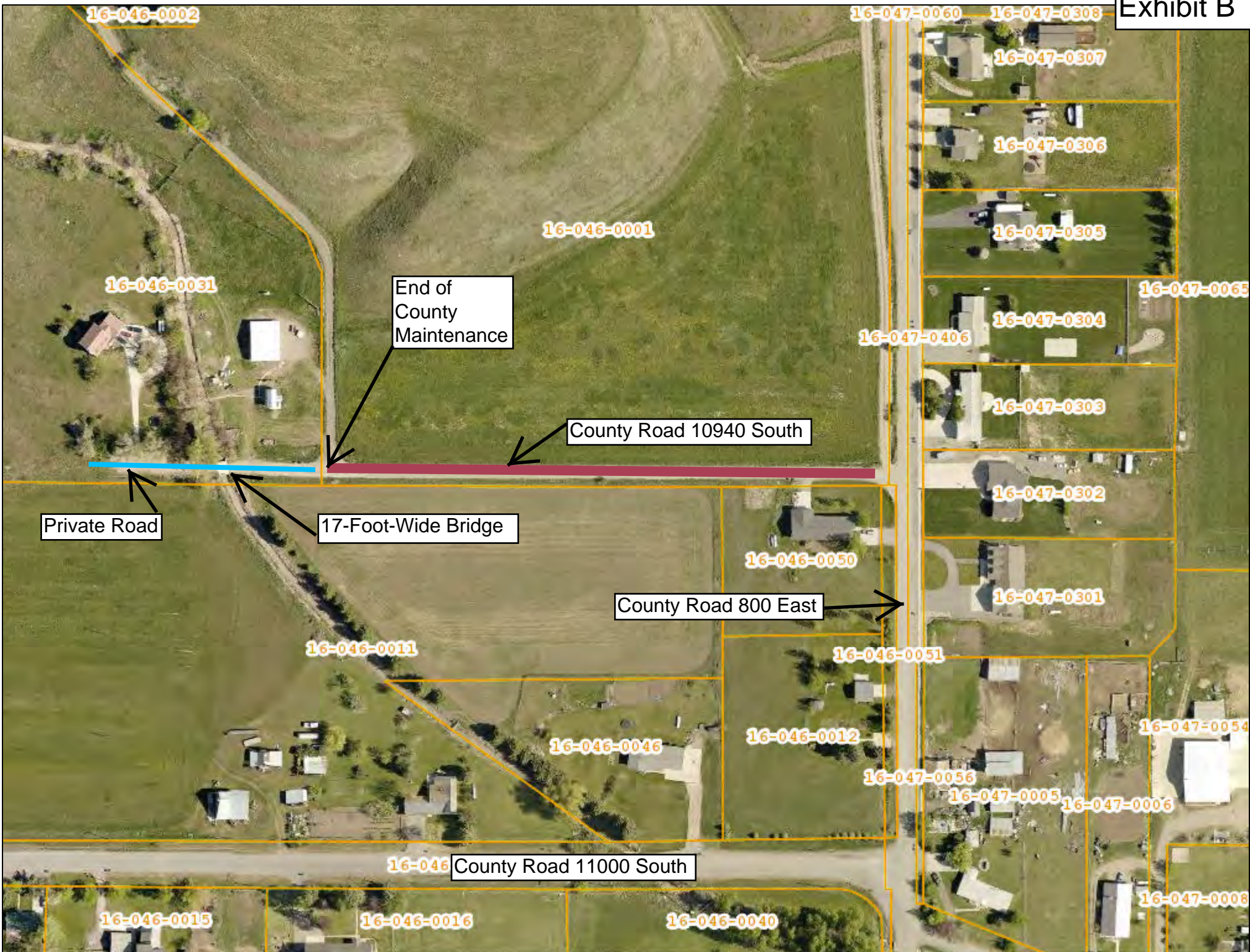
**Legend**

-  Parcels
-  Proposed Rezone
-  Parcels with Dwellings
-  Parcels in 1 Mile Buffer

**Average Parcel Size: 20 Acres**  
**Average Parcel Size With a Home: 9.3 Acres**

May 2016





**RESOLUTION No. 2015-20**  
**CACHE COUNTY, UTAH**

**Exhibit C**

**SERVICE PROVISION ON COUNTY ROADS**

A RESOLUTION OUTLINING THE COUNTY COUNCIL'S POLICY REGARDING THE EXPANSION OR CONTINUATION OF SERVICES ON COUNTY ROADS

Whereas, Cache County has reviewed the impact of new development along unimproved roadways on the safety and welfare of citizens of Cache County, and;

Whereas, Cache County has determined that within the existing budget constraints funding is not sufficient for the existing network of roadways to be properly maintained and that additional road length is a net cost to the county even considering existing Class B allocations from the State and property tax rates, and;

Whereas, it is not in the best interest for the safety and/or welfare of existing or future residents of Cache County to diminish services on existing roadways to maintain new roads or to provide substandard service on new roadways, and;

Whereas, there are nearly 200 miles of existing paved road in Cache County that can accommodate development with little to no impact on the County's ability to serve said development.

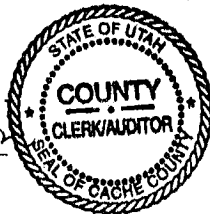
NOW, THEREFORE, BE IT RESOLVED that the County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to hereby adopt the following resolution:

- 1) There shall be no further expansion of road services on substandard roads that do not already serve existing homes including:
  - a. No expansion of winter maintenance activities (snow plowing).
  - b. No gravel roads be paved or "Chip Sealed".
  - c. No acceptance of new roadways, gravel or paved.
- 2) The County Council may grant exceptions to this policy if proposed road improvements improve the health and/or safety of existing subdivisions, homes, or businesses.

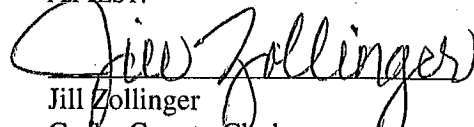
APPROVED AND ADOPTED this 25<sup>th</sup> day of August, 2015.

CACHE COUNTY COUNCIL

  
Kathy Robison, Chair  
Cache County Council



ATTEST:

  
Jill Zollinger  
Cache County Clerk

*Disclaimer: This is provided for informational purposes only. The formatting of this resolution may vary from the official hard copy. In the case of any discrepancy between this resolution and the official hard copy, the official hard copy will prevail.*



**STAFF REPORT: HANSEN REZONE**

2 June 2016

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:** Gary A Hansen

**Parcel ID#:** 08-043-0005

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**LOCATION**

*Reviewed by: Jacob Adams - Planner 1*

**Project Address:**  
~6500 North 400 West  
North of Smithfield

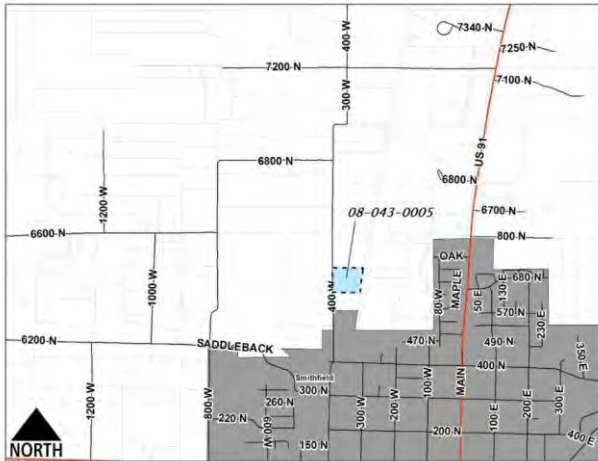
**Acres:** 8.76

**Surrounding Uses:**

North – Agricultural/Residential  
South – Agricultural/Residential/Smithfield City  
East – Agricultural/Residential  
West – Agricultural/Residential

**Current Zoning:**  
Agricultural (A10)

**Proposed Zoning:**  
Rural 2 (RU2)



**PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT**

**Purpose:**

To review the proposed Hansen Rezone; a request to rezone the 8.76-acre parcel 08-043-0005 currently zoned Agricultural (A10) to the Rural 2 (RU2) Zone.

**Ordinance:**

Current Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone. The Cache County Comprehensive Plan also does not currently support the RU2 Zone.

The Cache County Ordinance Title §17.08.030[A] identifies the purpose of the RU2 Zone and includes the following:

“A. Rural 2 Zone (RU2):

1. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent

agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.

2. To implement the policies of Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”

Any impacts related to permitted and conditional uses allowed within the Rural 2 (RU2) Zone will be addressed as part of each respective approval process required prior to site development activities.

**Summary:**

Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached map and in the following text:

**Property Context:** This is a legal parcel whose current configuration is the result of an amendment to the boundary of the subdivision directly to the south. If rezoned, the RU2 Zone would allow the property to be divided at a density of one unit per two acres through the subdivision process according to the county and state laws in place at the time of subdivision.

**Density (see map, Exhibit A):** Within a one-mile radius of this property, the surrounding parcels within the county (not including properties within Smithfield City itself) reflect an average parcel size of 11.6 acres, and an average parcel size of 5.7 acres of properties with a dwelling.

**Zone Placement:** As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The proposed rezone is approximately 400 feet from the Smithfield City boundary on the south and approximately 1700 feet from the boundary on the east.

**Access and Maintenance:** Access to this property is from county road 400 West and is currently not adequate. Creating adequate access may be feasible but would require substantial improvements to 400 West and will be reviewed when a subdivision application is submitted. There is existing county winter maintenance on 400 West.

The County Manual of Roadway Design and Construction Standards requires any road providing access to more than three homes to have a minimum of 22-foot paved width with 1-foot-wide gravel shoulders. Access to this property is from county road 400 West, which has a paved width of 15 feet with 1-foot-wide gravel shoulders and does not meet the minimum standards for width. Access for fire protection and emergency services will require further review prior to development but appears adequate at this time.

**Water:** Further development will require additional review of access to culinary water. The property does not have access to any large-scale culinary or sewer system.

**Smithfield City (Exhibit B):** Smithfield City has stated the nearest zoning is residential with a minimum lot size of 12,000 square feet (approximately 0.28 acres). They have no issue with the rezone but wish to make it clear that “no city utilities are accessible to or have access for the property.”

**Public Comment:**

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property on 27 May 2016. Smithfield City was noticed as part of the staff review and has provided written comment (Exhibit B). At this time, no other public comment regarding this proposal has been received by the Development Services Office.

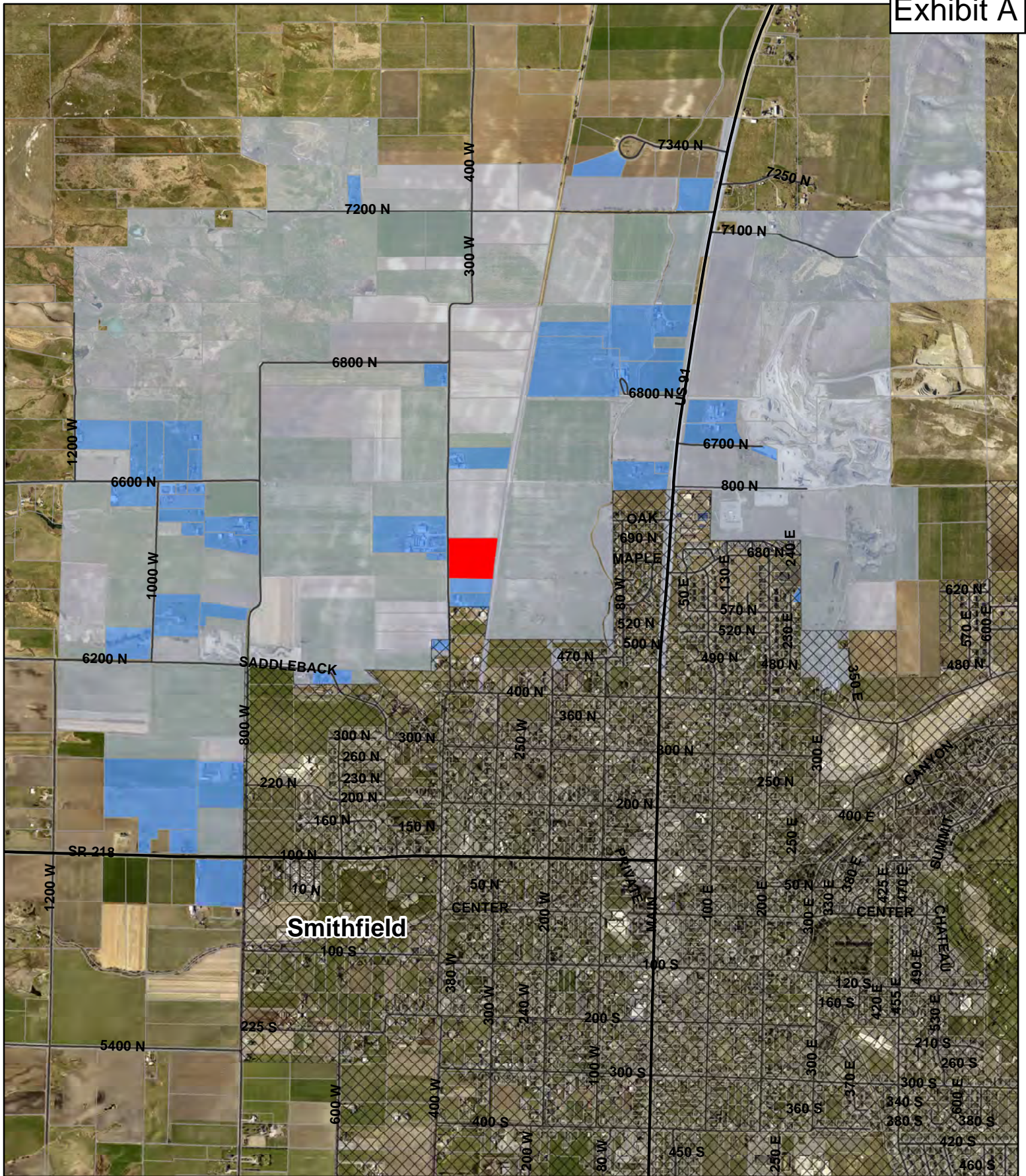
**STAFF DETERMINATION**

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This report has been provided to the Planning Commission and County Council to assist them in their review of this rezone request. No determination or finding(s) of fact has been identified by staff, however all relevant information regarding the rezone request has been provided.

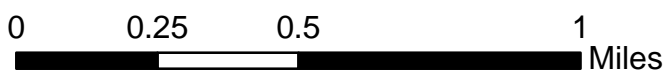
Staff recommends that the Planning Commission and County Council strongly consider the intended location of the RU2 Zone and the long term cost and burden to the county associated with the maintenance of road systems that serve high density areas and arrive at a determination based on finding(s) of fact prior to any legislative action. Staff will assist in the drafting of a determination and finding(s) of fact once they have been identified by the Planning Commission and/or County Council.





**Legend**

- Parcels
- Proposed Rezone
- Parcels with Dwellings
- Parcels in 1 Mile Buffer



**Average Parcel Size: 11.6 Acres**  
**Average Parcel Size With a Home: 5.7 Acres**





# SMITHFIELD CITY CORPORATION

96 South Main Street - P.O. Box 96  
Smithfield, Utah 84335  
Phone (435) 563-6226  
FAX (435) 563-6228

*OFFICIALS*

DARRELL G. SIMMONS  
MAYOR  
CRAIG GILES  
CITY MANAGER  
JUSTIN B. LEWIS  
CITY RECORDER  
JANE PRICE  
CITY TREASURER  
TERRY K. MOORE  
JUSTICE COURT JUDGE

*COUNCIL MEMBERS*

JEFFREY H. BARNES  
DEON HUNSAKER  
BARBARA S. KENT  
KRIS MONSON  
CURTIS WALL

May 20, 2016

Cache County Planning  
179 North Main Street  
Logan, UT 84321

Dear Jacob Adams,

The Smithfield City Staff has reviewed the rezone application for the property located at 6500 North 400 West.

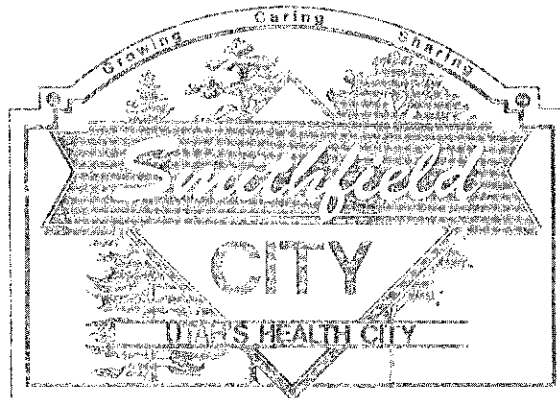
Smithfield City's General Plan addresses the closest City Parcels as zoning classification R-1-12.

Smithfield City has no issue with the property being rezoned, but want to make it clear that no city utilities are accessible to or have access for the property.

Sincerely,



Craig Giles  
City Manager



### STAFF REPORT: MAPLE RISE CAMPGROUND CUP

2 June 2016

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:** Ben Anderson, Apex Design Group

**Parcel ID#:** 11-071-0002

**Staff Determination:** Approval with conditions

11-042-0002

**Type of Action:** Administrative

**Land Use Authority:** Cache County Planning Commission

### PROJECT LOCATION

*Reviewed by: Jacob Adams — Planner I*

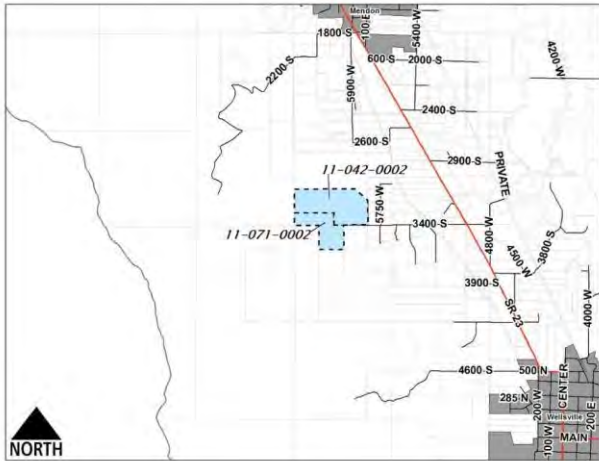
**Project Address:**

6000 West 3400 South  
South of Mendon, Utah

**Current Zoning:** Agricultural (A10) and Forest Recreation (FR40)  
**Acres:** 214.12

**Surrounding Uses:**

North – Agricultural/Residential  
South – Forest Recreation/Agricultural/Residential  
East – Agricultural/Residential  
West – Forest Recreation



### PROJECT PURPOSE, APPLICABLE ORDINANCE, SUMMARY, AND PUBLIC COMMENT

**Purpose:**

To review the request for the establishment of the existing Maple Rise Campground and the construction of new shower/restroom facilities and RV pads for camp hosts.

**Ordinance:**

Conditional Use Permits (CUPs) are governed by County Land Use Code §17.06.050, “Conditional Uses,” in order to allow for special uses that may be essential or desirable but are not allowed as a matter of right.

County Land Use Code §17.07.030, “Use Related Definitions,” classifies campgrounds under land use index 5100 Recreational Facility. County Code §17.09.030, “Schedule of Uses by Zoning District,”

lists land use index 5100 Recreational Facility as a conditional use in the Forest Recreation (FR40) and Agricultural (A10) Zones.

**Summary:**

The existing campground has been in operation for decades without a permit. The campground owner wishes to add a restroom/shower facility for the upper campsites and RV pads for the volunteer camp hosts (who are on site full-time during the summer camping season) near the lower campsites. The proposed CUP will include both the existing campground use and the proposed expansions. Specific details for the existing campground may be found in the letter of intent and site map accompanying this application (Exhibits A and B).

**Existing Features**

- Lower campground:
  - 7 camp sites
  - Pavilion, restrooms, and flag pole
  - Well
- Upper campground:
  - 6 camp sites
  - Amphitheater with flagpole
  - Amphitheater with fire pit
  - Parking area
  - Water tank

**New Features**

- Lower campground:
  - 2 RV pads and associated septic system
  - Transformer shed for RV power hookups (similar to standard-size commercial sheds)
- Upper campground:
  - Restroom/Shower facility and associated septic system

The proposed restroom/shower facility (Exhibit C) will be located on the edge of the upper parking area and will also include a small area for food preparation and distribution. The RV pads will be located near the main entrance to the campground and would be used only for the camp hosts during the summer season.

**Access:**

- The County Manual of Roadway Design and Construction Standards requires any road providing access to more than three homes (40 average daily trips or more) to have a minimum of a 22-foot paved width with 1-foot gravel shoulders.
- Maple Rise Campground is accessed via county road 3400 South, which has a 19-foot paved width with 1-foot wide gravel shoulders. This road does not meet the minimum county standards.
- A design exception is recommended for the paved width and overall road width as the campground use was established prior to the current county standards and the proposed expansions will not increase the traffic impact of the campground.

**Water & Septic:**

- An approved water right is in place for 200 recreational users.
- The Bear River Health Department has stated the site is feasible for the proposed septic fields.
- The septic system for the existing restroom was permitted and inspected when it was constructed.

**Service Provision:**

- The County Fire District has stated that access is adequate for their purposes. Water for fire protection will be supplied by the Wellsville Fire Department.
- Refuse collection is handled through two four-cubic-yard dumpsters that are emptied weekly.

***Sensitive Areas:***

- The initial county analysis identified a landslide hazard across the majority of the site. The applicant has submitted a geotechnical report stating the areas for the proposed restroom/shower facility and the RV pads, with their associate septic fields, are not within a landslide area.
- Moderate and steep slopes have been identified on the project area. The geotechnical report identifies the areas for the proposed facilities as flat or nearly flat.
- A fault line has been identified on the far western edge of the subject parcels. The geotechnical report notes that this fault is 960 feet from the site for the proposed restroom/shower facility and does not include any requirements in relation to this fault.
- A portion of the campground area is within sourcewater protection zone two; however, the proposed septic drain fields are outside of this area.
- The subject parcels are listed in the Wildland/Urban Interface and have areas with a medium wildfire hazard. No additional requirements have been provided by the County Fire District.

**Public Notice and Comment:**

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property on 27 May 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

**STAFF DETERMINATION AND FINDINGS OF FACT (4)**

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It is staff's determination that the request for an amended conditional use permit for the Maple Rise Campground, located in the Agricultural (A10) and Forest Recreation (FR40) Zones at 6000 West 3400 South with parcel numbers 11-071-0002 and 11-042-0002 is in conformance with the Cache County Code and should be approved. This determination is based on the findings of fact identified below.

1. The Maple Rise Campground CUP 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 Maple Rise Campground CUP 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 Maple Rise Campground CUP has been reviewed in conformance with §17.06.070 of the Cache County Code, Standards and Criteria for Conditional Use, and conforms to said title, pursuant to the conditions of approval.
4. A design exception is hereby granted for the paved width and overall road width as the campground use was established prior to the current county standards, and the proposed expansions will not increase the traffic impact of the campground.

**CONDITIONS OF APPROVAL (1)**

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The following conditions are appurtenant to the existing property and must be accomplished to conform to the County Code and the requirements of county service providers.

1. Any further expansion or modification of the facility not covered by the provided letter of intent must be reviewed by the County Land Use Authority and must meet the requirements of the County Code in place at that time.



APEX Design Group  
2720 W. 7000 S.  
Wellsville, UT 84339  
Phn: 435-554-0520  
Fax: 435-554-0525  
WWW.APEXDG.COM

April 5, 2016

Cache County Development Services  
179 North Main Suite 305  
Logan, UT 84321

RE: Maple Rise RCMP Restroom/Shower/Septic – Conditional Use Permit – Letter of Intent

To whom it may concern:

The following is the Letter of intended use of the referenced project:

Owner Name:

Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints.  
Certified Authority: Garth Martin, Brent Bigelow

Owner Address

American Fork Project Management Office  
PO Box 268, American Fork, UT 84003

Proposed Use

1. The primary purpose of the camp is to help young women feel the Spirit and enjoy safe, wholesome recreation. Stakes (church groups), wards (church groups), families, and others may also use these camps for wholesome recreation. The property has been used for many years in this capacity. The camp can facilitate approximately 200 campers.

The camp has 2 main areas, the upper camp and the lower camp,

- a. The lower camp consists of 7 camp sites that can facilitate approximately 88 campers. It also has existing structures consisting of a pavilion (30x60) and restroom facility. The existing lower camp is to remain as is.
- b. The upper camp consists of 6 camp sites that can facilitate up to 112 campers. The upper camp also has an amphitheater. **The proposed new restroom/shower facility is to be placed near the upper camp area.**

The camp is also planning for (2) future RV pads for the volunteers that help manage the camp. These will be placed near the main entrance to the camp.

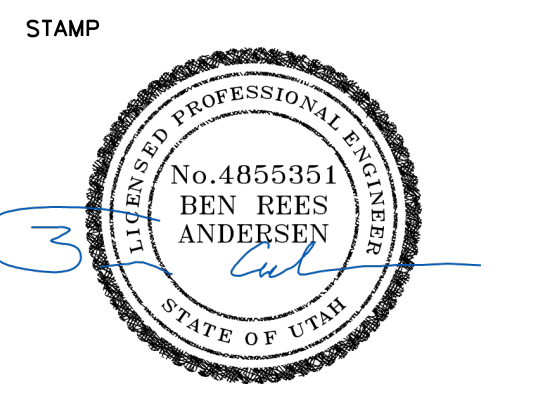
2. Number of Employees: There will be no full time employees at the property. During operation times there will be (2) sets of (2) full time volunteers that manage the day to day needs of the property and campers. A camp facility manager is also on site nearly weekly or as needed to assist with water, power and septic systems and other maintenance projects.
3. Hours of Operation: The camp is open to users from May 1<sup>st</sup> to September 30<sup>th</sup>. During those months, the camp will be used for day and night camping activities. The camps are used from Monday to Saturday and closed on Sundays. Those using the camp are to keep the camp rules of "Quite Time" from 10 pm to 8 am.

4. Traffic and Parking: Parking is available at the upper camp in a designated area. There is also overflow parking available through a gate into an adjacent field to the north of the upper camp parking area. The lower camp has a parking area for a few vehicles near the pavilion area.
5. Signage: No new proposed signage. Existing signs consist of trail locating signs and covered signs with camp rules, requirements and bulletins.
6. Equipment: The equipment used for typical operations involves ATV or golf carts for the volunteers to access and check up on the campers at the property. Occasionally portable generators will be used at the camp.
7. Waste and/or garbage: The camp will use (2) 4 yd dumpster bins, placed near the entrance gate to the camp. The dumpster bins will be emptied weekly. Each camp group is to clean up their campsites and maintain them. Upon final checkout they are to ensure all garbage is taken to the dumpsters.





OFFICE: 55 EAST MAIN ST  
MOUNTAIN VIEW, UT 84039  
PHONE: 435-554-0325  
FAX: 435-554-0325



PROJECT TITLE  
MAPLE RISE RCMP  
MENDON UT STAKE  
NEW RESTROOM/SHOWER/SEPTIC  
1 MILE SW OF MENDON  
MENDON, UT 84325  
P.N. 512-9966-14010101

Project for:  
THE CHURCH OF  
JESUS CHRIST  
OF LATTER-DAY SAINTS

REVISIONS  
-  
-  
-  
-

PROJECT #: 14042  
ISSUE DATE: APRIL 2016  
PHASE: BID DRAWINGS  
DRAWN BY: JS  
CHECKED BY: BRA

SHEET CONTENTS

SITE MAP

SHEET #

G101

**LEGEND**

- (X) NUMBERED CAMPSITE
- BOUNDARY LINE
- GRAVEL ACCESS ROADS
- BOUNDARY LINE
- LANDSLIDE HAZARD AREA AS SHOWN ON COUNTY GIS SYSTEM
- LANDSLIDE HAZARD AREA AS PER GEOTECHNICAL REPORT
- FOOT TRAILS, NOT ALL TRAILS SHOWN

**KEYNOTES**

- 01 EXISTING PAVILION
- 02 EXISTING RESTROOM
- 03 LOWER CAMP AREA
- 04 EXISTING CAMP SIGN
- 05 EXISTING GARBAGE DUMPSTER LOCATION
- 06 EXISTING ROAD, TYP.
- 07 EXISTING SECURED ENTRANCE GATE
- 08 EXISTING WELL
- 09 EXISTING FLAGPOLE/AMPHITHEATER
- 10 UPPER CAMP AREA
- 11 EXISTING CAMP SIGN
- 12 EXISTING SHED
- 13 PROPOSED RESTROOM BUILDING
- 14 EXISTING WATER TANK
- 15 EXISTING FENCE
- 16 EXISTING PARKING
- 17 EXISTING FIELD FOR OVERFLOW PARKING IF NEEDED
- 18 EXISTING GATE
- 19 PROPOSED SEPTIC DRAIN FIELD
- 20 PROPOSED SEPTIC LINE
- 21 FUTURE SEPTIC TANK AND DRAIN FIELD
- 22 (2) FUTURE RV PADS
- 23 EXISTING SERVICE ROAD, FOR CAMP USE ONLY



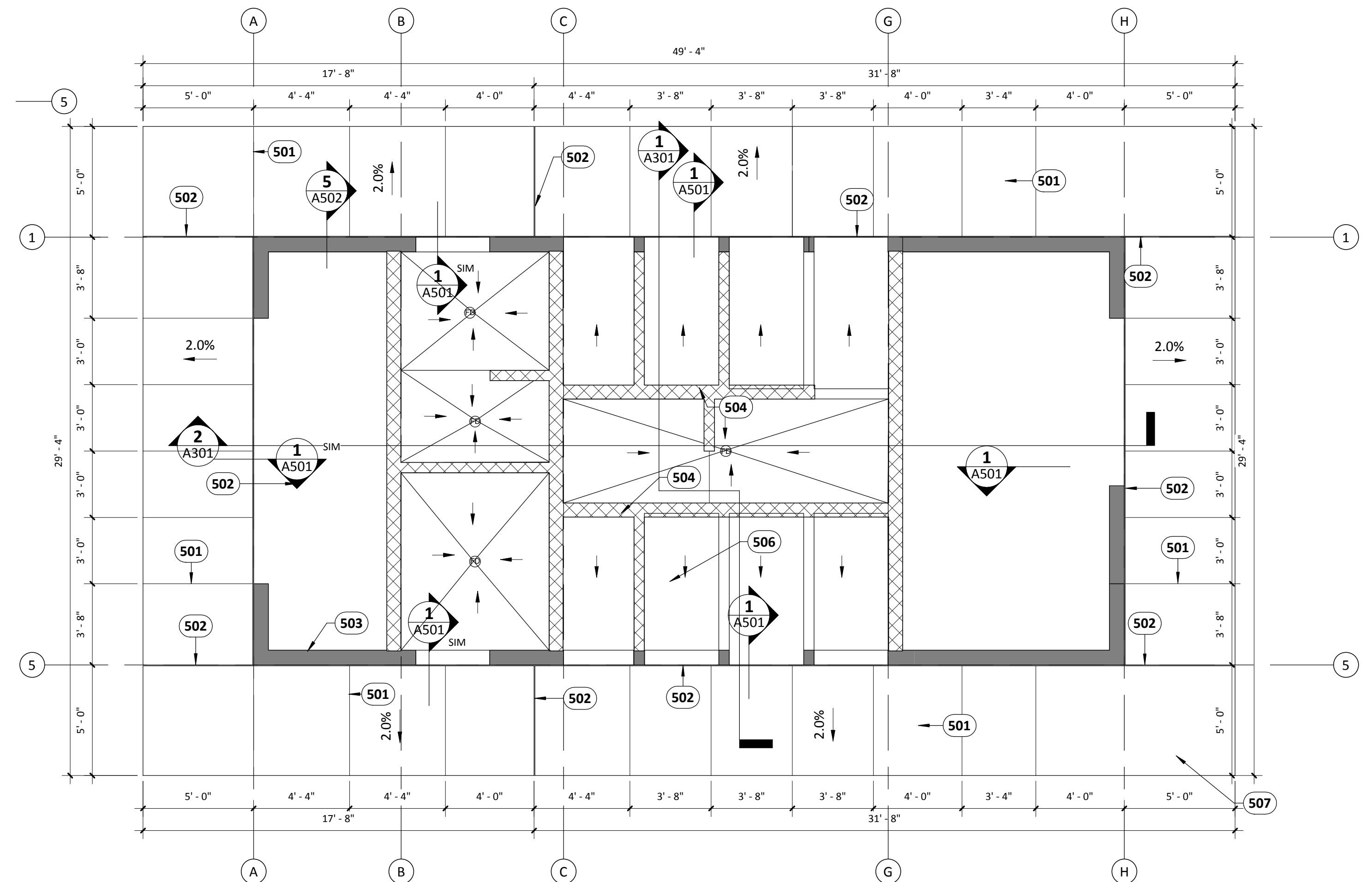
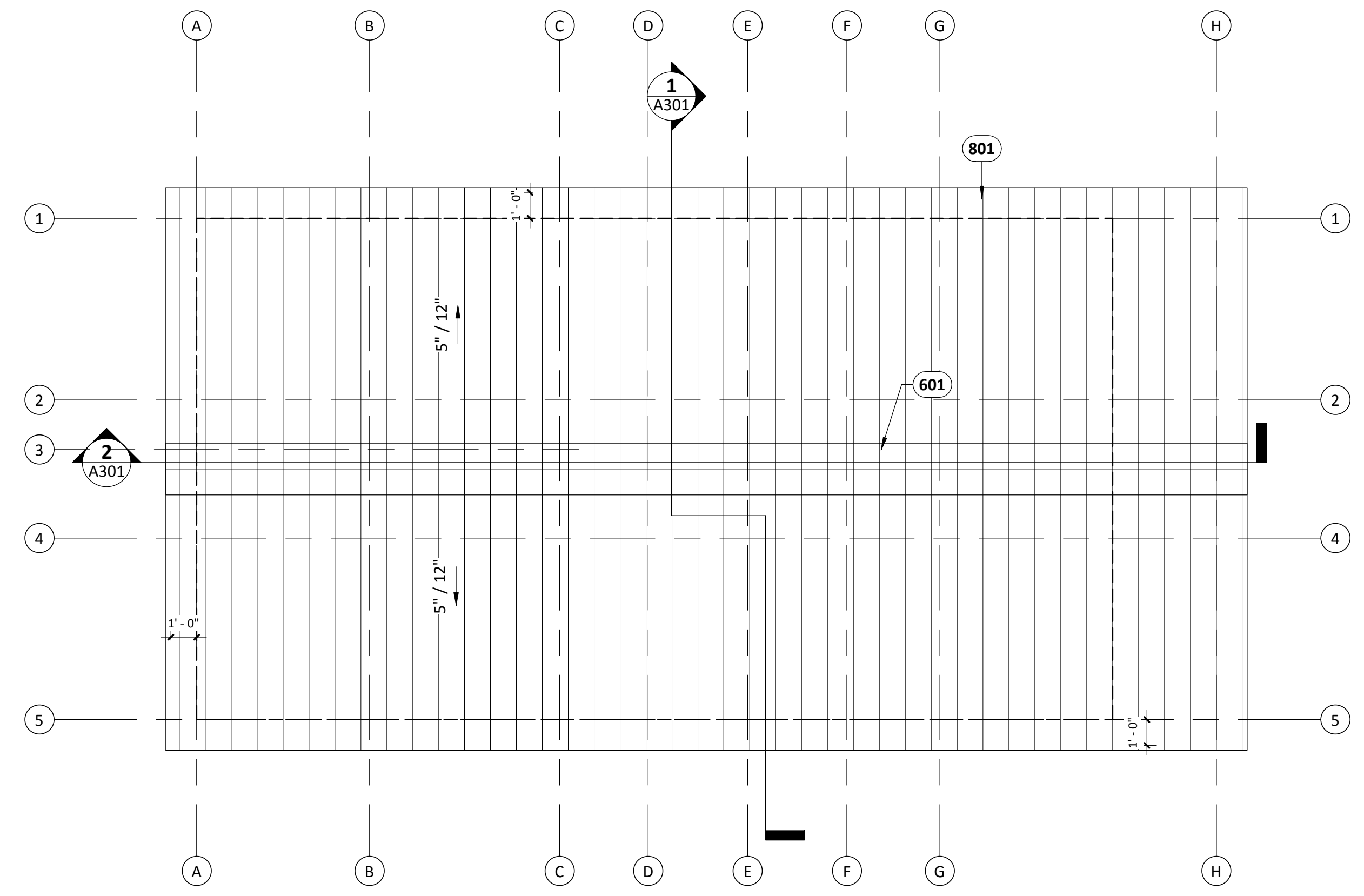
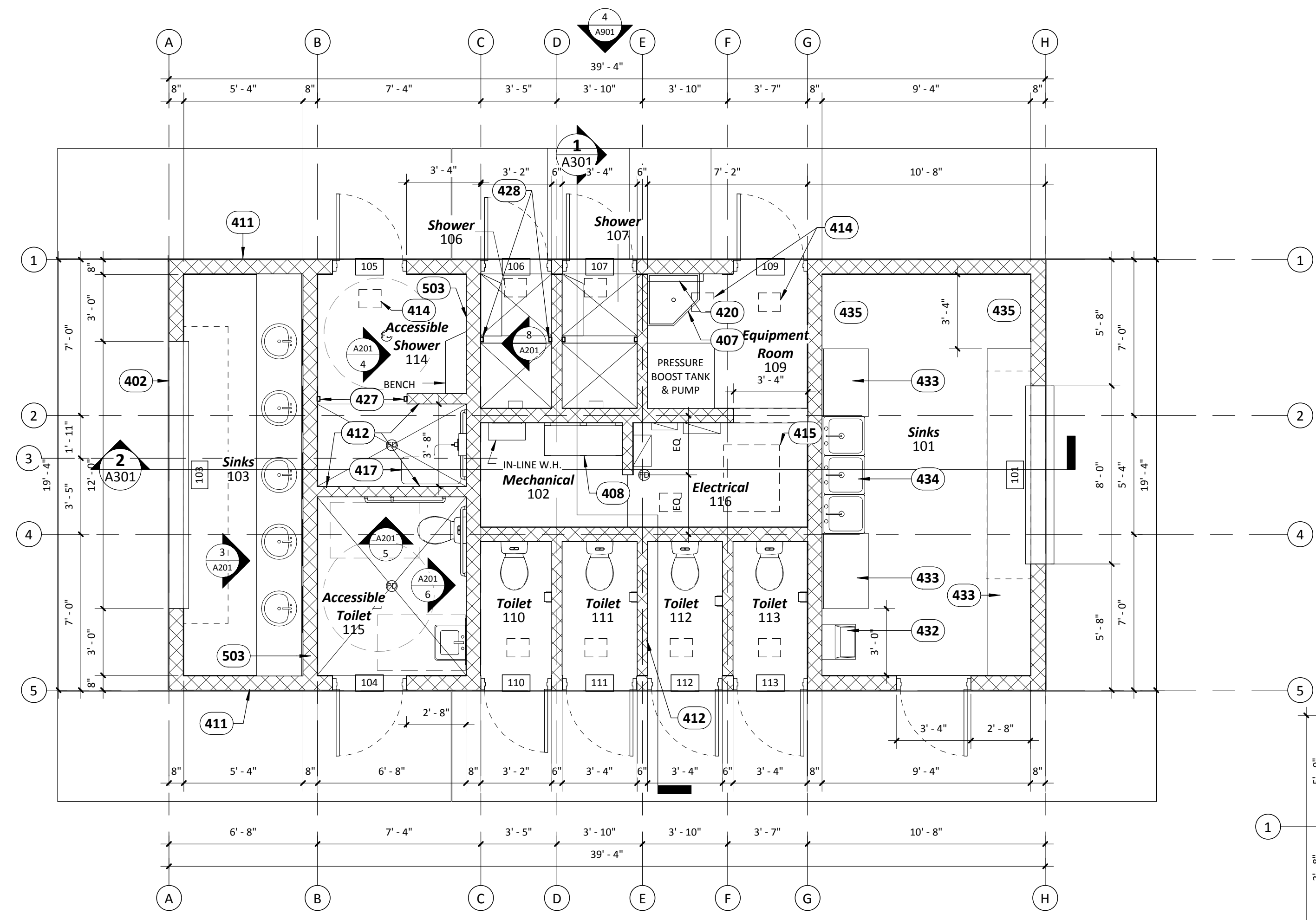
2 AERIAL SITE PHOTO  
SCALE: NA  
G101

1 EXISTING SITE PLAN  
SCALE: 1" = 200'  
G101

**NOTE:**  
1. SCALE IS APPROXIMATE. CONTRACTOR TO VERIFY ACTUAL DIMENSIONS PRIOR TO BID

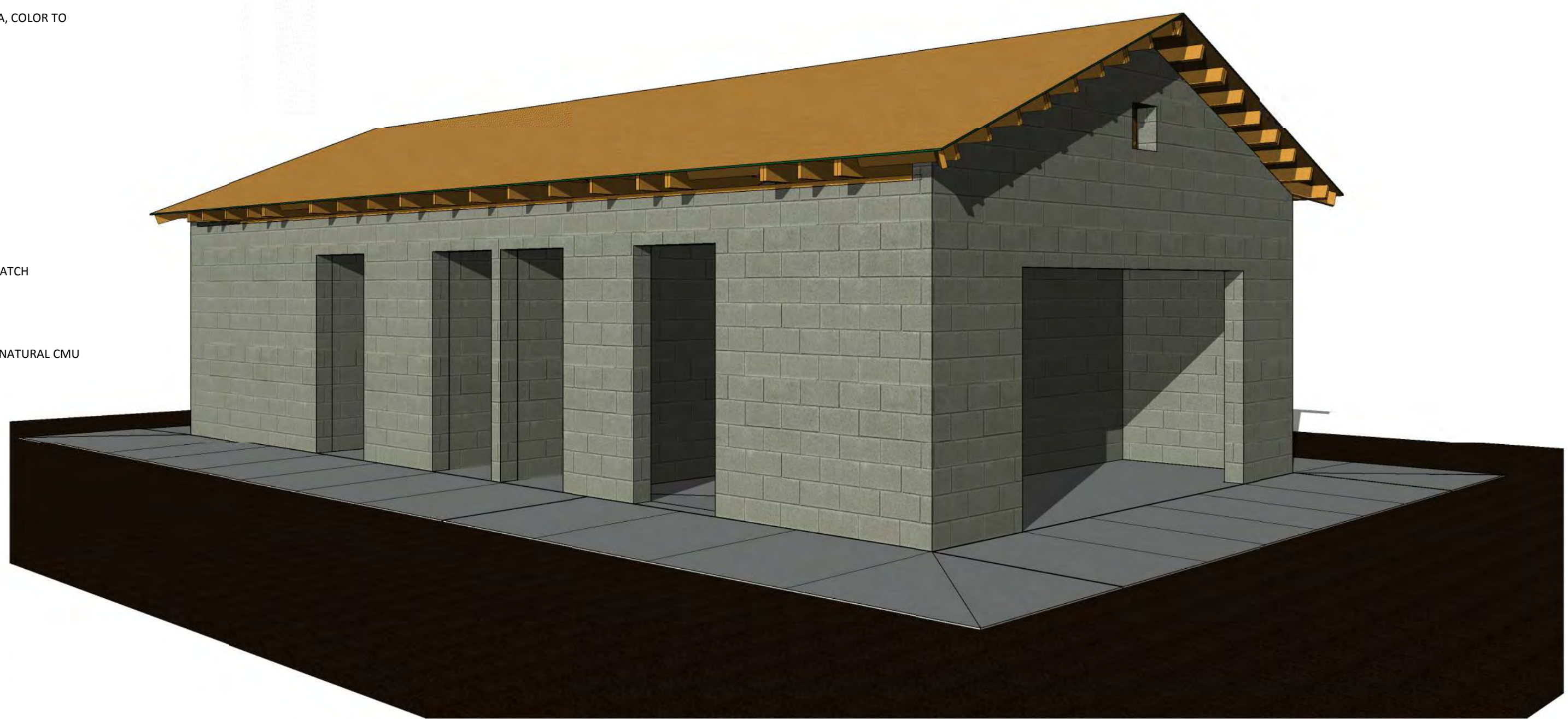


KEYNOTE LEGEND	
#	DESCRIPTION
402	OVERHEAD DOOR
407	MOP SINK
408	SHELVES
411	8" CMU -SEALED FINISH, U.N.O.
412	6" CMU -SEALED FINISH, U.N.O.
414	12"x10" ALUMINUM VENT, TYP.
415	ATTIC ACCESS
417	FOLDING, ACCESSIBLE SHOWER BENCH
420	UTILITY SHELF
427	PLASTIC TRIM, PAINTED -SEE DETAIL 10/A502
428	PLASTIC TRIM, PAINTED -SEE DETAIL 9/A502, TYP. @ ALL SHOWER ROOMS
432	ADA DRINKING FOUNTAIN
433	COUNTER
434	SINKS CENTERED IN ROOM
435	FUTURE REF.
501	CONTROL JOINT
502	EXPANSION JOINT
503	EXPOSED TOP OF FOUNDATION
504	SHAPE FINISH SLAB TO FLOOR DRAIN
506	4" CONC. CURB, TYP. @ SHOWERS
507	EXTERIOR SLAB TO BE 4" THICK CONC. ON 6" GRAVEL BASE WHICH SHALL DAYLIGHT TO EXPOSED DRAINAGE AREA
601	RIDGE VENT -SEE DETAIL 11/A501
801	24 GAUGE STANDING SEAM METAL ROOF. FOR ROOF PENETRATIONS SEE DETAIL 6/A501



North







**STAFF REPORT: NAUTICA SUBDIVISION REMANDED**

02 June 2016

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:** Bob Wright

**Parcel ID#:** 01-081-0001 and 01-081-0017

**Staff Determination:** Approval

**Type of Action:** Administrative

**Land Use Authority:** Cache County Council

**LOCATION**

*Reviewed by: Chris Harrild, Senior Planner*

**Project Address:**

1550 West 6700 South

Hyrum, Utah 84319

**Current Zoning:**

Agricultural (A10)

**Acres:** 129

**Surrounding Uses:**

North – Agricultural/Residential/Rural 5 (RU5)

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



**PURPOSE AND FINDINGS OF FACT**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Nautica Subdivision.

**Findings of Fact:**

**Ordinance:**

1. As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per ten (10) acres.
2. At the time the County Council heard the Nautica Subdivision request, the Council determined that an extension of services was in keeping with “Resolution 2015-20 Service Provision on County Roads” and remanded the request back to the Planning Commission for further consideration (See Exhibit D).

***Previous Action:***

1. The two existing parcels are currently restricted due to previous division of property without land use authority approval. This request would correct the existing parcel configuration and proposes to divide parcels 01-081-0001 and 01-081-0017 into eleven (11) developable lots and one (1) agricultural remainder.
2. There have been previous requests to develop this property, the most recent occurring at the end of 2013 with a request to rezone the said property from the A10 Zone to the RU5 Zone. That request was denied as the proposed zone was not consistent with the surrounding properties, and there were not adequate public service provisions.

***Access:***

1. The current Cache County Manual of Roadway Design and Construction Standards (Road Manual) §2.5 specifies:
  - a. Roads serving more than three dwellings must meet the minimum construction width standard of a total 24' width consisting of two 10' wide paved travel lanes, and 2' wide shoulders (1' paved, 1' gravel). The proponent must meet all roadway and design requirements for roads as specified in Road Manual.
  - b. The maximum length of terminal roads shall not be longer than 500 feet from the centerline of the adjoining road to the center of the cul-de-sac with an exception possible for roads that exceed that length due to topographical constraints. The proposed private road 6730 South Street from county road 1600 West exceeds the 500' limit. A turn-around must also be placed at the end of 6730 South Street.
  - c. Due to topographical constraints, the proponent has submitted a request for a design exception from the 500' limit for this terminal road (Exhibit A).
2. The proponent has identified that as per the Road Manual they shall make the necessary roadway improvements and provide the necessary dedication of ROW to meet the minimum county standards.
3. Access to the county roads serving this property, and to the property itself, may be approached from the north or from the west.
4. Access from the north must cross the Hyrum dam spillway on South 1700 West. At this location, 1700 West is a ~16' wide paved surface. This width is inadequate and widening of the roadway in this location is financially impractical.
5. The access from the west is from county roads West 6600 South, South 1800 West, West 6400 South, and South 1600 West.
  - a. West 6600 South meets the minimum county standard. At this location, 6600 South averages a 22' paved width with 4-5' wide gravel shoulders and currently serves more than 3 dwellings and provides agriculture access.
  - b. South 1800 West meets the minimum county standard. At this location, 1800 West averages a 22' paved width with 3-5' wide gravel shoulders and currently serves more than 3 dwellings and provides agriculture access.
  - c. West 6400 South meets the minimum county standard. At this location, 6400 South averages a 22' paved width with 1-2' wide gravel shoulders and currently serves more than 3 dwellings and provides agriculture access.
  - d. The paved portion of South 1600 West meets the minimum county standard. At this location, 1600 West averages a 22' paved width with 1-3' wide gravel shoulders and currently serves more than 3 dwellings and provides agriculture access. The unimproved portion of 1600 West that is south of West 6500 South does not meet the minimum county standard. At this location, 1600 West is a 8-14' wide gravel/dirt road and provides agriculture access.

6. Right-of-way (ROW) has not been dedicated along the unimproved portions of 1600 West. Dedication of ROW along the portions of 1600 West located within parcels 01-081-0001 and 01-081-0017 is required.
7. Various alignments for the public and private roadways have been proposed. Any proposed alteration to 1600 West's alignment requires approval of the Cache County Council.

***Water & Septic:***

1. An adequate, approved, domestic water right must be in place for all buildable lots prior to final plat recordation.
2. The proposed lots are feasible for an on-site septic tank system. Additional review and permitting by the Bear River Health Department may be required prior to placement of a septic system.
3. This development shall require storm water review. Engineered site plans must include retention and detention of storm water. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan shall be required.

***Service Provision:***

1. South 1600 West has historically functioned as a farm access road. As per §16.04.100 of the Cache County Code, south of 6500 South, 1600 West does not currently receive adequate roadway maintenance services for single family dwellings, nor is a turn-around area for these services available.
2. Winter maintenance of 1600 West ends at the end of pavement at the intersection with private road 6500 South.
3. The review for a rezone to the RU5 Zone on this same property that occurred at the end of 2013 and was denied, identified that an increased roadway maintenance burden was not in the county's interest.
4. The minimum standards of the Road Manual require that given the proposed subdivision, 1600 West must be paved. At present, Cache County is not accepting additional roads, paving or chip sealing roads, or expanding winter maintenance services as per Resolution 2015-020 (Exhibit B).
5. The County Council has determined that an extension of services of no more than 200 feet beyond the existing end of winter maintenance at the end of pavement at the intersection with private road 6500 South is appropriate in this case (See Exhibit D).
6. The most current subdivision plat is designed to accommodate an extension of county services beyond the County Council's specified 200-foot distance maximum.
7. On August 25, 2015, the County Council considered the proponent's request to vacate the dead end portion of 1600 West that is south of private road 6500 South. This request was made to facilitate the Nautica Subdivision development along 1600 West in light of the Cache County policy not to extend or expand county roadway maintenance services for new development on county roads. The Council considered that request and stated that the Council is not in favor of vacating said roadway (Exhibit C).
8. Water supply for fire suppression will be provided by the Hyrum City Fire Department. Access for emergency services will require further review following the design of the private road.
9. There must be sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 6730 South. A Liability Waiver shall be required from Logan City.
10. A school bus stop is located at the intersection of 6400 South 1800 West.

***Sensitive Areas:***

1. Moderate and steep slopes are located within the subdivision boundary. Any development within steep slope areas is not permitted. Any development, including roadways, within moderate slope areas shall require further geotechnical review.
2. The total acreage for this subdivision is 129.72 acres, minus slopes 30% or greater (18.23 acres), resulting in a total developable acreage of 111.49 acres.

***Public Comment:***

1. 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.

**CONCLUSIONS AND CONDITIONS**

---

**Conclusions:**

These conclusions are based on the findings of fact and conditions as noted herein.

1. The proposed Nautica Subdivision has been reviewed in conformance with, and meets the requirements and criteria of the Cache County Code and is approved.
2. The requested design exception regarding the length of the terminal private road 6730 South is approved.

**Conditions:**

These conditions are based on the findings of fact as noted herein.

1. Prior to recordation, an adequate, approved, domestic water right shall be in place for all building lots within the subdivision.
2. The extension of services is limited to a distance of 200 feet beyond the existing end of winter maintenance at the end of pavement at the intersection with private road 6500 South. A turn-around must be provided and further road improvement to the county roadway 1600 West is not allowed beyond the 200-foot distance specified by the County Council.
3. Prior to recordation, the proponent must provide the necessary dedication of rights-of-way for public and private roadways to meet the minimum county standards as specified in the County Road Manual.
4. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, base preparation and construction, and surfacing for the road. Fees for any engineering plan review shall be borne by the proponent.
5. Engineered site plans must include retention and detention of storm water. A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan must be obtained and a copy submitted to the Development Services Office to be included in the subdivision file.
6. Presuming access to the proposed Nautica Subdivision is from the west as noted in the “findings of fact” all substandard or new roadways providing access to the proposed Nautica Subdivision must be built to meet and/or exceed county roadway standards as found in the County Code and County Road Manual. Costs for any and/or all engineering construction review shall be borne by the proponent.
7. The proponent must provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 6730 South. A Liability Waiver must be obtained from Logan City and a copy submitted to the Development Services Office to be included in the subdivision file.





August 10, 2015

Chris Harrild  
 Cache County Development Services  
 179 North Main Street #305  
 Logan, UT 84321

**RE: Design Exception Request for Nautica Subdivision**

Dear Chris,

In connection with the current proposed Nautica Subdivision, we are writing to request an exception for 6730 South Street from Cache County Roadway Manual, Section 2.5E, requiring that dead-end roads not be longer than 500 feet in length. The current distance between the proposed dead-end with International Fire Code turn-around and 1400 West Street is nearly 1,000 feet in length. The terrain east of the turn-round abruptly drops off into the Little Bear River Bottoms, as illustrated in Figure 1, thus making it difficult to extend the road further to the east and connect with other roadways. Section 2.5A of the Roadway Manual does state that terrain should be taken into consideration when considering the layout of new roadways.



**FIGURE 1. Aerial Perspective View of Development and Topography Looking Southwest**

To provide an alternative access to the east, the plat in question proposes that access the existing road that exits the northeastern corner of the development would be maintained via a 50' easement that runs along the entire northern boundary of the Nautica Subdivision. This road

540 W Golf Course Road, Suite B1 Providence, UT 84332 | [www.CivilSolutionsGroup.net](http://www.CivilSolutionsGroup.net) | 435.213.3762





more appropriately follows the lay-of-the-land and continues to provide access to adjacent eastern parcels.

Thank you for considering our request. Please call should you have any questions.

Sincerely,

Michael Taylor, PE  
Civil Solutions Group  
[mtaylor@civilsolutionsgroup.net](mailto:mtaylor@civilsolutionsgroup.net)  
C: 435.890.4498





**RESOLUTION NO. 2015-20**

CACHE COUNTY, UTAH

**SERVICE PROVISION ON COUNTY ROADS**

A RESOLUTION OUTLINING THE COUNTY COUNCIL'S POLICY REGARDING THE EXPANSION OR CONTINUATION OF SERVICES ON COUNTY ROADS

Whereas, Cache County has reviewed the impact of new development along unimproved roadways on the safety and welfare of citizens of Cache County, and;

Whereas, Cache County has determined that within the existing budget constraints funding is not sufficient for the existing network of roadways to be properly maintained and that additional road length is a net cost to the county even considering existing Class B allocations from the State and property tax rates, and;

Whereas, it is not in the best interest for the safety and/or welfare of existing or future residents of Cache County to diminish services on existing roadways to maintain new roads or to provide substandard service on new roadways, and;

Whereas, there are nearly 200 miles of existing paved road in Cache County that can accommodate development with little to no impact on the County's ability to serve said development.

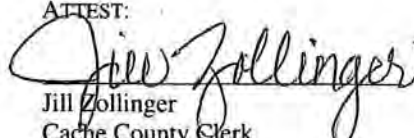
NOW, THEREFORE, BE IT RESOLVED that the County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that it is in the best interests of the citizens of Cache County to hereby adopt the following resolution:

- 1) There shall be no further expansion of road services on substandard roads that do not already serve existing homes including:
  - a. No expansion of winter maintenance activities (snow plowing).
  - b. No gravel roads be paved or "Chip Sealed".
  - c. No acceptance of new roadways, gravel or paved.
- 2) The County Council may grant exceptions to this policy if proposed road improvements improve the health and/or safety of existing subdivisions, homes, or businesses.

APPROVED AND ADOPTED this 25<sup>th</sup> day of August, 2015.

CACHE COUNTY COUNCIL  
  
 Kathy Robison, Chair  
 Cache County Council



ATTEST:  
  
 Jill Zollinger  
 Cache County Clerk

*Disclaimer: This is provided for informational purposes only. The formatting of this resolution may vary from the official hard copy. In the case of any discrepancy between this resolution and the official hard copy, the official hard copy will prevail.*

Cache County Council  
08-25-2015

- **Request for Approval of Personal Property Tax Cancellations** – Chairman Robison said Assessor Howell has requested these cancellations because the businesses have closed/liquidated and cannot be contacted.

(Attachment 6)

**ACTION: Motion by Council member Potter to approve the Request for Approval of Personal Property Tax Cancellations. White seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Resolution No. 2015-20 – A Resolution Outlining the County Council's Policy Regarding the Expansion or Continuation of services on County Roads** – Director Runhaar drafted a resolution following the Council's discussion of this issue two weeks ago. This is not a permanent solution. Once he and the Council have time to review and think through the policy, it may be changed. If the Council does not approve the resolution, they will have to deal with each request separately. Council member White agreed with the proposal noting that it will alleviate possible capricious and arbitrary decisions.

(Attachment 7)

**ACTION: Motion by Council member Potter to waive the rules and approve Resolution No. 2015-20-A Resolution Outlining the County Council's Policy Regarding the Expansion or Continuation of Services on County Roads. White seconded the motion. The vote was unanimous, 6-0. Yeates absent.**

- **Discussion – Vacating 3600 West and 4300 South, north of Wellsville (Little Bear Subdivision)** – Chris Harrild said this is an informal request as the party wants some indication of whether the Council is amenable to vacating the road before starting the formal process. Harrild observed that these roads are within Wellsville City's future annexation area.
- **Discussion – Vacating 1600 West, south of Hyrum (Nautica Subdivision)** – Bob Wright, Lewiston State Bank, said the bank owns the property and has a buyer wanting to build three houses for himself and then sell off in the next three years. This is a dead-end road. The new owner wants to create an HOA to develop and maintain the road.

Harrild said that, historically, private roads are usually asked to be returned to public entities after several years. After some discussion, Chairman Robison stated the Council is not in favor of vacating either road. Chairman Robison asked Director Runhaar if his office will generate a fact sheet explaining the "whys" of the county's road policy to give applicants wanting to develop on substandard roads in the county.

- **Discussion – 2015-2016 Cloud Seeding State Contract** – Executive Buttars will bring the discussion to the Council by the end of September or first of October.

#### **OTHER BUSINESS**

- ✓ **River Heights City Apple Days Parade – Saturday, August 29, 2015** – Zilles, Yeates, Buttars and Robison will attend.



## DEVELOPMENT SERVICES DEPARTMENT

BUILDING | SURVEYING | ENGINEERING | GIS | PLANNING &amp; ZONING | ROADS | WEEDS

## MEMORANDUM

**Date:** 20 August 2015  
**From:** Cache County Development Services  
**To:** County Council  
**Subject:** Vacating a portion of County Road 1600 West, ~0.75 miles (RIN #142)

An informal request has been made to vacate the portion of the dead end County Road 1600 West that is south of private road 6500 South, south of Hyrum. The intent of this request is to determine Council's general position as regards the vacation of county roads, rights-of-way, or easements in order to allow roadways to function as private roads.

More specifically, this request is made to facilitate development along 1600 West in light of the Cache County policy not to extend or expand county roadway maintenance services for new development on county roads.

The authority to vacate county roads, rights-of-way, or easements rests with the Cache County Council. In addition, vacating public streets, rights-of-way, or easements is regulated by State code which provides the basic process for local jurisdictions. Within 17-27a-208, the requirements indicate the type of notice and the requirement for a public hearing. Additionally, within 72-3-108 the State requires that noticing be placed in the newspaper at least once per week for four (4) weeks prior to the public hearing.

The Development Services staff has completed a review of said request and has identified the following regarding said roadways:

- 1600 West appears to provide farm access to 16 properties consisting of approximately 530 acres of property.
- While 1600 West is a County Road, and existing legal descriptions reference the county road, a dedicated right-of-way does not exist for this portion of roadway. However, in cases where a dedicated right-of-way does not exist, the county presumes a 66' wide road by use right-of-way or easement for roadway access and maintenance.
- The portion of 1600 West that is south of 6500 South has historically functioned as a farm access road and does not currently receive adequate roadway maintenance services for additional development.
- 1600 West is currently a substandard roadways as per the county road manual. Development of property, beyond agriculture, that fronts said roadway shall require the improvement of said roadway to the minimum county requirements as specified in the county road manual. This applies to private as well as public roadways.

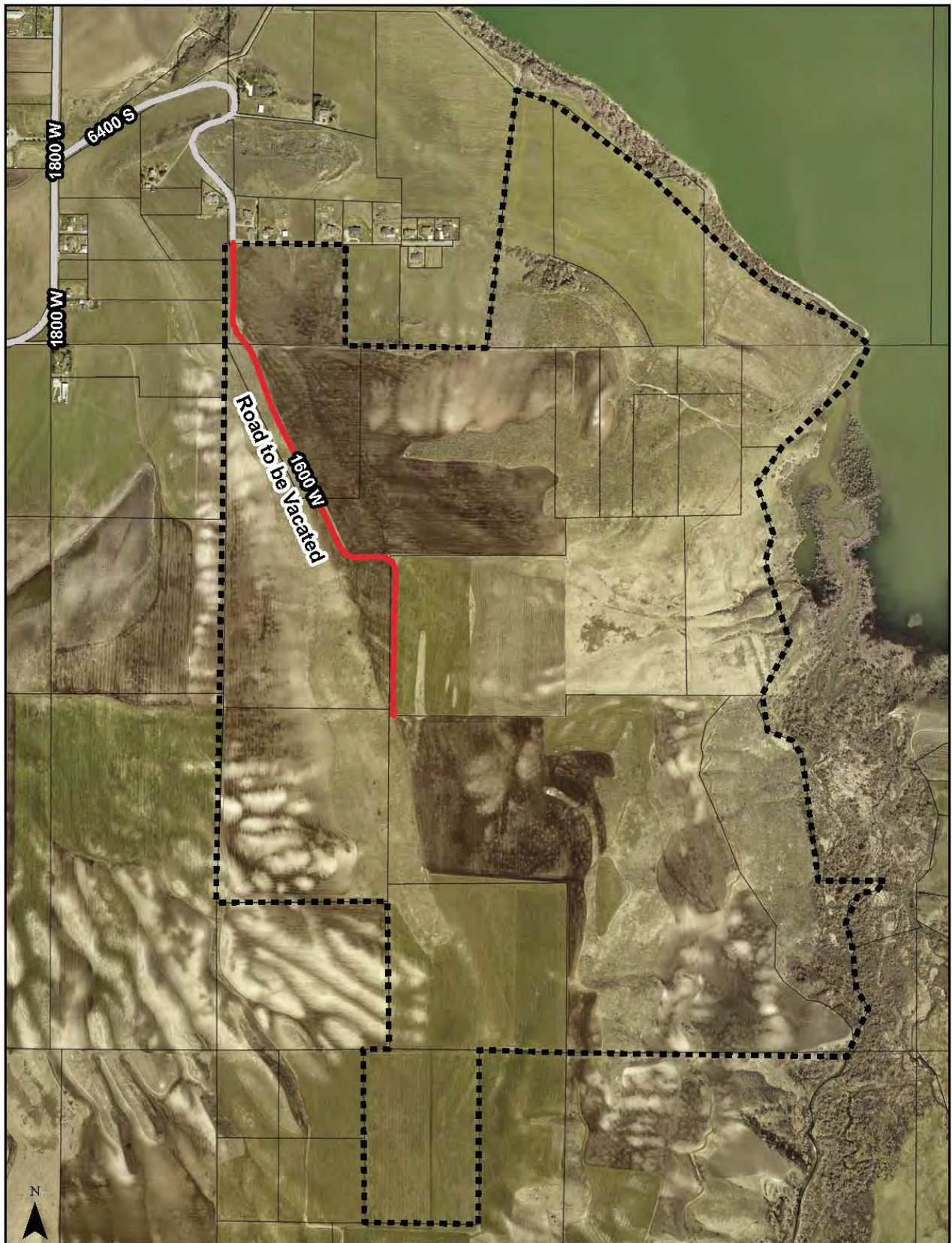
Given the above, and in order to provide clear and sufficient information, staff recommends that if vacation is amenable to the Council that the following items are provided at the time a formal request is made:

1. A survey of the existing roadway including a legal description of the presumed 66' wide road by use right-of-way or easement area for roadway access and maintenance to be vacated.
2. A written indication of agreement from affected property owners bearing the signatures of those who agree with the vacation of the said roadways, and establishing a shared private roadway easement for said properties.

After the noted information is supplied and reviewed, the process to begin the four (4) week notice period can be initiated and a public meeting date set. Please contact our office with questions or concerns in regards to this issue.

Christopher Harrild  
Senior Planner







On April 26, 2016, the County Council voted (6, 1) to remand the Nautica Subdivision request back to the Planning Commission as follows:

The County Council remands the Nautica Subdivision request back to the Planning Commission for further review based on the following:

1. The Council has determined that year round maintenance services may be extended beyond 6500 South on 1600 West to a point that allows the placement of an improved turn-around; a distance of no greater than 200 feet.
2. The Council has determined that the extension of maintenance is in keeping with “Resolution 2015-020 Service Provision on County Roads” as the creation of an improved turn-around would improve safety, existing maintenance access, and service provision to existing homes.
3. The Council has determined that a private roadway is acceptable if it is properly constructed and maintained as to provide adequate access for emergency services.
4. Given the previous determinations, the applicant may decide to revise the proposed subdivision plat to reflect a change in access location. This may require the proponent to redesign the subdivision/roadway layout, obtain additional rights-of-way, and must include the establishment of an HOA or similar agreement with property owners for the maintenance of private road(s), provision of appropriate signage, and compliance with all other requirements of the Cache County Road Manual and County Code. If the applicant intends to make those revisions, the Council has determined that they are sufficient enough to require that additional review be conducted by staff and the Planning Commission, and their recommendations provided to the Council, prior to the Council’s decision.



# NAUTICA SUBDIVISION PRELIMINARY PLAT

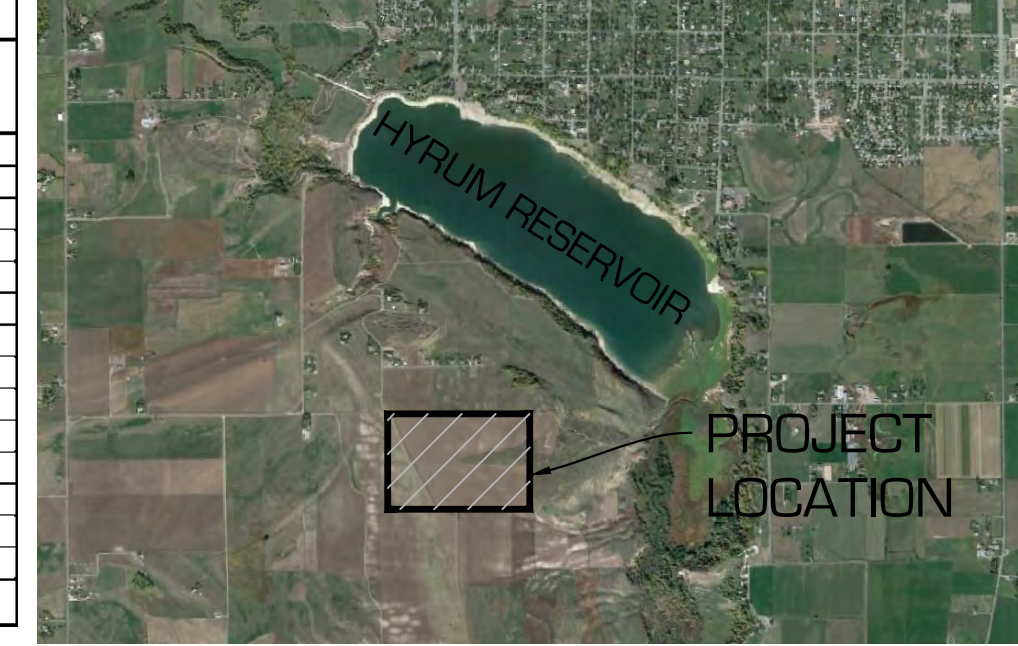
PART OF THE NW QUARTER OF SECTION 17, TOWNSHIP 10 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN, COUNTY OF CACHE, STATE OF UTAH

SCALE: 1"=200'

**GENERAL NOTES:**

- THE PURPOSE OF THIS SUBDIVISION PLAT IS TO SUBDIVIDE PARCELS #01-081-0001 AND 01-081-0017 INTO RESIDENTIAL LOTS.
- PROPERTY OWNER & SUBDIVIDER:  
ROBERT WRIGHT  
LEVISTON STATE BANK  
17 EAST CENTER STREET  
LEVISTON, UT 84320  
P. 435.258.2462 CELL  
P. 435.258.2458 EXT. #1776
- PROJECT SURVEYOR:  
TIM CHRISTENSEN, P.L.S.  
UTAH LICENSE #375041  
A. A. HUDSON AND ASSOCIATES  
132 S. STATE ST.  
PRESTON, ID 83263  
P. 208.852.1155
- ALL LOTS HAVE ADEQUATE BUILDABLE ENVELOPE WITH REGARD TO HAZARDOUS SLOPE, BUILDING, WATER, ZONING SETBACKS, ETC. SETBACKS AS NOTED ONLY REFER TO PRIMARY STRUCTURES.  
ZONE A10  
MIN. LOT SIZE: 0.5 ACRES  
FRONT SETBACK: 30'  
SIDEYARD SETBACK: 12'  
REAR SETBACK: 30'
- PROPOSED LOT USE IS RESIDENTIAL UNLESS OTHERWISE INDICATED.
- CULINARY WATER SHALL BE OBTAINED THROUGH WELLS LOCATED WITHIN INDIVIDUAL LOTS. CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY OR ADEQUACY OF CULINARY WATER TO ANY OR THE LOTS IDENTIFIED. ALL OWNERS ARE ADVISED TO OF THE REQUIREMENTS TO OBTAIN AN APPROVED CULINARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- SEPTIC SYSTEMS SHALL BE INSTALLED WITHIN INDIVIDUAL LOTS.
- STORM WATER DRAINAGE: COMPLIANCE WITH THE STANDARDS OF THE CACHE COUNTY MANUAL OF ROADWAY DESIGN DESIGN AND CONSTRUCTION STANDARDS AND STATE OF UTAH STORM WATER PERMIT AND ARE REQUIRED. THIS INCLUDES BUT IS NOT LIMITED TO, ANY INCREASED LEVEL OF LOT OR REMAINDER PARCEL OF THIS SUBDIVISION TO ANY ADJACENT PROPERTIES, DITCHES, CANALS, OR WATERWAYS, OR ALTERATION OF ANY EXISTING, HISTORIC, OR NATURAL DRAINAGE WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE EFFECTED PARTY OR ENTITY (MAY INCLUDE BUT IS NOT LIMITED TO, ADJACENT PROPERTY OWNER(S), DITCH OR CANAL COMPANY, CACHE COUNTY, OR THE STATE OF UTAH ENGINEER'S OFFICE.)
- AGRICULTURAL USES: CURRENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THEY WILL BE SUBJECT TO THE SIGHTS, SOUNDS AND SMELLS ASSOCIATED WITH AGRICULTURAL ACTIVITIES WHICH ARE PERMITTED USES IN THE AGRICULTURAL ZONE.

**VICINITY MAP:**



PARCEL #	TOTAL AREA (AC)	20%-30% SLOPES (AC)	30%+ SLOPES (AC)	TOTAL BUILDABLE AREA (AC)
LOT 1	5.39	0.00	0.00	5.39
LOT 2	6.00	0.03	0.01	5.96
LOT 3	6.00	0.14	0.00	6.00
LOT 4	6.00	0.15	0.01	5.84
LOT 5	6.00	0.00	0.02	5.98
LOT 6	6.00	0.21	0.00	6.00
LOT 7	8.01	0.07	0.00	8.00
LOT 8	8.01	0.00	0.00	8.01
LOT 9	8.01	0.00	0.00	8.01
LOT 10	14.99	0.08	0.01	14.89
LOT 11	6.00	0.28	0.05	5.67
ROW DEDICATION	4.34	0.10	0.02	0.00
REMAINDER PARCEL	45.12	12.38	10.99	34.13
TOTAL:	129.85	13.45	11.11	114.42

**LEGAL DESCRIPTION:**

A PARCEL OF LAND LOCATED IN SECTION 17, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, CACHE COUNTY, UTAH AND FURTHER DESCRIBED AS FOLLOWS:  
BEGINNING AT A CACHE COUNTY SURVEYORS ALUMINUM CAP MONUMENT FOUND AT THE NORTH-WEST CORNER OF SAID SECTION 17, THE TRUE POINT OF BEGINNING:  
THENCE SOUTH 00° 00' 42" WEST 2663.11 FEET TO AN ALUMINUM CAP MONUMENT AT THE SOUTH-WEST CORNER OF THE NORTH-WEST QUARTER OF SAID SECTION 17;  
THENCE SOUTH 00° 47' 12" WEST 99.01 FEET TO A 5/8" REBAR MARKED "GIBBONS";  
THENCE NORTH 89° 59' 03" EAST 1316.54 FEET;  
THENCE NORTH 00° 13' 57" EAST 1157.83 FEET;  
THENCE SOUTH 89° 43' 46" EAST 1319.61 FEET TO A 5/8" REBAR MARKED "HANSEN";  
THENCE NORTH 00° 27' 19" EAST 264.00 FEET TO A CAP MARKED "GIBBONS";  
THENCE NORTH 89° 40' 59" WEST 66.00 FEET TO A 5/8" REBAR;  
THENCE NORTH 00° 27' 19" EAST 1320.02 FEET TO A CAP MARKED "GIBBONS", A POINT SITTING NORTH 89° 25' 40" WEST 66.00 FEET FROM THE CACHE COUNTY SURVEYORS ALUMINUM CAP MONUMENT AT THE NORTH-EAST CORNER OF THE NORTH-WEST QUARTER OF SAID SECTION 17;  
THENCE NORTH 89° 25' 40" WEST 2585.65 FEET TO THE TRUE POINT OF BEGINNING.  
CONTAINING 129.72 ACRES MORE OR LESS.

**OWNER DEDICATION**

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HERON, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS (AS PERTAINS), THE WHOLE TO BE HEREAFTER KNOWN AS THE "NAUTICA SUBDIVISION", AND DO HEREBY DEDICATE AND SET APART TO THE PERPETUAL USE OF CACHE COUNTY ALL EASEMENTS, RIGHTS-OF-WAY AND IMPROVEMENTS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT**  
STATE OF UTAH )  
COUNTY OF CACHE ) SS.

THE FORGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015, BY \_\_\_\_\_ WHO PROVED ON BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT.  
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC \_\_\_\_\_

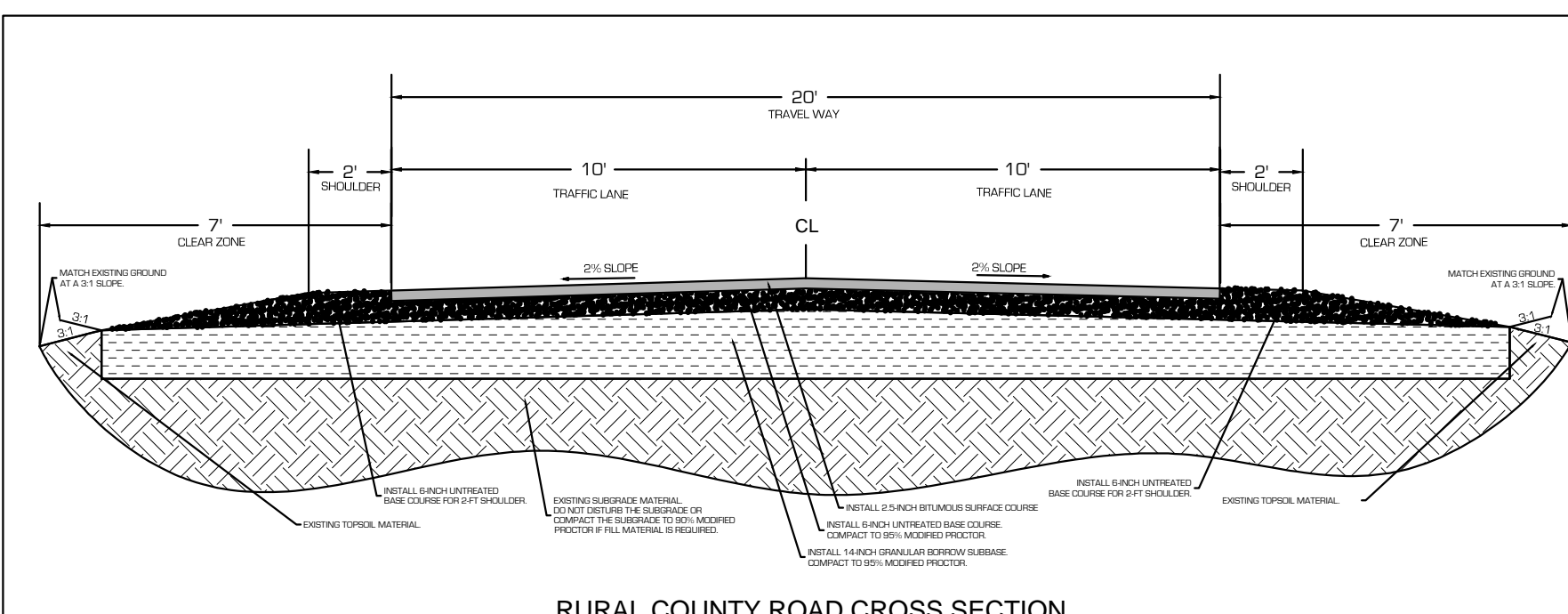
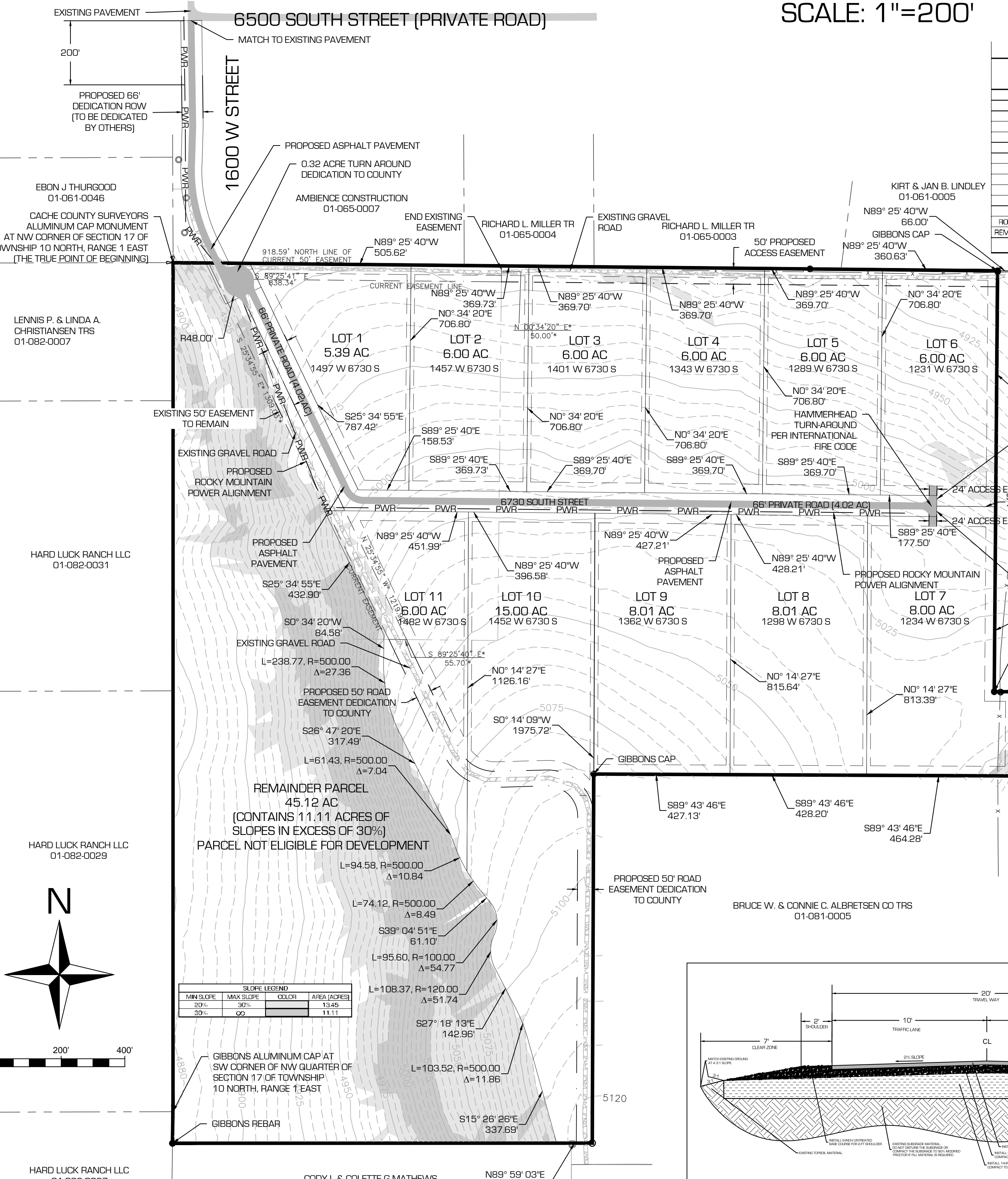
**SURVEYOR'S CERTIFICATE**

I, TIMOTHY LYNN CHRISTENSEN DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF UTAH, THAT I HOLD CERTIFICATE NUMBER 375041 AND THAT BY THE AUTHORITY OF THE OWNERS OF THIS PROPERTY I HAVE CAUSED A SURVEY TO BE MADE AS SHOWN AND DESCRIBED ON THIS PLAT.

DATE \_\_\_\_\_ OWNER \_\_\_\_\_

**LEGEND**

- SUBDIVISION PROP. BOUNDARY
- EXISTING PARCEL BOUNDARIES
- PROPOSED PARCEL BOUNDARIES
- PWR PWR PROPOSED POWER LINE
- SECTION LINE
- EXISTING EASEMENT
- PROPOSED EASEMENT
- BUILDING SETBACK
- CONTOUR MAJOR EXISTING
- CONTOUR MINOR EXISTING
- EXISTING ASPHALT
- PROPOSED ASPHALT
- EXISTING GRAVEL ROAD
- PROPOSED GRAVEL ROAD
- EXISTING FENCE



**civilsolutionsgroup inc.**  
PROVIDENCE | P: 435.213.3762  
SALT LAKE CITY | P: 801.216.3192  
info@civilsolutionsgroup.net  
www.civilsolutionsgroup.net

**NAUTICA SUBDIVISION  
PRELIMINARY PLAT**  
6600 SOUTH 1550 WEST  
HYRUM, UT 84319

MARK	DATE	DESCRIPTION
PROJECT #:	715-1302	
REVIEWER:	T. CHRISTENSEN	
PROJECT MANAGER:	M. TAYLOR	
DESIGNED BY:	M. TAYLOR	
ISSUED:	06.23.2015	

**APPROVAL AS TO FORM**  
APPROVED AS TO FORM THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015.  
\_\_\_\_\_  
COUNTY ATTORNEY

5.16.2016

**BEAR RIVER HEALTH DEPARTMENT APPROVAL**  
THIS PLAT WAS APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015.  
\_\_\_\_\_  
BY: \_\_\_\_\_

**PRELIMINARY PLAT**

**C-101**

**COUNTY RECORDER'S NO.** \_\_\_\_\_  
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST \_\_\_\_\_  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ FEE \_\_\_\_\_  
ABSTRACTED \_\_\_\_\_

INDEX \_\_\_\_\_  
FILED IN: FILE OF PLATS \_\_\_\_\_ COUNTY RECORDER \_\_\_\_\_

**DEPUTY COUNTY SURVEYOR'S CERTIFICATE**  
I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE AND FURTHER CERTIFY THAT IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.  
DATE \_\_\_\_\_ DEPUTY COUNTY SURVEYOR \_\_\_\_\_

**PLANNING COMMISSION CHAIRMAN APPROVAL AND ACCEPTANCE**  
PRESENTED TO THE CACHE COUNTY PLANNING COMMISSION CHAIRMAN THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015, AT WHICH TIME THIS SUBDIVISION WAS RECOMMENDED TO THE COUNTY COUNCIL FOR APPROVAL.  
DATE \_\_\_\_\_ PLANNING COMMISSION CHAIRMAN \_\_\_\_\_

**COUNTY COUNCIL APPROVAL & ACCEPTANCE**  
THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015, DATED THIS \_\_\_ DAY OF \_\_\_\_\_ A.D. 2015.  
BY: \_\_\_\_\_ CHAIR  
ATTESTED TO: \_\_\_\_\_ COUNTY CLERK



### STAFF REPORT: DARRELL'S APPLIANCE SUBDIVISION 1<sup>ST</sup> AMENDMENT **Date:** 2 June 2016

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:** Darrell Ricks

**Parcel ID#:** 04-022-0031

**Staff Determination:** Continuance

**Type of Action:** Administrative

**Land Use Authority:** County Council

#### LOCATION

*Reviewed by: Jacob Adams - Planner I*

**Project Address:**

2346 West Airport Road  
Benson, Utah

**Current Zoning:**  
Agricultural (A10)

**Acres:** 5.18

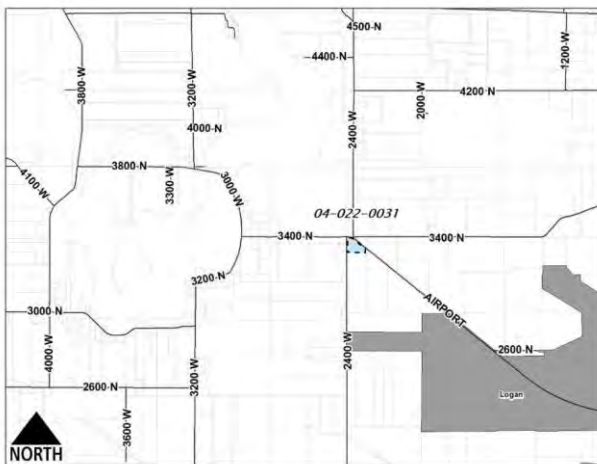
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Commercial/Agricultural/Residential

West – Agricultural/Residential



#### PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

**Purpose:**

To review the proposed Darrell's Appliance Subdivision 1<sup>st</sup> Amendment and make a recommendation to the County Council.

**Ordinance:**

As per the Cache County Land Use Code Table 17.10.04, "Site Development Standards," the 35.075 acres in the Darrell's Appliance Subdivision qualifies for a maximum development potential of three lots based on the one unit per ten acres requirement of the existing Agricultural (A10) Zone.

**Summary:**

The Darrell's Appliance Subdivision was originally recorded on 2 October 2001 with two lots. Lot 1 is a 5.18-acre lot owned by the applicant while Lot 2 is a 29.51-acre lot owned by another party. The proposed amendment divides Lot 1 of the existing subdivision to create a third lot. Subsequent

division of the lots within the subdivision would not be permitted under the current A10 Zone. Any future development on these properties must meet the requirements of the County Land Use Code at the time of development.

The owners of Lot 2 have expressed written opposition to this amendment in order to preserve their right to divide their lot in the future (Exhibit A). Based on lot size and the density-based requirements of the A10 Zone, the majority of the development potential within the subdivision is within the approximately 29-acre Lot 2.

***Access:***

- County Land Use Code §16.04.030 [B] requires all lots created by a subdivision to have access to a dedicated street improved to minimum county standards. The County Road Manual requires any road serving more than three homes to have 22 feet of paved width with 1-foot wide gravel shoulders on each side.
- Access to this subdivision is from county road 2400 West, which has a 21-foot paved width with 2-foot gravel shoulders and which provides access to more than three homes.
- While 2400 West does not meet the current county standards, a design exception is appropriate for the pavement width as the overall road width meets the minimum requirement and the addition of a one-foot strip of pavement is not practical and may create future maintenance and structural issues on the roadway.

***Water & Septic:***

- The Benson Culinary Water Improvement District has agreed to provide culinary water for a new commercial connection on the proposed Lot 3.
- The Bear River Health Department has approved the subdivision amendment.

***Service Provision:***

- Residential refuse and recycling containers must be placed three to four feet apart on 2400 West, far enough off of the road that they don't interfere with passing traffic. Commercial waste can be handled through the existing dumpsters on Lot 1 or by arranging for new dumpsters on the proposed Lot 3.
- School bus service would be provided with a stop at 3400 North 2400 West.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum county standards, and any other applicable codes.
- Water supply for fire suppression will be provided by hydrants adjacent to the subdivision property.

***Sensitive Areas:***

- Initial county review identified an area of wetlands and open water on the proposed Lot 3. The Natural Resources Conservation Service of the US Department of Agriculture has determined that this area is not a wetland area (Exhibit B).

**Public Notice and Comment:**

Public notice was posted online to the Utah Public Notice Website on 19 May 2016. Notice was also published in the Herald Journal on 22 May 2016. Notices were mailed to all property owners within 300 feet of the subject property and all municipalities within 1 mile on 27 May 2016. At this time, no public comment regarding this proposal has been received by the Development Services Office.

## STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the Darrell's Appliance Subdivision First Amendment, creating a new lot on 5.18 acres of property located at 2346 West Airport Road in Benson, Utah with parcel number 04-022-0031, should be continued. This will allow staff additional time to discuss the application with legal counsel, as counsel did not have adequate time to review the application. This determination is based on the following findings of fact:

1. The Agricultural (A10) Zone requires a minimum density of one unit per ten acres. Therefore, the maximum development potential of the existing 34.69-acre Darrell's Appliance Subdivision, as pertains to the number of possible divisions, is three lots.
2. The owners of Lot 2 have expressed written opposition to this amendment in order to preserve their right to divide their lot in the future (Exhibit A).
3. Based on lot size and the density-based requirements of the A10 Zone, the majority of the development potential within the subdivision is within the approximately 29-acre Lot 2.
4. Due to the size of Lot 1 (5.18 acres), the owner of Lot 1 does not have sufficient development potential that would all the further division of Lot 1 without impacting the development potential of Lot 2.



Bert D. Reese & Son, Inc.

Quality Milk since 1877



18, May 2016  
Jacob Adams, Planner  
Cache County Development  
Services Department

Dear Mr. Adams,

This letter is in response to Darrell's Appliance proposed amendment to create one additional lot of land that would create one more additional lot. The subdivision currently has two buildable lots on 35 acres of land. The maximum development potential within the boundary is three developable lots based on the one lot per ten acre requirement of the existing Agricultural Zone. The proposed subdivision would be the third developable lot, and under the current County Land Use Code, no additional division of the property in this boundary would be possible.

As the owner and developer of this land, I am strongly opposed to the proposed amendment to the Darrell's Appliance Subdivision. I would like the option to be able to develop on the remaining acres in the future. The ratio of one lot per ten acres only determines the number of lots and not the lot size. If the proposed amendment does not occur I will be able to divide it into two 14.95 acre lots under the current County Land Use Code. If the amendment does occur then I no longer have the ability

Sincerely,

Brad Reese, President  
Bert D Reese & Son, Inc

UNITED STATES  
DEPARTMENT OF  
AGRICULTURE  
August 18, 2000

NATURAL RESOURCES  
CONSERVATION  
SERVICE

1860 North 100 East  
Logan, UT  
Phone: (801) 753-5616

Brad Reese  
3987 N 2400 West  
Benson, Utah 84335

Dear Mr Reese

The results of the wetland determination that you requested on tract **Tract 2599 (pond area)** is shown on the form CPA-026 and photo included. We have determined this part of this field to fit the wetland classification of "Not Wetland" or "**NW**".

Please contact Bill McMullin in this office if you have any questions about this determination.

Sincerely,

  
William I. McMullin  
Soil Conservationist

Attachment: Map, CPA\_026.

cc. Gary Bertonneau

U.S.D.A. NRCS-CPA-026 Natural Resources Conservation Service (June 91)  <b>HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION DETERMINATION</b>	1. Name and Address of Person Brad Reese 3986 North 2400 West Benson, Utah 84335	2. Date of Request August 18, 2000
	4. Name of USDA Agency or Person Requesting Determination FSA	5. Farm No. and Tract No. 2731 T2599


**SECTION I - HIGHLY ERODIBLE LAND**

	FIELD NO (s)	TOTAL ACRES
6. Is soil survey now available for making a highly erodible land determination? Yes <input type="checkbox"/> No <input type="checkbox"/>		
7. Are there highly erodible soil map units on this farm? Yes <input type="checkbox"/> No <input type="checkbox"/>	none	
8. List highly erodible fields that, according to ASCS records, were used to produce an agricultural commodity in any crop year during 1981 - 1985.		
9. List highly erodible fields that have been or will be converted for the production of agricultural commodities and, according to ASCS records, were not used for this purpose in any crop year during 1981 - 1985; and were not enrolled in a USDA set-aside or diversion program.		
10. This Highly Erodible Land determination was completed in the: Office <input type="checkbox"/> Field <input type="checkbox"/>		

**SECTION II - WETLAND**

	FIELD NO (s)	TOTAL ACRES
11. Are there hydric soils on this farm? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
12. Wetlands (W), including abandoned wetlands, or Farmed Wetlands (FW) or Farmed Wetlands Pasture (FWP). Wetlands may be farmed under natural conditions. Farmed Wetlands and Farmed Wetlands Pasture may be farmed and maintained in the same manner as they were prior to December 23, 1985, as long as they are not abandoned.		
13. Prior Converted Cropland (PC). Wetlands that were converted prior to December 23, 1985. The use, management, drainage, and alteration of prior converted cropland (PC) are not subject to wetland conservation provisions unless that area reverts to wetland as a result of abandonment.		
14. Artificial Wetlands (AW). Artificial wetlands includes irrigation-induced wetlands. These wetlands are not subject to the wetland conservation provisions.		
15. Minimal Effect Wetlands (MW). These wetlands are to be farmed according to the minimal-effect agreement signed at the time the minimal-effect determination was made.		
16. Mitigation Wetlands (MIW). Wetlands on which a person is actively mitigating a frequently cropped area or a wetland converted between December 23, 1985 and November 28, 1990.		
17. Restoration with Violation (RVW+year). A restored wetland that was in violation as a result of conversion after November 28, 1990, or the planting of an agricultural commodity or forage crop.		
18. Restoration without Violation (RSW). A restored wetland converted between December 23, 1985 and November 28, 1990, on which an agricultural commodity has not been planted.		
19. Replacement Wetlands (RPW). Wetlands which are converted for purposes other than to increase production, where the wetland values are being replaced at a second site.		
20. Good Faith Wetlands (GFW+year). Wetlands on which ASCS has determined a violation to be in good faith and the wetland has been restored.		
21. Converted Wetlands (CW). Wetland converted after December 23, 1985 and prior to November 28, 1990. In any year that an agricultural commodity is planted on these Converted Wetlands, you will be ineligible for USDA benefits.		
22. Converted Wetland (CW+year). Wetlands converted after November 28, 1990. You will be ineligible for USDA program benefits until this wetland is restored.		
23. Converted Wetland Non-Agricultural use (CWNA). Wetlands that are converted for trees, fish production, shrubs, cranberries, vineyards or building and road construction.		
24. Converted Wetland Technical Error (CWTE). Wetlands that were converted as a result of incorrect determination by NRCS.		
25. The planned alteration measures on wetlands in fields _____ are considered maintenance and are in compliance with FSA.		
26. The planned alteration measures on wetlands in fields _____ are not considered maintenance and if installed will cause the area to become a Converted Wetland (CW). See item 22 for information on CW+year.		
27. The wetland determination was completed in the office <input type="checkbox"/> field <input checked="" type="checkbox"/> and was delivered <input checked="" type="checkbox"/> mailed <input type="checkbox"/> to the person on August 18, 2000		

28. Remarks: *Wetland determination done on pond constructed in 1977. Not used for 2-3 years - no wetland found*

29. I certify that the above determination is correct and adequate for use in determining eligibility for USDA program benefits, and that wetland hydrology, hydric soils, and hydrophytic vegetation under normal circumstances exists on all areas outlined as Wetlands, Farmed Wetlands, and Farmed Wetlands Pasture.	30. Signature of NRCS District Conservationist 	31. Date Aug 18, 2000
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↑  
N



Not Wetland →

NW

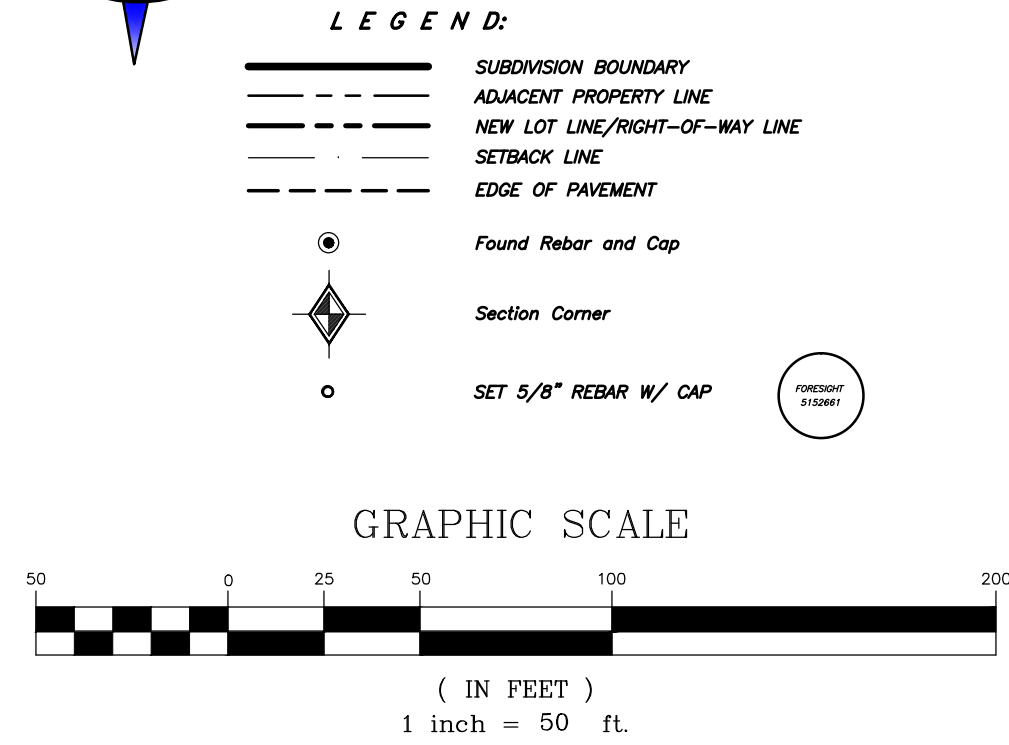
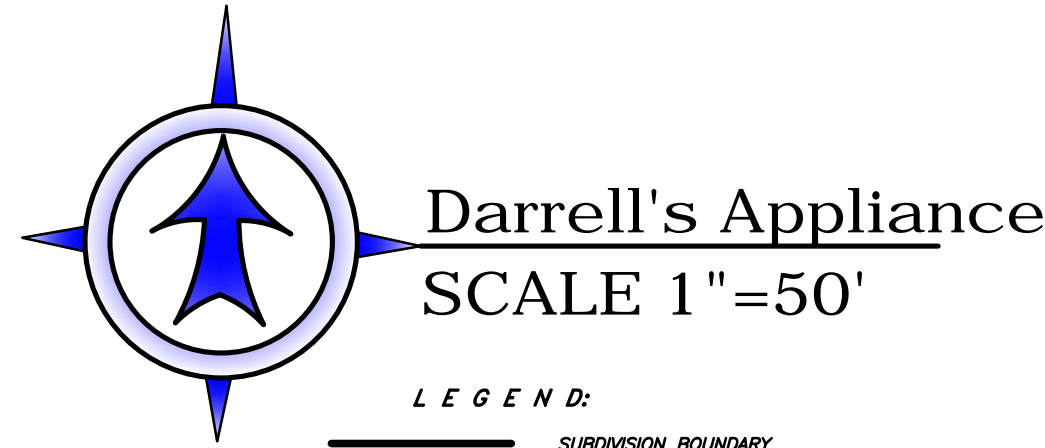
USGS

D. J. D.



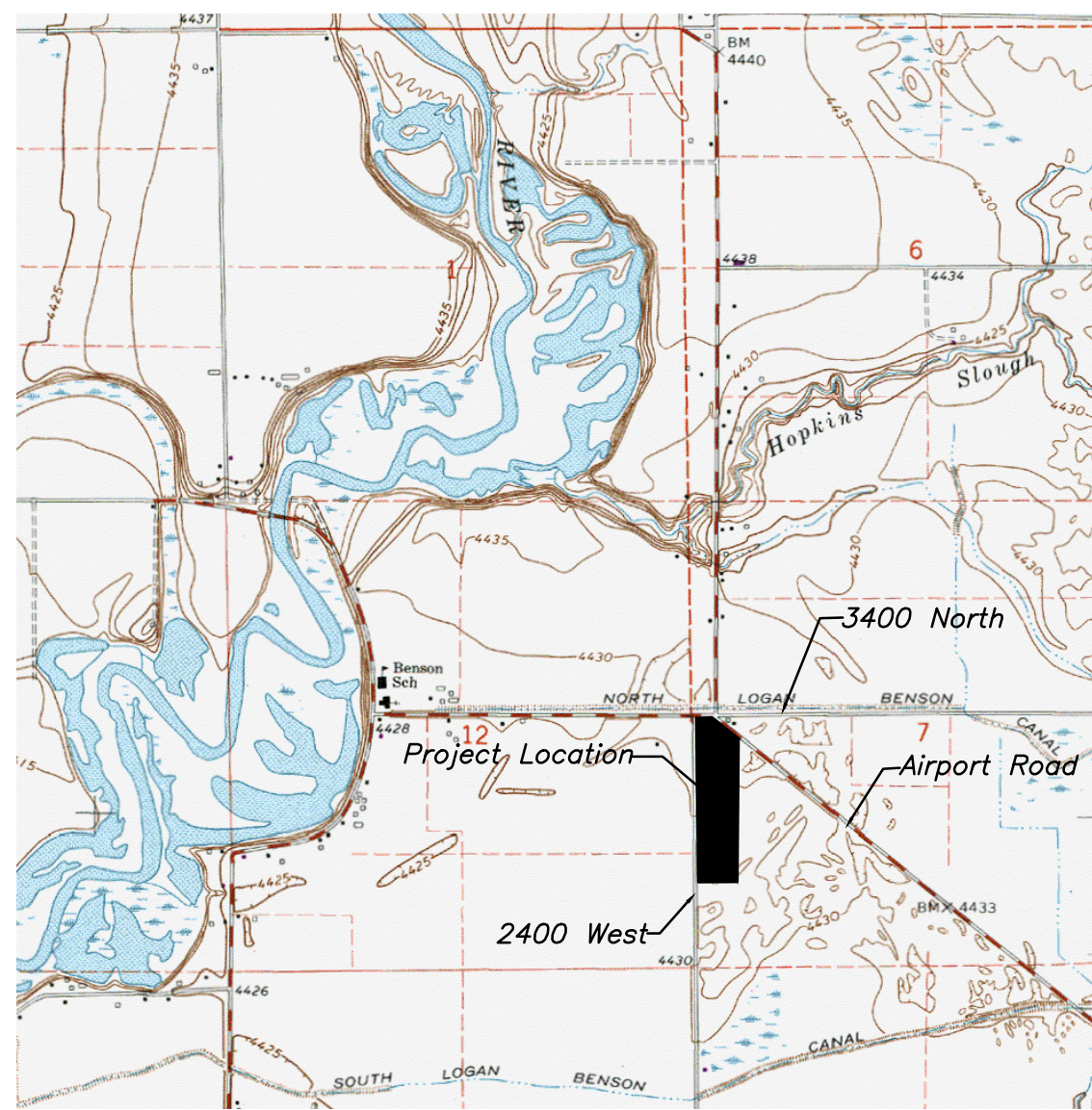
# Darrell's Appliance Subdivision-1st Amendment

A PART OF THE WEST HALF OF SECTION 7, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE S.L.B.&M.  
CACHE COUNTY, UTAH



PARCEL CURVE DATA					
SEGMENT	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	136.84'	200.00'	39°12'07"	134.19'	N70°39'00"W
C2	59.67'	200.00'	17°05'42"	59.45'	N81°42'12"W
C3	77.17'	200.00'	22°06'25"	76.69'	N62°06'09"W

PARCEL LINE DATA		
SEGMENT	DIRECTION	LENGTH
L1	N89°29'56"W	4.36'

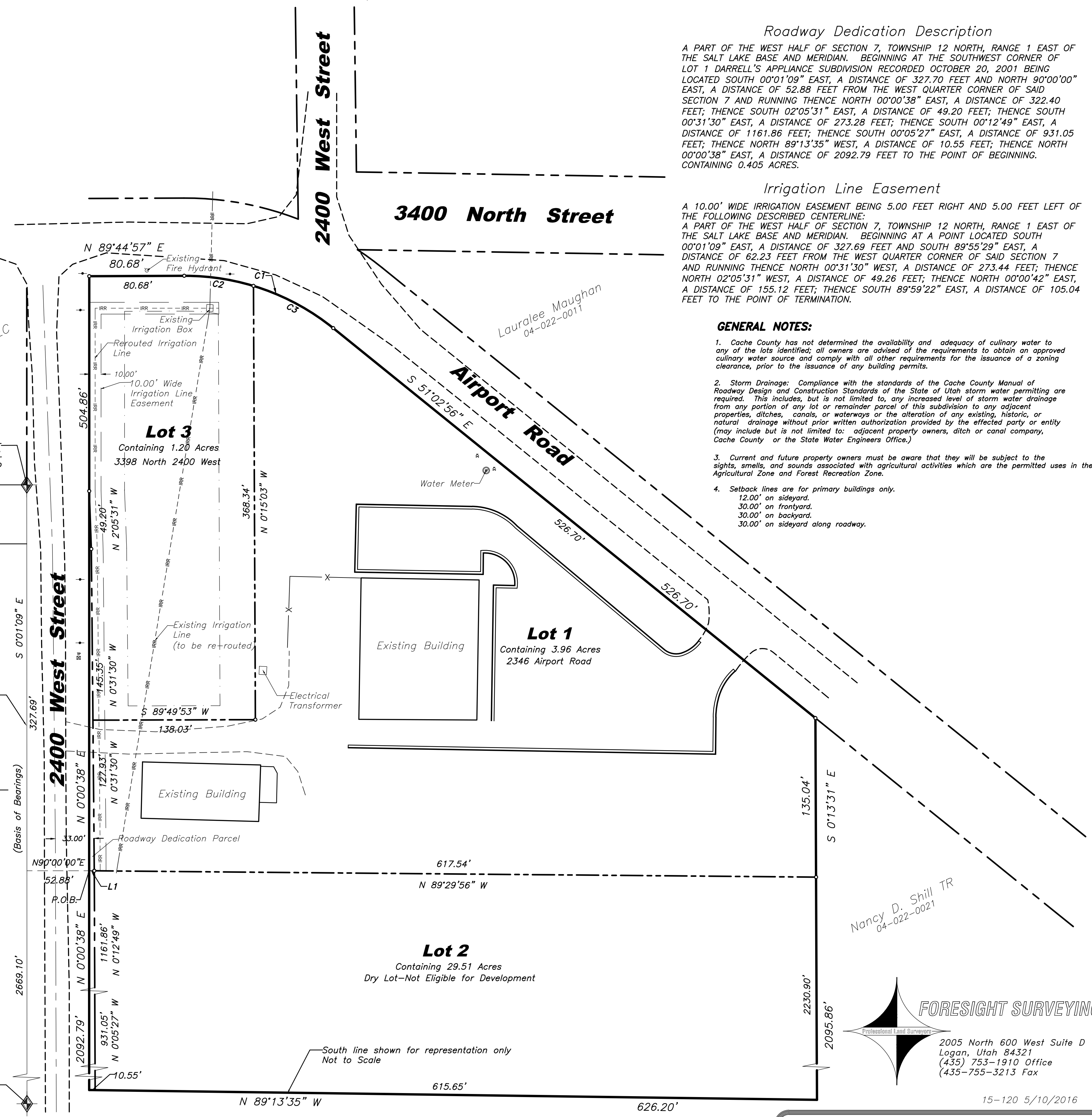


Vicinity Map

Southwest Corner Sec. 7, T12N, R1E, S.L.B.&M. Found cache Co. Brass Cap

West Quarter Corner Section 7, T12N, R1E, S.L.B.&M. Found Cache Co. Alum. Cap

C. Wayne and Teresa R. Maughan 12-014-0021

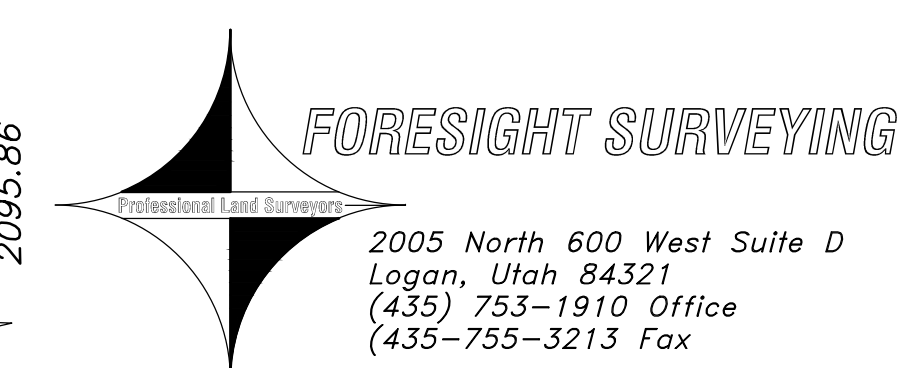


**Roadway Dedication Description**  
A PART OF THE WEST HALF OF SECTION 7, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 DARRELL'S APPLIANCE SUBDIVISION RECORDED OCTOBER 20, 2001 BEING LOCATED SOUTH 00°01'09" EAST, A DISTANCE OF 327.70 FEET AND NORTH 90°00'00" EAST, A DISTANCE OF 52.88 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7 AND RUNNING THENCE NORTH 00°00'38" EAST, A DISTANCE OF 322.40 FEET; THENCE SOUTH 02°05'31" EAST, A DISTANCE OF 49.20 FEET; THENCE SOUTH 00°31'30" EAST, A DISTANCE OF 273.28 FEET; THENCE SOUTH 00°12'49" EAST, A DISTANCE OF 1161.86 FEET; THENCE SOUTH 00°05'27" EAST, A DISTANCE OF 931.05 FEET; THENCE NORTH 89°13'35" WEST, A DISTANCE OF 10.55 FEET; THENCE NORTH 00°00'38" EAST, A DISTANCE OF 2092.79 FEET TO THE POINT OF BEGINNING. CONTAINING 0.405 ACRES.

**Irrigation Line Easement**  
A 10.00' WIDE IRRIGATION EASEMENT BEING 5.00 FEET RIGHT AND 5.00 FEET LEFT OF THE FOLLOWING DESCRIBED CENTERLINE:  
A PART OF THE WEST HALF OF SECTION 7, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT A POINT LOCATED SOUTH 00°01'09" EAST, A DISTANCE OF 327.69 FEET AND SOUTH 89°55'29" EAST, A DISTANCE OF 62.23 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7 AND RUNNING THENCE NORTH 00°31'30" WEST, A DISTANCE OF 273.44 FEET; THENCE NORTH 02°05'31" WEST, A DISTANCE OF 49.26 FEET; THENCE NORTH 00°00'42" EAST, A DISTANCE OF 155.12 FEET; THENCE SOUTH 89°59'22" EAST, A DISTANCE OF 105.04 FEET TO THE POINT OF TERMINATION.

- GENERAL NOTES:**
- Cache County has not determined the availability and adequacy of culinary water to any of the lots identified; all owners are advised of the requirements to obtain an approved culinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of any building permits.
  - Storm Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards of the State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (may include but is not limited to: adjacent property owners, ditch or canal company, Cache County or the State Water Engineers Office.)
  - Current and future property owners must be aware that they will be subject to the sights, smells, and sounds associated with agricultural activities which are the permitted uses in the Agricultural Zone and Forest Recreation Zone.
  - Setback lines are for primary buildings only.  
12.00' on sideyard.  
30.00' on frontyard.  
30.00' on backyard.  
30.00' on sideyard along roadway.

Nancy D. Shill TR 04-022-0021



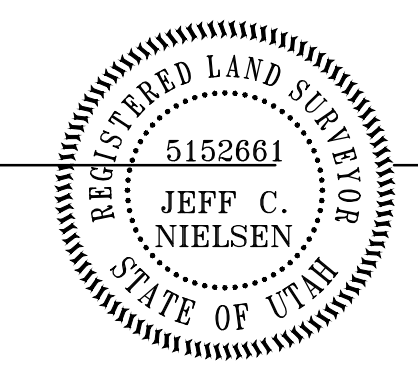
15-120 5/10/2016

## SURVEYOR'S CERTIFICATE

I, JEFF C. NIELSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 5152661 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS HEREAFTER TO BE KNOWN AS: DARRELL'S APPLIANCE SUBDIVISION-FIRST AMENDMENT AND THE SAME HAS BEEN CORRECTLY SURVEYED AND ALL STREETS ARE THE DIMENSIONS SHOWN.

## Subdivision Boundary

A PART OF THE WEST HALF OF SECTION 7, TOWNSHIP 12 NORTH, RANGE 1 EAST OF THE SALT LAKE BASE AND MERIDIAN. BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 DARRELL'S APPLIANCE SUBDIVISION RECORDED OCTOBER 20, 2001 BEING LOCATED SOUTH 00°01'09" EAST, A DISTANCE OF 327.70 FEET AND NORTH 90°00'00" EAST, A DISTANCE OF 52.88 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7 AND RUNNING THENCE NORTH 00°00'38" EAST, A DISTANCE OF 504.86 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF AIRPORT ROAD; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: (1) NORTH 89°44'57" EAST, A DISTANCE OF 80.68 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 200.00 FEET AND A CENTRAL ANGLE OF 39°12'07"; (2) EASTERLY ALONG THE ARC A DISTANCE OF 136.84 FEET CHORD BEARS SOUTH 70°39'00" EAST 134.19 FEET; (3) SOUTH 51°02'56" EAST, A DISTANCE OF 526.70 FEET, THENCE SOUTH 00°13'31" EAST, A DISTANCE OF 2230.90 FEET; THENCE NORTH 89°13'35" WEST, A DISTANCE OF 626.20 FEET; THENCE NORTH 00°00'38" EAST, A DISTANCE OF 2092.79 FEET TO THE POINT OF BEGINNING. CONTAINING 35.075 ACRES AND THREE LOTS.



SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

## OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED AND DESCRIBED HEREON, HAVING THE SAME TO BE SUBDIVIDED INTO LOTS AND STREETS (AS PERTAINS), THE WHOLE TO BE HEREINAFTER KNOWN AS THE "DARRELL'S APPLIANCE FIRST AMENDMENT. FURTHER WE DEDICATE AND/OR QUIT CLAIM AS APPROPRIATE THE PORTION OF PROPERTY OF PARCEL NUMBER 04-022-0031 AND 04-022-0020 THAT LIES WITHIN 33.00 FEET OF THE CENTERLINE OF THE EXISTING ROADWAY AND AS SHOWN ON THIS PLAT, TO CACHE COUNTY, FOR THE USE OF THE PUBLIC FOREVER, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF SAID ROADWAY.

Date \_\_\_\_\_ Darrell J. Ricks  
Date \_\_\_\_\_ Betty B. Ricks  
Date \_\_\_\_\_ Thomas Reese

## ACKNOWLEDGMENT

STATE OF UTAH ) SS.  
COUNTY OF CACHE )  
THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_  
BY \_\_\_\_\_  
WHO PROVED ON BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT.  
WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC \_\_\_\_\_

## TRUSTEE ACKNOWLEDGMENT

state of UTAH  
County of CACHE  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
personally appeared before me, the undersigned notary public in and for said county of Cache, in the state of Utah, proved to me on the basis of satisfactory evidence to be the person(s) who executed the within instrument as Trustee(s) of \_\_\_\_\_, the signer(s) of the within instrument, who duly acknowledged to me he(they) executed the same pursuant to and in accordance with the power vested in him(her) by the terms of said trust agreement.

NOTARY PUBLIC \_\_\_\_\_

## CACHE COUNTY COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON \_\_\_\_\_ 2016.  
DATED THIS DAY OF \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
BY: \_\_\_\_\_  
CHAIRMAN  
ATTESTED TO: \_\_\_\_\_  
CACHE COUNTY CLERK

## COUNTY RECORDER

STATE OF UTAH,  
COUNTY OF CACHE.  
THIS PLAT HAS BEEN DULY ACKNOWLEDGED, CERTIFIED, AND APPROVED AND FILED AND RECORDED IN CACHE COUNTY, UTAH.  
FILING NO.: \_\_\_\_\_  
DATE: \_\_\_\_\_  
TIME: \_\_\_\_\_  
BOOK: \_\_\_\_\_  
PAGE: \_\_\_\_\_  
REQUEST OF: \_\_\_\_\_  
CACHE COUNTY RECORDER

## DEPUTY COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE; AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.  
DATE \_\_\_\_\_ DEPUTY CACHE COUNTY SURVEYOR

## CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON \_\_\_\_\_ DAY OF \_\_\_\_\_ 2016. DATED THIS DAY OF \_\_\_\_\_ DAY OF \_\_\_\_\_  
BY: \_\_\_\_\_ CHAIR

## COUNTY ATTORNEY APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE.  
DATE \_\_\_\_\_ CACHE COUNTY ATTORNEY

## BEAR RIVER HEALTH DEPT. APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.  
BY: \_\_\_\_\_ TITLE: \_\_\_\_\_