



**4:45 p.m.**

Workshop in the County Council Chambers.

**5:30 p.m.**

Call to order

Opening remarks/Pledge – Phillip Olsen

Review and approval of agenda.

Review and approval of the minutes of the 7 September 2017 meeting.

**5:35 p.m.**

**Consent Items**

1. **Gerald Alder Subdivision** – A request for a recommendation of approval to the County Council for a one-lot subdivision with two agricultural remainders on 56.50 acres of land located at approximately 200 South 1900 West, near Logan in the Agricultural (A10) Zone. Tax ID: 02-075-0003, -0008, -0009.

**Regular Action Items**

2. **Public Hearing (5:40 p.m.): Rosehill Farms I Rezone** – A request for a recommendation of approval to the County Council for a rezone of 34.73 acres at approximately 6600 South 400 East, near Hyrum, from Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Tax ID: 01-074-0015.
3. **Public Hearing (5:50 p.m.): Rosehill Farms II Rezone** – A request for a recommendation of approval to the County Council for a rezone of two contiguous parcels totaling 40.0 acres at approximately 6600 South Hwy 165, near Hyrum, from Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Tax ID: 01-080-0016, -0019.
4. **Public Hearing (6:05 p.m.): Cache County Trails and Active Transportation Master Plan** - An amendment to the Cache County Comprehensive Plan adopting a Trails and Active Transportation Master Plan.

Board Member Reports

Staff reports

Adjourn



**PLANNING COMMISSION MINUTES**

**7 September 2017**

**Item**

**Page**

**Consent items**

- 1. **K & K Welding Subdivision ..... 2**
- 2. **June West Cowley Lot Split Subdivision 2<sup>nd</sup> Amendment ..... 2**

**Regular items**

- 3. **Public Hearing (5:40 p.m.) Mountain Heights Rezone ..... 2**
- 4. **Public Hearing (5:55 p.m.) Pate Rezone..... 3**
- 5. **DD Auto & Salvage Conditional Use Permit ..... 4**
- 6. **Wellsville City Sewer Improvement Conditional Use Permit ..... 4**

1 **Present:** Angie Zetterquist, Chris Harrild, Jason Watterson, Brady Christensen, Phillip Olsen, Chris  
2 Sands, Jon White, Megan Izatt

3  
4 **Start Time: 05:32:00** (Time not shown on DVD)

5  
6 **Watterson** welcomed and **Harrild** gave opening remarks

7  
8 **05:33:00**

9  
10 **Agenda**

11  
12 Approved with no changes.

13  
14 **Minutes**

15  
16 *Christensen* motioned to approved the July 6<sup>th</sup> minutes, *Sands* seconded; **Passed 4, 0.**

17  
18 **05:35:000**

19  
20 **Consent Agenda**

21 **#1 K&K Welding Subdivision**

22  
23 **Zetterquist** reviewed the staff report.

24  
25 **#2 June West Cowley Lot Split Subdivision 2<sup>nd</sup> Amendment**

26  
27 **Zetterquist** reviewed the staff report.

28  
29 *Olsen* motioned to recommend approval of the consent agenda to the County Council; *Christensen*  
30 seconded; **Passed 4, 0.**

31  
32 **05:39:00**

33  
34 **Regular Action Items**

35 **#3 Public Hearing (5:40 p.m.): Mountain Heights Rezone**

36  
37 **Zetterquist** reviewed the staff report.

38  
39 **Staff** and **Commission** discussed the restriction of the current lots.

40  
41 **05:44:00**

42  
43 *Sands* motioned to open the public hearing; *Olsen* seconded; **Passed 4, 0.**

44  
45 **Micah Copener** represented the applicant and asked that if the rezone requirement and road concerns  
46 were addressed would the application meet the requirements for the A10 zone.

47  
48 **Harrild** responded that if the developer met the road requirements, the council will not extend  
49 maintenance for that road and sees that as the only challenge that the applicant would have. The council  
50 does have the authority to make an exception but there are qualifiers for that exception to be granted.

1 **Mr. Copener** commented that there is road maintenance to the corner of the property and a private road  
2 would be extended beyond that.

3  
4 **Sands** responded that because the road is access to the forest service area that the road would not be able  
5 to be privatized.

6  
7 **Mr. Copener** responded that a new road would be created and they would not use the forest service road.  
8

9 **Staff** and **Commissioners** discussed what would be needed for services for the road and the subdivision.  
10

11 **Mr. Copener** responded that if the proposal could be approved subject to the requirement being met  
12 would be helpful.

13  
14 **Harrild** responded that rezones cannot have conditional requirements attached to them.

15  
16 **Randy Stacy** commented that there have never been bus pickup or garbage services for that road.  
17 Garbage is picked up at the Mendon City building. Winter Maintenance ends at our driveway.  
18

19 **05:56:00**

20  
21 *Christensen* motioned to close the public hearing; *Sands* seconded; **Passed 4, 0.**

22  
23 *Sands* motioned to recommend denial to the County Council for the Mountain Heights Rezone with the  
24 stated findings of facts and conclusions; *Olsen* seconded; **Passed 4, 0.**

25  
26 **Mr. Copener** asked what services would be extended.

27  
28 **Harrild** responded that the services that would be extended would be for maintenance and the county  
29 cannot currently meet the maintenance needs.

30  
31 **Mr. Copener** asked if 9 lots were added how that would affect maintenance.

32  
33 **Harrild** responded that maintenance changes regarding the type of road, and the type of road is  
34 determined by the number of trips on the road.

35  
36 **06:00:00**

37  
38 **#4 Public Hearing (5:55 p.m.): Pate Rezone**

39  
40 **Zetterquist** reviewed the staff report.

41  
42 **06:04:00**

43  
44 *Sands* motioned to open the public hearing; *Christensen* seconded; **Passed 4, 0.**

45  
46 **Robert Pate** asked about under soil drains and if there will be issues with those from the County. The  
47 land has been farmed for years and the family would now like to have a couple more building lots.

48  
49 **Kim Johnson** commented regarding drainage, irrigation ditches and the ditches being used wrong.  
50 Density, septic and the drainage for the homes are all a concern.  
51



1 **Inez Carricle** commented on water and drainage, stressed infrastructure, irrigation ditches, and roads.  
2  
3 **Brian Johnson** commented on adding more wells to the area, and traffic.  
4  
5 **Wendy Coombs** commented on changing the base zone of the area, future home values, and other  
6 neighbors being concerned with additional houses being built. Most of the families on the road are not in  
7 support of increasing the density and the traffic.  
8  
9 **Wendy Coombs** also left a letter from a neighbor in opposition of the project.  
10  
11 **Ron Moss** commented on not wanting a subdivision across the road, drainage and flooding and asked  
12 about the remaining acreage that would be left over from the 1 acre lots.  
13  
14 **Mr. Pate** commented regarding surface water, and drainage.  
15  
16 **Mr. Johnson** commented regarding surface water and flooding.  
17  
18 **06:21:00**  
19  
20 *Olsen motioned to close the public hearing; Christensen seconded; Passed 4, 0.*  
21  
22 **Staff** and **Commissioners** discussed the RU2 zoning & location requirements for the zone.  
23  
24 *Sands motioned to recommend approval of the Pate Rezone to the County Council based on the*  
25 *conclusions recommended by staff; Olsen seconded; Passed 3, 1 (Watterson voted nay)*  
26  
27 **06:32:00**  
28  
29 **#5 DD Auto & Salvage Conditional Use Permit 1<sup>st</sup> Amendment**  
30  
31 **Harrild** reviewed the history for DD Auto & Salvage CUP.  
32  
33 **Staff** and **Commission** discussed the existing CUP.  
34  
35 *Christensen motioned to approve the DD Auto & Salvage Conditional Use Permit 1<sup>st</sup> Amendment with*  
36 *the stated conclusions, conditions, and findings of facts; Olsen seconded; Passed 4, 0.*  
37  
38 **06:43:00**  
39  
40 **#6 Wellsville City Sewer Improvement Conditional Use Permit**  
41  
42 **Zetterquist** reviewed the staff report.  
43  
44 **Staff** and **Commission** discussed the project.  
45  
46 **Kraig Johnson** commented on the UPDES permit.  
47  
48 **White** asked how much would be produced a day.  
49  
50 **Mr. Johnson** responded that waste from facilities of this size that he has worked with in the past would  
51 fill a residential trash can about half full for a week.

1 **Watterson** asked about how the waste will reach the landfill.

2

3 **Mr. Johnson** responded that the operator would transport the dumpster to the street that has pickup and  
4 then return the dumpster to the facility.

5

6 ***Olsen** motioned to recommend approval of the Wellsville City CUP to the County Council with the stated  
7 findings of fact, conditions, and conclusions; **Sands** seconded; **Passed 4, 0.***

8

9 **Adjourned**

10

11 **06:58:00**

DRAFT

### STAFF REPORT: GERALD ALDER SUBDIVISION

5 October 2017

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:** Bret Alder

**Parcel ID#:** 02-075-0003, -0008, -0009

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** County Council

### LOCATION

*Reviewed by Angie Zetterquist*

**Project Address:**

~200 South 1900 West  
near Logan

**Current Zoning:**  
Agricultural (A10)

**Acres:** 56.5

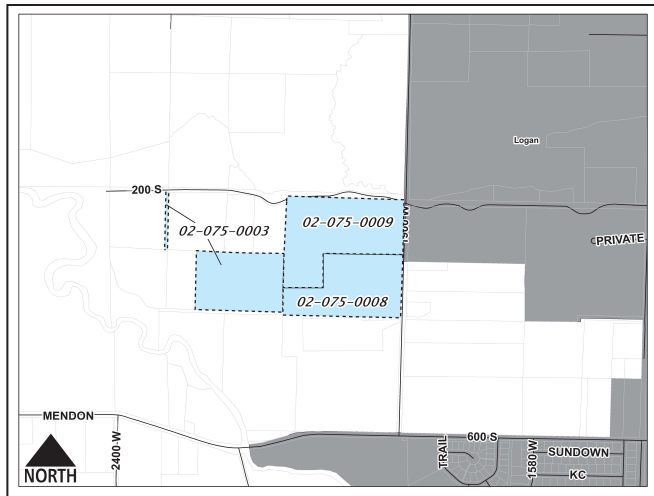
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential/Logan City

West – Agricultural/Residential



### FINDINGS OF FACT (21)

#### A. Request description

1. The Gerald Alder Subdivision is a request for a single lot subdivision with two agricultural remainders in the Agricultural (A10) Zone.
  - a. The proposed Lot 1 (5.50) will include the existing residential structure and accessory buildings.
  - b. Agricultural Remainder Parcel 1 will be approximately 33.68 acres.
  - c. Agricultural Remainder Parcel 2 will be approximately 16.98 acres.

#### B. Parcel legality

2. On the 1970 and 1978 recorder's plats, parcel 02-075-0003 encompassed Lots 2, 3, 5, 7, and the east half of Lot 4 of Block 13 Plat E Logan Farm Survey, totaling approximately 65 acres. A

building permit was issued in April 1980 for a single family dwelling along 200 South Street. In August 1980, parcels 02-075-0008 & -0009 were split from 02-075-0003 without land use authority. Then in 2006, parcel 02-075-0020 (10 acres) was created from the remainder of 02-075-0003 without land use authority by a quit claim deed and, subsequently, a zoning clearance and building permit was issued in July 2006 for a single family residence and barn thereby legalizing the -0020 parcel.

3. Parcels 02-075-0003, -0008, and -0009, are considered restricted parcels as they were divided without land use authority. The proposed one-lot subdivision with two agricultural remainders will resolve the restriction.

#### **C. Authority**

4. §17.02.060 Establishment of Land Use Authority – The County Council is authorized to act as the Land Use Authority for this application. *See conclusion #1*

#### **D. Culinary water, septic system, storm water, and irrigation system**

5. §16.04.080 [A] Water Requirements – There is an existing house on the proposed Lot 1, which is now parcel 02-075-0009. The house was issued a certificate of occupancy in 1982. Although, the proposed subdivision will not create additional buildable lots, there is no current record of a valid domestic water right for the existing residence. Prior to recordation of the subdivision, the applicant must provide a valid, approved domestic water right for Lot 1. *See condition #1*
6. §16.04.080 [B] Sewage Requirements – Bear River Health Department (BRHD) issued a permit in April 1980 to install a septic system on the proposed Lot 1.
7. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #2*

#### **E. Access**

8. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
9. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
10. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
  - a. The layout of proposed roads;
  - b. An analysis of existing roadway compliance with the Road Manual requirements;
  - c. Existing maintenance;
  - d. And any additional impacts to the proposed development access roads.
11. The Road Manual specifies the following:
  - a. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
  - b. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
  - c. §2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.

- d. Table A-8 Typical Cross Section Structural Values: The minimum structural composition for gravel roads requires 14” depth of granular borrow, 6” depth of road base, and paved roads required an additional 2.5” depth of asphalt.
- e. §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
- f. §1.8 Authority and Design Exception: Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information.

**12. A basic review of the access to the property identifies the following:**

- a. The proposed subdivision gains access from 200 South Street and 1900 West Street, both county roads.
- b. 200 South:
  - i. Is an existing county facility that provides access to the general public.
  - ii. Currently provides access to two dwellings and to agricultural parcels.
  - iii. Consists of an average 18-20-foot paved width and 4-foot wide gravel shoulders.
  - iv. Has an unknown depth and type of material.
  - v. Is maintained year round. *See conclusion #3*
- c. The proposed agricultural remainders are accessible from 1900 West, a county road with winter maintenance. This county road will not be impacted by in an increase in Average Daily Traffic due to this proposal.

**F. Service Provision**

- 13. §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable, but that future development on the property must be reevaluated and may require improvements based on the location of any proposed development. Water supply for fire suppression would be provided by the Logan Fire Department.
- 14. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental reviewed the request and commented that the applicant shall provide sufficient shoulder space to place the containers 3-to-4 feet apart and ensure the containers will not interfere with passing traffic.
- 15. §16.04.080 [D] School Bus Service – School bus service is provided through a stop at 200 South 1900 West.

**G. Sensitive Areas**

- 16. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
  - a. A canal owned by the Logan Southwest Field Irrigation Company runs through the subdivision. Future development shall not occur in waterways.
  - b. FEMA FIRM Floodplain buffer has been identified on portions of the proposed subdivision. Any future development must meet current Code requirements.
  - c. NWI identified Wetlands appear to be present on portions of the proposed lots. Any future development within this area must meet current Code requirements.
  - d. An area of Moderate to High Liquefaction Potential is present on all proposed lots. Any future development within this area must meet current Code requirements.

## **H. Public Notice and Comment—§17.02.040 Notice of Meetings**

17. Public notice was posted online to the Utah Public Notice Website on 21 September 2017.
18. Notice was published in the Herald Journal on 24 September 2017.
19. Notices were posted in three public places on 21 September 2017.
20. Notices were mailed to all property owners within 300 feet of the subject property and all cities within a mile on 21 September 2017.
21. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

### **CONDITIONS (2)**

---

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

1. Prior to recordation, the applicant must provide proof of an approved, domestic water right for Lot 1 in the name of the owner. (*See D-5*)
2. A Land Disturbance Permit is required for any future development. (*See D-7*)

### **CONCLUSIONS (3)**

---

Based on the findings of fact and conditions noted herein, staff recommends Planning Commission recommend approval of the Gerald Alder Subdivision to the County Council as:

1. The County Council is authorized to act as the Land Use Authority for this application (*See C-4*), and;
2. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.
3. Design Exception (*See E-11, E-12*): A design exception is hereby approved for the substandard areas of 200 South and 1900 West regarding surfacing material type, width, structural fill, and right-of-way width as:
  - a. 200 South and 1900 West are public facilities that are owned and maintained by the county.
  - b. No additional developable lots are being proposed as part of the subdivision amendment.
  - c. The identified access roads will not be impacted by in an increase in Average Daily Traffic due to this proposal.





### STAFF REPORT: ROSEHILL FARMS I REZONE

5 October 2017

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:** Tim Wilkinson

**Parcel ID#:** 01-074-0015

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

#### LOCATION

*Reviewed by Angie Zetterquist*

**Project Address:**  
6600 South 400 East  
near Hyrum

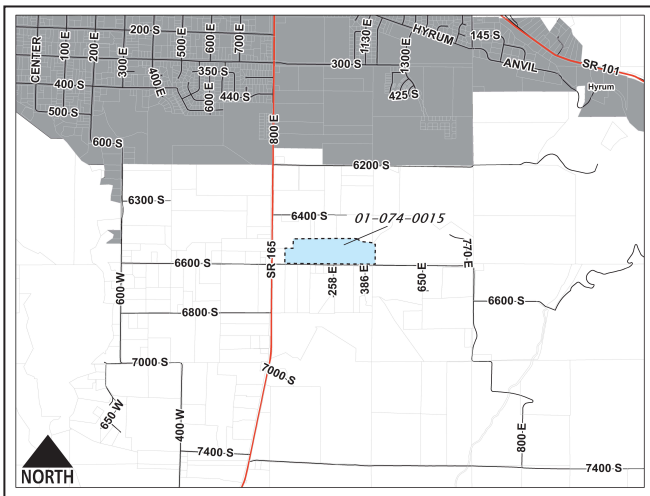
**Acres:** 34.73

**Surrounding Uses:**

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

**Current Zoning:**  
Agricultural (A10)

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



#### FINDINGS OF FACT (17)

##### A. Request description

1. A request to rezone a 34.73-acre parcel from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum of seventeen (17) separate lots as part of a subdivision process; the actual number of developable lots may be less if there are any sensitive areas or public right-of-way that remove portions of the property from developable acreage.
3. 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 maps (Exhibits A & B) and in the following text:



**a. Land Use Context:**

**i.** Parcel status: In about April 2000, parcels 01-074-0012, -0013, & -0014 were merged with parcel 01-074-0015 to create the 34.73-acre lot as it exists today. On August 8, 2000, the Cache County Council approved an agricultural protection area on 90.92 acres of property that included the subject parcel. A Conditional Use Permit (CUP) was approved in September 2009 to expand the Rosehill Dairy on the subject property.

**ii.** Density: Within a mile of the proposed rezone, the average size of unincorporated county parcels (44 parcels) with a dwelling is 8.8 acres; the average size of parcels (116 parcels) without a dwelling is 21.8 acres. Portions of Hyrum City also lie within one mile of the proposed rezone. Within the Hyrum City areas inside the one-mile buffer, the average size of a city parcel (322 parcels) with a dwelling is 0.4 acres; the average size of city parcels (119 parcels) without a house is 4.8 acres. (Exhibit A)

The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. At 34.73 acres, the subject parcel can be divided into 3 lots under the current A10 Zone; a rezone to RU2 would allow a maximum of 17 buildable lots.

**iii.** Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:

- Agricultural Manufacturing
- Recreational Facility
- Cemetery
- Private Airport
- Concentrated Animal Feed Operation
- Livestock Auction Facility
- Topsoil Extraction

**iv.** Adjacent uses: The property immediately to the north is a mink farm that has been operating since 1976. A mink farm is a permitted use in the Agricultural (A10) zone. Based on a hearing in 2010 regarding the mink farm, the farm processes approximately 45,000 pelts a year at that time, has had incidents with unauthorized intruders on the property, and is considered by some neighboring residents to be a nuisance. The mink farm is part of the agricultural protection area approved in 2000 as mentioned above in the *Land Use Context* section (i.e., #3(a)(i)). Other properties surrounding the subject property are currently used for agriculture and single family dwellings.

**v.** 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 0.38 miles as the crow flies from the southern boundary of Hyrum City and approximately 0.59 miles via the most direct road route.

In the one-mile buffer area, the surrounding properties are primarily zoned A10 (Agricultural) or are located in Hyrum City. There is one property within the one-mile buffer that was recently rezoned to RU2. (Exhibit B) The subject parcel is within the identified future annexation area for Hyrum.

The recently rezoned RU2 parcel (01-071-0007) is approximately 0.20 miles to the west of the subject property on 6600 South. This RU2 rezone request (i.e., “Nielsen Rezone”) for the 5-acre property was approved by County Council in October 2016 (Ord. #2016-16), from the original A10 Zone; to date, there has not been a subsequent subdivision of the property.

**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [C]**

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [A] [1] identifies the purpose of the RU2 Zone and includes the following:
  - a. “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.
  - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. 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.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

7. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
8. The Road Manual specifies the following:
  - a. Local Road: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
  - b. Local Roads must meet the minimum standard of two, 10-foot wide paved travel lanes with 2-foot wide shoulders: 1-foot paved, 1-foot gravel (24 feet total width), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 66-foot wide right-of-way (ROW).

9. A basic analysis of county road 6600 South (Local Road) is as follows:
  - a. The subject property has frontage along 6600 South. 6600 South runs east and west between 800 East and 600 West, both county roads. State Route 165, a UDOT facility, intersects 6600 South approximately 350 feet west of the southwest corner of the subject property. Per the road review, 6600 South is a 21-foot wide paved road with 4-foot wide gravel shoulders. This paved road provides access to agricultural properties and a number of residences.
  - b. The depth and type of material under 6600 South is unknown. However, this is an existing county facility that provides access to the general public.
  - c. Winter maintenance is provided on 6600 South.

**D. Service Provisions:**

10. §16.04.080 [C] Fire Control – The County Fire District evaluated the access road to the subdivision and determined that the access road meets fire code, but future access to the individual properties must be reevaluated and may require improvements based on the location of any proposed structure on the respective lots. Water supply for fire suppression is provided by the Hyrum Fire Department.
11. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental currently provides service in this area but had no comments on the rezone request.
12. §16.04.080 [D] School Bus Service – A bus stop is located at intersection of 430 East 6600 South.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

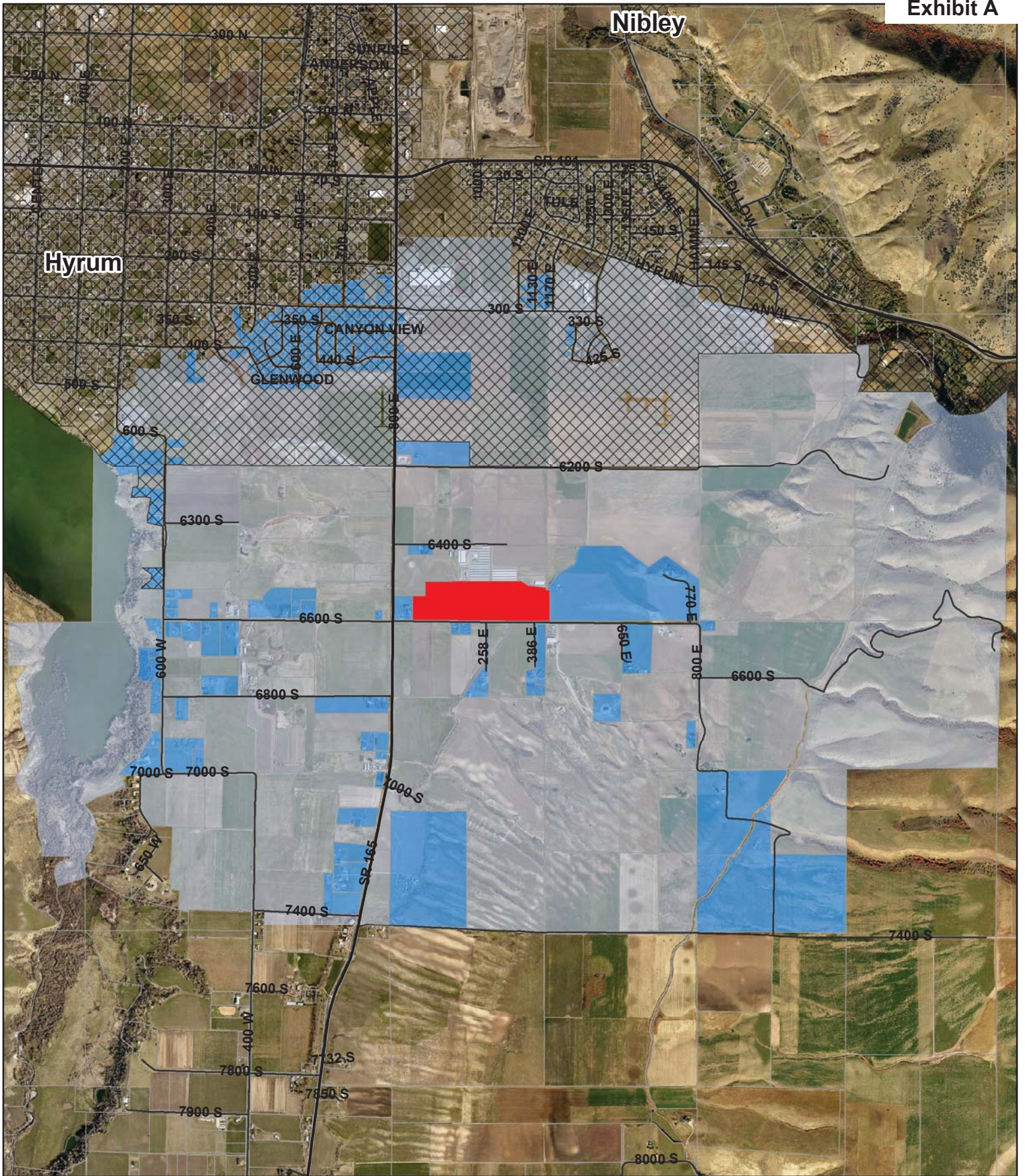
13. Public notice was posted online to the Utah Public Notice Website on 21 September 2017.
14. Notice was published in the Herald Journal on 24 September 2017.
15. Notices were posted in three public places on 21 September 2017.
16. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 21 September 2017.
17. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**STAFF CONCLUSION**

---

The Rosehill Farms I Rezone, a request to rezone 34.73 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation and conclusions based on the findings of fact identified above and any others identified at the public hearing.





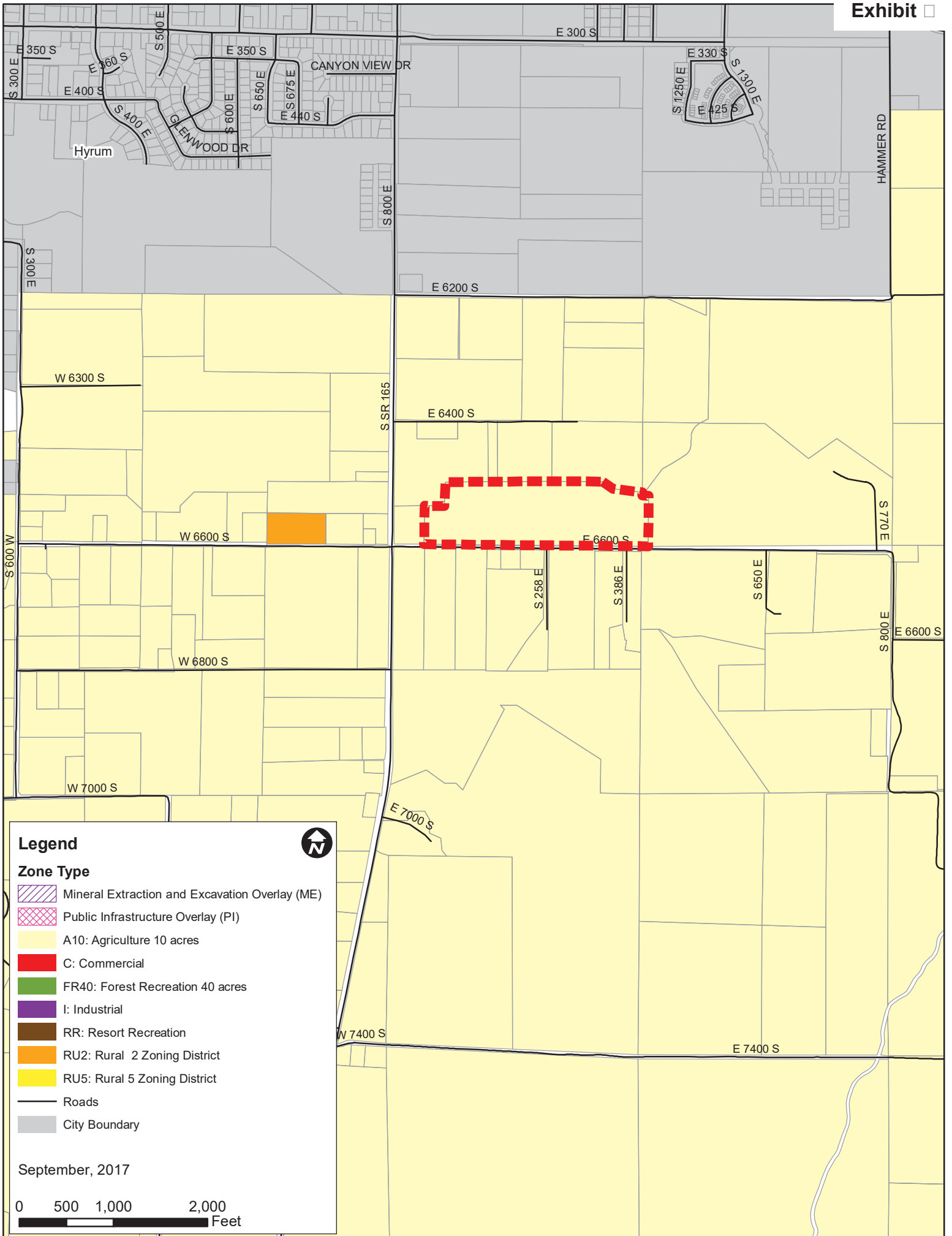
**Legend**

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

**Average Parcel Size Without a Home: 21.8 Acres (116 Parcels)**  
**Average Parcel Size With a Home: 8.8 Acres (44 Parcels)**  
**Average Parcel Size Without a Home in Hyrum City: 4.8 Acres (119 Parcels)**  
**Average Parcel Size With a Home in Hyrum City: 0.4 Acres (322 Parcels)**


















**Legend**



**Zone Type**

-  Mineral Extraction and Excavation Overlay (ME)
-  Public Infrastructure Overlay (PI)
-  A10: Agriculture 10 acres
-  C: Commercial
-  FR40: Forest Recreation 40 acres
-  I: Industrial
-  RR: Resort Recreation
-  RU2: Rural 2 Zoning District
-  RU5: Rural 5 Zoning District
-  Roads
-  City Boundary

September, 2017

0 500 1,000 2,000  
 Feet





**ROSEHILL FARMS I REZONE**

**OPTION 1 – RECOMMEND APPROVAL**

**PLANNING COMMISSION CONCLUSION**

---

Based on the findings of fact noted herein, the Rosehill Farms I Rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. Is within ~1,900 feet of the Hyrum City boundary.
  - b. Allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.
  - c. The property is appropriately served by suitable public roads.

**OPTION 2 – RECOMMEND DENIAL**

**PLANNING COMMISSION CONCLUSION**

---

Based on the findings of fact noted herein, the Rosehill Farms I Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the subject property is not compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. Is located immediately adjacent to a large mink farm and will unreasonably impede this adjacent agricultural use.
  - b. A high density residential development as allowed in the Rural 2 (RU2) Zone is incompatible with the existing adjacent agricultural uses and conflicts with the stated purpose of the Agricultural (A10) Zone to promote and protect agricultural uses and activities where farming is a viable component of the local economy.

### STAFF REPORT: ROSEHILL FARMS II REZONE

5 October 2017

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:** Tim Wilkinson

**Parcel ID#:** 01-080-0016, -0019

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

#### LOCATION

*Reviewed by Angie Zetterquist*

**Project Address:**  
6600 South Hwy 165  
near Hyrum

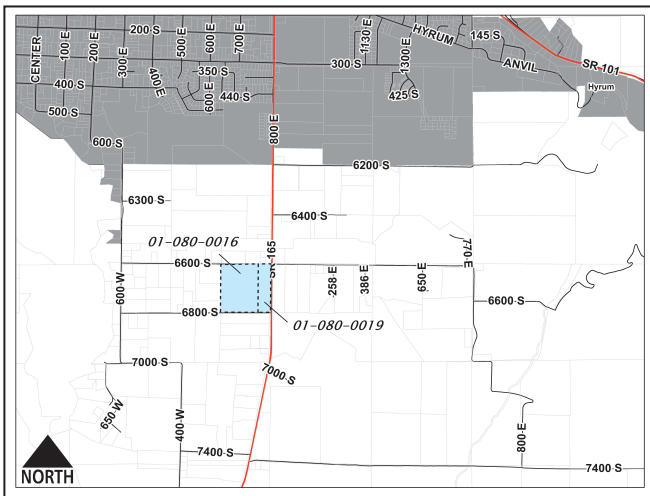
**Acres:** 30 & 10

**Surrounding Uses:**

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

**Current Zoning:**  
Agricultural (A10)

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



### FINDINGS OF FACT (17)

#### A. Request description

1. A request to rezone two contiguous parcels, one at 30 acres and the other at 10 acres, from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcels to be legally divided into a maximum of twenty (20) separate lots as part of a subdivision process; the actual number of developable lots may be less if there are any sensitive areas or public right-of-way that remove portions of the property from developable acreage.
3. 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 maps (Exhibits A & B) and in the following text:

**a. Land Use Context:**

- i.** Parcel status: Prior to 2000, parcel 01-080-0016 merged with parcels 01-080-0017 & -0018 to create the 30.0-acre lot as it exists today. Parcel 01-080-0019 is in the same size and configuration as it was on the 1970 plat. On August 8, 2000, the Cache County Council approved an agricultural protection area on 90.92 acres of property that include the subject parcels.
- ii.** Density: Within a mile of the proposed rezone, the average size of unincorporated county parcels (60 parcels) with a dwelling is 5.5 acres; the average size of parcels (122 parcels) without a dwelling is 22.4 acres. Portions of Hyrum City also lie within one mile of the proposed rezone. Within the Hyrum City areas inside the one-mile buffer, the average size of a city parcel (234 parcels) with a dwelling is 0.6 acres; the average size of city parcels (69 parcels) without a house is 6.0 acres. (Exhibit A)

The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. Parcel 01-080-0016 at 30.0 acres can be divided into 3 lots under the current A10 Zone; a rezone to RU2 would allow a maximum of 15 buildable lots.

Parcel 01-080-0019 at 10.0 acres and as a 1970 parcel, can be divided into a maximum of 3 lots. Parcels identified as 1970 parcels may develop the first three lots at a density of 1 unit per 2 acres and subsequent divisions must develop at 1 unit per 10 acres. A rezone to RU2 would allow a maximum of 5 buildable lots.

- iii.** Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:

- Agricultural Manufacturing
- Recreational Facility
- Cemetery
- Private Airport
- Concentrated Animal Feed Operation
- Livestock Auction Facility
- Topsoil Extraction

- iv.** Adjacent uses: The properties directly adjacent to the subject property are currently used for agriculture and single family dwellings.
- v.** 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 0.50 miles from the southern boundary of Hyrum City via the most direct road route. In the one-mile buffer area, the surrounding properties are primarily zoned A10 (Agricultural) or are located in Hyrum City. There is one property within the one-mile buffer that was recently rezoned to RU2. (Exhibit B) The subject property is not within the identified future annexation area for Hyrum, but that area ends on the north side of 6600 South.



The recently rezoned RU2 parcel (01-071-0007) is directly north of the subject property across 6600 South. This RU2 rezone request (i.e., “Nielsen Rezone”) for the 5-acre property was approved by County Council in October 2016 (Ord. #2016-16), from the original A10 Zone; to date, there has not been a subsequent subdivision of the property.

**B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [C]**

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [A] [1] identifies the purpose of the RU2 Zone and includes the following:
  - a. “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.
  - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. 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.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

**C. Access—16.04.040 [A], 16.04.080 [E], Road Manual**

7. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
8. The Road Manual specifies the following:
  - a. Local Road: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
  - b. Local Roads must meet the minimum standard of two, 10-foot wide paved travel lanes with 2-foot wide shoulders: 1-foot paved, 1-foot gravel (24 feet total width), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 66-foot wide right-of-way (ROW).
9. A basic analysis of county road 6600 South (Local Road) is as follows:
  - a. The subject properties both have frontage along county road 6600 South. Parcel 01-080-0019 also has frontage along State Route 165, a UDOT facility, on the eastern property line. Per the road review, 6600 South is a 21-foot wide paved road with 4-foot wide gravel shoulders. This paved road provides access to agricultural properties and a number of residences.

- b. The depth and type of material under 6600 South is unknown. However, this is an existing county facility that provides access to the general public.
- c. Winter maintenance is provided on 6600 South.

**D. Service Provisions:**

- 10. §16.04.080 [C] Fire Control – The County Fire District evaluated the access road to the subdivision and determined that the access road meets fire code, but future access to the individual properties must be reevaluated and may require improvements based on the location of any proposed structure on the respective lots. Water supply for fire suppression is provided by the Hyrum Fire Department.
- 11. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental currently provides service in this area but had no comments on the rezone request.
- 12. §16.04.080 [D] School Bus Service – A bus stop is located at intersection of 430 East 6600 South.

**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

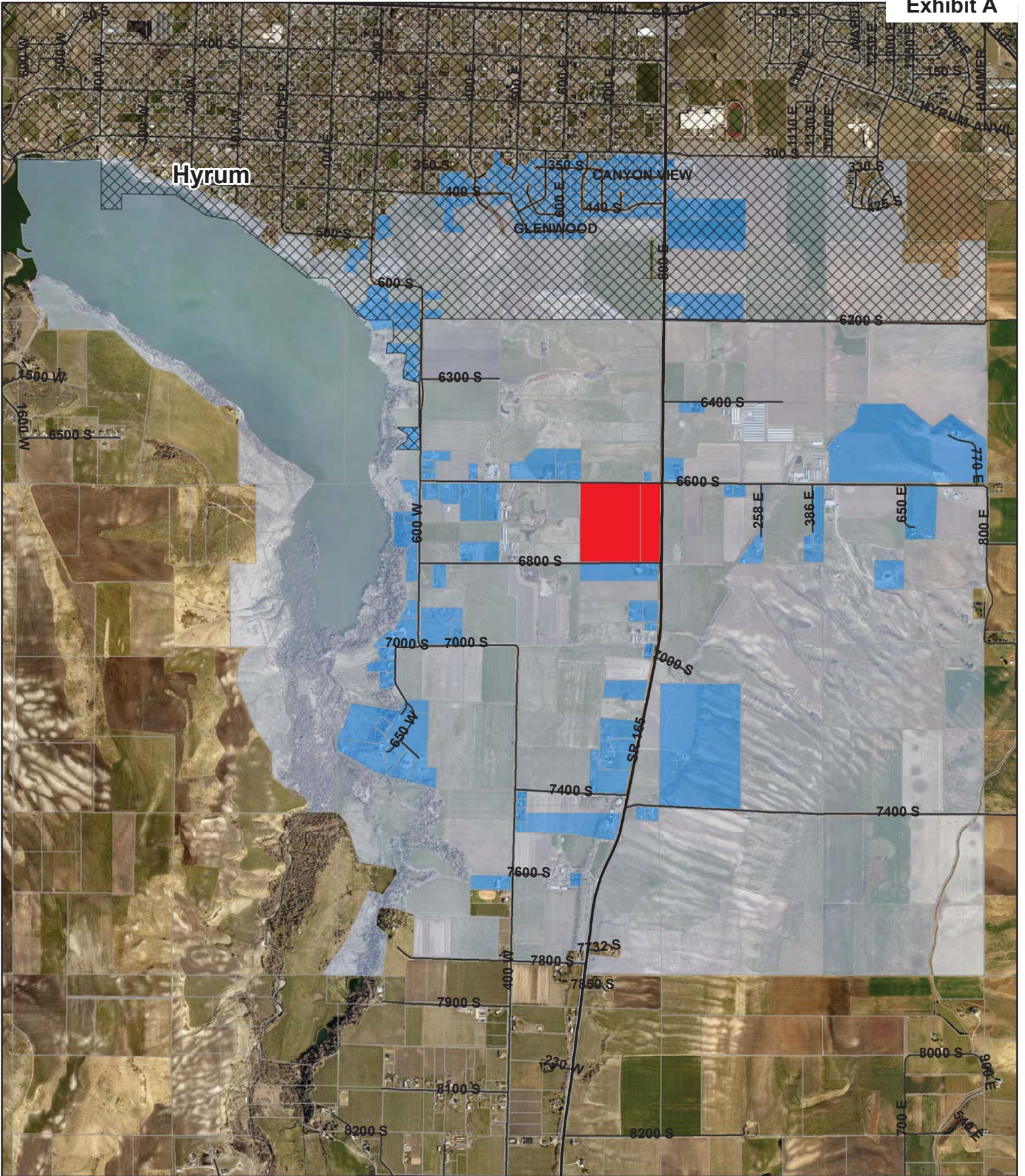
- 13. Public notice was posted online to the Utah Public Notice Website on 21 September 2017.
- 14. Notice was published in the Herald Journal on 24 September 2017.
- 15. Notices were posted in three public places on 21 September 2017.
- 16. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 21 September 2017.
- 17. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**STAFF CONCLUSION**

---

The Rosehill Farms II Rezone, a request to rezone two contiguous parcel totalling 40.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation and conclusions based on the findings of fact identified above and any others identified at the public hearing.



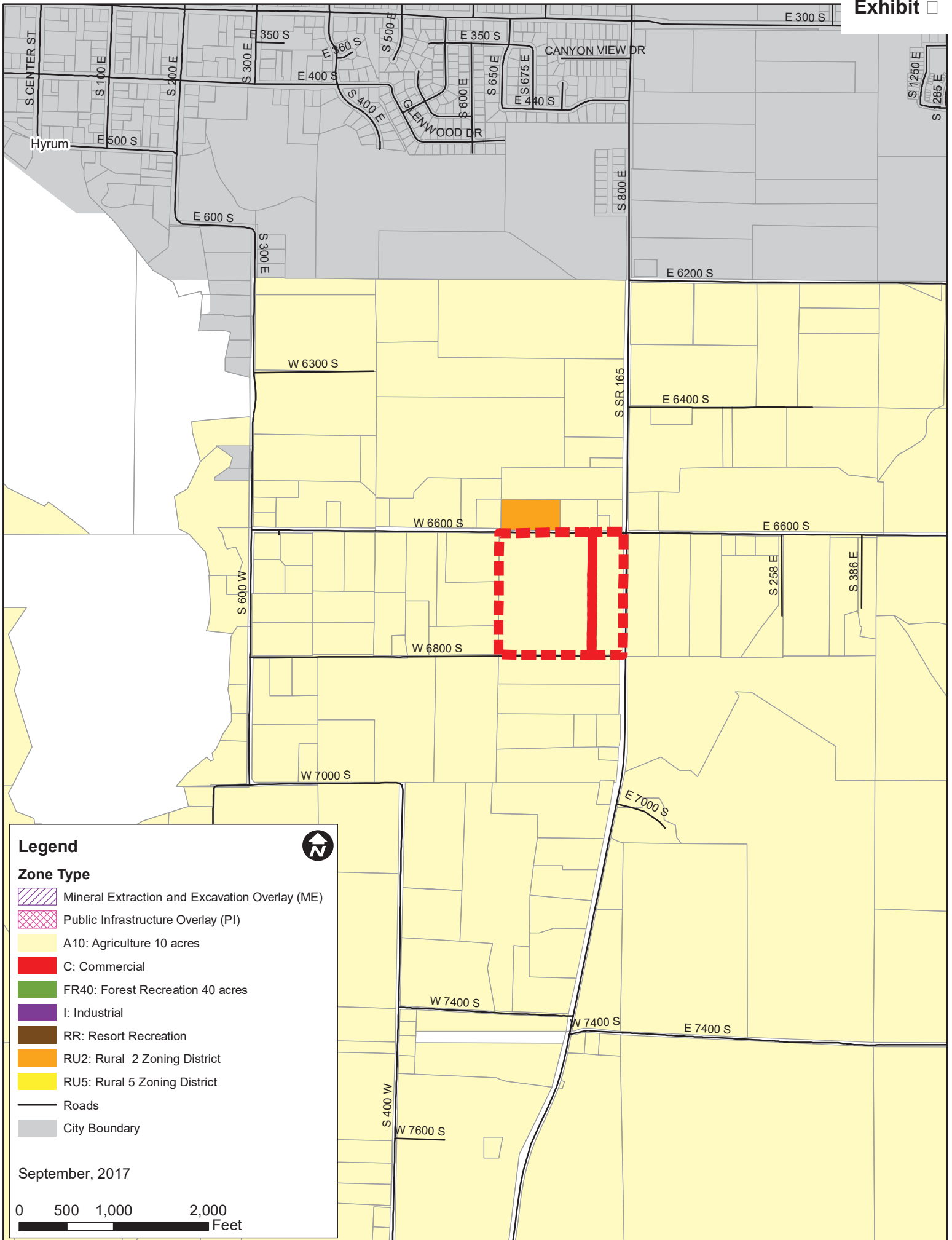


Legend	
	Parcels
	Proposed Rezone
	Parcels with Dwellings
	Parcels in 1 Mile Buffer

**Average Parcel Size Without a Home: 22.4 Acres (122 Parcels)**  
**Average Parcel Size With a Home: 5.5 Acres (60 Parcels)**  
**Average Parcel Size Without a Home in Hyrum City: 6 Acres (69 Parcels)**  
**Average Parcel Size With a Home in Hyrum City: 0.6 Acres (234 Parcels)**

September 2017





**Legend**

**Zone Type**

- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- I: Industrial
- RR: Resort Recreation
- RU2: Rural 2 Zoning District
- RU5: Rural 5 Zoning District
- Roads
- City Boundary

September, 2017

0 500 1,000 2,000 Feet



**ROSEHILL FARMS II REZONE**

**OPTION 1 – RECOMMEND APPROVAL**

**PLANNING COMMISSION CONCLUSION**

---

Based on the findings of fact noted herein, the Rosehill Farms II Rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. Is within ~1,900 feet of the Hyrum City boundary.
  - b. Allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.
  - c. The property is appropriately served by suitable public roads.

**OPTION 2 – RECOMMEND DENIAL**

**PLANNING COMMISSION CONCLUSION**

---

Based on the findings of fact noted herein, the Rosehill Farms II Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the subject property is not compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. A high density residential development as allowed in the Rural 2 (RU2) Zone is incompatible with the adjacent agricultural uses and conflicts with the stated purpose of the Agricultural (A10) Zone to promote and protect agricultural uses and activities where farming is a viable component of the local economy.