



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 5 October 2017 meeting.

Regular Action Items

- 1. Cache County Trails and Active Transportation Master Plan** - An amendment to the Cache County Comprehensive Plan adopting a Trails and Active Transportation Master Plan.
- 2. Discussion:** Code changes – Administrative and Enforcement
- 3. 2018 Meeting Dates and Application Deadlines**
- 4. Upcoming: Elections for Chair and Vice Chair**

Board Member Reports

Staff reports

Adjourn



Item

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Consent items

- 1. Gerald Alder Subdivision..... 2

Regular items

- 2. Public Hearing (5:40 p.m.) Rosehill Farms I Rezone.....2
- 3. Public Hearing (5:50 p.m.) Rosehill Farms II Rezone.....3
- 4. Public Hearing (6:05 p.m.) Cache County Trails and Active Transportation Master Plan.....4

1 **Present:** Angie Zetterquist, Chris Harrild, Josh Runhaar, Jason Watterson, Nolan Gunnell, Brady Christensen,
2 Rob Smith, Lane Parker, Phillip Olsen, Jon White, Megan Izatt

3
4 **Start Time: 05:31:00**

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

7
8 **05:33:00**

9
10 **Agenda**

11
12 Approved with no changes.

13
14 **Minutes**

15
16 Approved with no changes.

17
18 **05:34:00**

19
20 **Consent Agenda**

21 **#1 Gerald Alder Subdivision**

22
23 ***Olsen** motioned to recommend approval to the County Council with the stated findings of fact, conditions, and
24 conclusions; **Gunnell** seconded; **Passed 6, 0.***

25
26 **05:35:00**

27
28 **Regular Agenda**

29 **#2 Public Hearing (5:40 p.m.): Rosehill Farms I Rezone**

30
31 **Zetterquist** reviewed the staff report for Rosehill Farms I Rezone.

32
33 **05:42:00**

34
35 ***Olsen** motioned to open the public hearing; **Smith** seconded; **Passed 6, 0.***

36
37 **Tim Wilkinson** commented that the rezone is for financial reasons. The dairy processing plant will remain and
38 continue to operate.

39
40 **Parker** asked if Mr. Wilkinson owned cows still or was it just the processing plant.

41
42 **Mr. Wilkinson** responded that he doesn't own cows and just has the processing plant.

43
44 **White** asked if Hyrum City had commented.

45
46 **Zetterquist** responded no comment had been received.

47
48 **Wayne Jewkes** commented against the proposal because of trash from development, impacts on surrounding
49 agricultural uses, people not wanting to live next to the sight and smells of a farm,

50 **Parker** asked about the location of Mr. Jewkes land and if it was part of the Agricultural Protection Area.

1 **Mr. Jewkes** showed the commission where his land was located and responded that his land is part of the
2 Agricultural Protection Area.

3
4 **Cody Matthews** commented against the proposal because of the negative impacts the development could have
5 on his mink, people not wanting to live next to the sights and smell of agriculture, and concerns for 6400 south.

6
7 **Cliff Abbott** commented against the proposal because they want to live in the country and enjoy the current
8 setting of the land.

9
10 **Marcia Acevedo** commented she is against the proposal because they don't want that many neighbors, concerns
11 for her well, and the size of the lots for the subdivision.

12
13 **Glenn Matthews** commented against the proposal because of the possible negative impacts to his mink ranch,
14 specifically the lighting a subdivision brings.

15
16 **Tyce Matthews** commented against the proposal because of the negative impacts to agricultural businesses
17 around this development.

18
19 **Kyle Richardson** commented against the proposal because of the closeness and number of neighbors that would
20 be added.

21
22 **Cole Matthews** commented against the proposal and would like to see the area remain agricultural and continue
23 to sustain the families that make a living through agricultural.

24
25 **Chet Olsen** commented against the proposal because of the possible disturbance to his irrigation water, possible
26 flooding, high water table area, lights disturbing the mink ranches, traffic increasing and road issues, and the
27 canal on the west side of the road.

28
29 **06:03:00**

30
31 *Gunnell motioned to close the public hearing; Smith seconded; Passed 6, 0.*

32
33 **Staff** and **Commission** discussed the agricultural protection area and how the residential area affects the
34 agricultural protection area. Concerns for State Road 165 were brought up also. State Road 165 isn't wide
35 enough for the traffic with all the agricultural equipment that uses the road now. Hyrum City has sent an email of
36 inquiry for possible annexation of this area.

37
38 *Smith motioned to recommend denial to the County Council based on it not being a moderately dense pattern*
39 *and impeding adjacent agricultural uses; Gunnell seconded; Passed 6, 0.*

40
41 **06:11:00**

42
43 **#3 Public Hearing (5:50 p.m.): Rosehill Farms II Rezone**

44
45 **Zetterquist** reviewed the staff report for Rosehill Farms II Rezone.

46
47 **06:16:00**

48
49 *Smith motioned to open the public hearing; Christensen seconded; Passed 6, 0.*

1 **Ted Wilkinson** commented that he does have the water rights for 15 homes currently and they will have to be
2 wells because Hyrum City won't bring the water out. There has been discussion for possible annexation with
3 Hyrum City.

4
5 **Mr. Jewkes** commented on the area being very wet ground. The road also has issues, especially with the amount
6 of farm equipment that goes down the road.

7
8 **Mr. Cody Matthews** commented on concerns for the surrounding agricultural interests, and wells.

9
10 **06:21:00**

11
12 ***Gunnell** motioned to close the hearing; **Olsen** seconded; **Passed 6, 0.***

13
14 **Staff** and **Commission** discussed the proposal. Hyrum does have an annexation plan for the area. There is no
15 application for annexation at this time but there has been an inquiry. The density of the proposed zone was
16 discussed.

17
18 ***Gunnell** motioned to recommend denial to the County Council based on it not being a moderately dense pattern
19 area and impediments to agricultural interests in the area; **Smith** seconded; **Passed 6, 0.***

20
21 **06:29:00**

22
23 **#4 Public Hearing (6:05 p.m.): Cache County Trails and Active Transportation Master Plan**

24
25 **Runhaar** introduced **Dayton Crites** to the commission.

26
27 **Dayton Crites** reviewed the Cache County Trails and Active Transportation Master Plan.

28
29 **Staff** and **Commission** discussed the Trails Master Plan.

30
31 **07:13:00**

32
33 ***Smith** motioned to open the public hearing; **Christensen** seconded; **Passed 6, 0.***

34
35 **Joel Fuhriman** commended the commission on their decision on the previous items. Initially Mr. Fuhriman was
36 opposed to this project, but is no longer as he now understands private land owners cannot be forced to give
37 property for trails.

38
39 **07:15:00**

40
41 ***Olsen** motioned to close the public hearing; **Gunnell** seconded; **Passed 6, 0.***

42
43 **Staff** and **Commission** discussed the Trails Master Plan. The map that was handed out is available online and
44 there was an open house held on August 24, 2017

45
46 ***Smith** motioned to continue the item until November's meeting for additional information to be given to the
47 public and for the commission to have another month to look at the given information; **Christensen; Passed 6, 0.***

48
49 **07:30:00**

50 **Adjourned**

CACHE COUNTY TRAILS & ACTIVE TRANSPORTATION MASTER PLAN

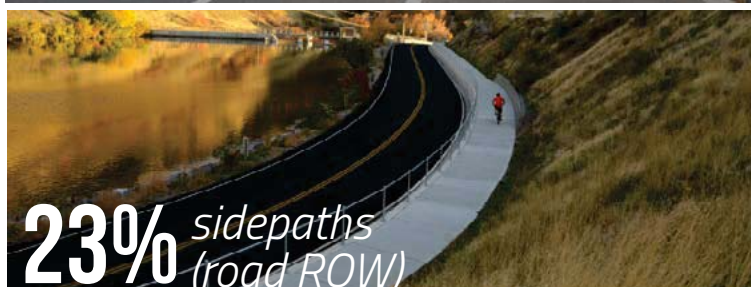
WHITE PAPER SUMMARY



Trail Types

The term "trails" is utilized in this plan in order to describe a wide range of facilities that provide for non-motorized transportation and recreation options. The Trails plan as a whole, is comprised of the following:

- **65%** utilize existing rights of way (quiet streets, bike lanes, pathways).
- **35%** utilize their own rights of way. (pathways and natural surface trails)



By the Numbers

How much of this plan is built from existing planning documents?

81% of all proposed facilities are referenced from existing community trails and general plans.

What jurisdictions are affected by this plan?

44% / 46% City jurisdiction and County jurisdiction facilities are near even in terms of length of proposed facilities. (Public lands make up the additional 10%)

How much is planned in existing rights of way?

65% of proposed facilities lie on Street or Highway ROW, or Railroad rights of way.

How much of this plan requires private landowner support to implement?

25% of proposed facilities are located on private land and depend on agreement w/ private landowners.

The full proposed plan is available as an interactive pdf via:

<http://trails.cachecounty.org/news/?id=42>

questions?

contact the county trails planner

dayton.crites@cachecounty.org

435.755.1646

Trails Plan Representation & Outreach

Representation

To make trails planning efforts representative of the county a trails committee was formed, and includes members from a wide range of jurisdictions across the county. The trails committee was informed of this trails planning effort from inception to the current completed draft via monthly meetings and emails. Input was requested and/or gathered from the following individuals.

- Jeff Young, Mayor, Richmond
- Barbara Tidwell, County Council
- Kris Monson, Council, Smithfield
- Sharidean Flint, Council, Hyde Park
- Alan Luce, City Manager, North Logan
- Holly Daines, Council, Logan
- Kirk Allen, Council, Providence
- Julianne Duffin, Council, Millville
- Shaun Dustin, Mayor, Nibley
- Ron Salvesen, City Manager, Hyrum
- Vic Little, Council, Paradise
- Julie Bergeson, Council, Lewiston

Outreach

- 3 Logan Farmer’s Markets
- 1 Smithfield Health Days Festival
- 1 Hyrum Classic Car Show
- Over 200 individuals submitted input
- 300 submitted entries to Online maps and surveys.

Based on zip codes provided as part of the online survey, the plan’s input achieves near proportional representation in many incorporated communities, with a notable under-representation of the unincorporated county and over representation of North Logan.

Media Coverage

In addition to in-house publicity efforts through social media (with over 800 direct followers) The Herald Journal has provided coverage of intent and progress of this plan multiple times, with [reference to the effort underway in a January 2017 article](#), and [detailed coverage of the plan open house in August 2017](#).

Public Feedback Representation

*note that these figures are representative of the use of an online survey, and not the public input effort as a whole.

Area	Zip Code	Community Population	Percent of Cache County Population	% Rep. Survey
Cache County	-	120783	100%	100%
Richmond	84333	2600	2%	2%
Smithfield	84335	11146	9%	8%
Hyde Park	84318	4513	4%	5%
North Logan	84341	10590	9%	16%
Logan , Nibley	84321	50676	42%	50%
Nibley		6747	5%	
Providence	84332	7270	6%	8%
Millville		1986	2%	
Hyrum	84319	8027	7%	3%
Mendon	84325	1267	1%	3%
Wellsville	84339	3495	3%	1%
Paradise+Avon	84328	1317	1%	1%
Rural County	843XX		9%	1%

HB 232 passed by the State Legislature in 2017

This bill was drafted due to the number of legal challenges to administrative actions by legislative bodies throughout the state. In many of the cases, legislative bodies were acting improperly by applying legislative reasoning to administrative applications.

The substantive amendments in the bill:

- Amend the Land Use Development and Management Act (LUDMA) to provide clear direction to local governments in the establishment and administration of land use regulations.
- Identify that land use regulations must be enacted by the legislative body by ordinance only; land use fees may be adopted by resolution or by ordinance.
- Emphasize the need to distinguish between legislative and administrative actions and to encourage legislative bodies to delegate administrative actions to administrative boards and staff.
 - Land Use Regulation = Legislative action = County Council
 - Land Use Application = Administrative action = Planning Commission and Director
- The code must be plain in its language. If the code does not plainly restrict a land use application, the interpretation and application of the land use regulation must be in favor of the land use application.
- This affects all sections of the existing land use code and will likely require the review and revision of each section.

Action taken by staff to date:

- Review of HB 232
- The first draft of amendments to Title 17.02 Administration is nearly complete in separating Legislative and Administrative actions by Land Use Authority.
- Drafting language that is easy to read, understand, and use is still in process.

Next steps:

- Staff review of the rest of the code for affected sections related to changes in 17.02.
- Review and revision of all other sections.
- PC review of all other sections of code, and of staff amendment to all other sections code, to confirm if it passes a plain language “test”.

Generally, plain language is:

- The simplest, most straightforward way of expressing an idea.
- Clear, straightforward expression, using only as many words as are necessary.
- It is language that avoids obscurity, inflated vocabulary and convoluted sentence construction (most of our code).
- Lets the audience concentrate on the message instead of being distracted by complicated language and lets the audience understand the message easily.



DRAFT

2018 MEETING DATES AND APPLICATION DEADLINES

DIRECTOR (1 st Wednesday of each month)		PLANNING COMMISSION (1 st Thursday of each month)		COUNTY COUNCIL (2 nd & 4 th Tuesday*)	BOARD OF ADJUSTMENTS (3 rd Thursday of each month)	
Application Deadline 3:00 PM	MEETING DATE 4:00 PM	Application Deadline 3:00 PM	MEETING DATE 5:30 PM	MEETING DATE 5:00 PM	Application Deadline 3:00 PM	MEETING DATE 6:00 PM
6 Dec	3 Jan	6 Dec	4 Jan	9 Jan	28 Dec	18 Jan
3 Jan	7 Feb	3 Jan	1 Feb	23 Jan	24 Jan	15 Feb
31 Jan	7 Mar	31 Jan	1 Mar	13 Feb	21 Feb	15 Mar
28 Feb	4 Apr	28 Feb	5 Apr	27 Feb	28 Mar	19 Apr
4 Apr	2 May	4 Apr	3 May	13 Mar	25 Apr	17 May
2 May	6 Jun	2 May	7 Jun	27 Mar	30 May	21 Jun
6 Jun	4 Jul	6 Jun	5 Jul	10 Apr	27 Jun	19 July
5 Jul*	1 Aug	5 Jul*	2 Aug	24 Apr	25 Jul	16 Aug
1 Aug	5 Sep	1 Aug	6 Sep	8 May	29 Aug	20 Sep
5 Sep	3 Oct	5 Sep	4 Oct	22 May	26 Sep	18 Oct
3 Oct	7 Nov	3 Oct	1 Nov	12 Jun	24 Oct	15 Nov
31 Oct	5 Dec	31 Oct	6 Dec	26 Jun	28 Nov	20 Dec
				10 Jul		
				31 Jul*		
				14 Aug		
				28 Aug		
				11 Sep		
				25 Sep		
				9 Oct		
				23 Oct		
				13 Nov		
				27 Nov		
				4 Dec*		
				11 Dec*		

ARTICLE 1 - OBJECTIVES

1-1. This commission, established in conformance with the motion adopted by the Cache County Commission on the 20th day of December, 1950, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of State Code Ann. §17-27a Part 3.

1-2. The official title of this Commission shall be the "Cache County Planning Commission".

ARTICLE 2 - MEMBERS

2-1. The Cache County Planning Commission shall consist of (7) voting members. A member of the County Council shall be appointed as an ex-officio member of the Planning Commission and shall be a non-voting member. The Director of Development Services shall serve as an ex-officio member of the Planning Commission and shall be a non-voting member.

2-2. The term of the member from the County Council shall be a one year term or as otherwise designated. As the term of the members first appointed to this Commission, or their replacements, expire, their successors shall be appointed for terms of three (3) years or to fulfill the previously designated term. Each member shall be recommended by the County Executive and evaluated and confirmed by the County Council prior to their appointment or reappointment to the Planning Commission.

2-3. The Council may provide for the payment of expenses and a reasonable compensation for members of the Commission who are not County employees.

ARTICLE 3 - OFFICERS AND THEIR SELECTION

3-1. The officers of the Planning Commission shall consist of a Chair, a Vice-Chair, and a Secretary. If no Secretary is elected from among the serving Planning Commissioners, the Director of Development Services, or their designee, will serve as Secretary of the Commission.

3-2. Nomination of officers shall be made by the general membership of the Planning Commission at the regularly scheduled December meeting of the Commission each year. The election of officers shall follow immediately.

3-3. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. He/She shall take office January 1st, the following year and serve for one (1) year or until their successor shall take office.

ARTICLE 4 - DUTIES OF OFFICERS

4-1. The Chair shall be an appointed member of the Commission and shall:

4-1-1. Preside at all meetings.

4-1-2. Appoint committees, special and/or standing and liaisons.

4-1-3. Rule on all procedural questions (subject to a reversal by a majority vote of the members present).

4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.

4-1-5. Represent the Commission before the County Council and other public bodies except when this responsibility has been delegated to an appropriate official or Commission member.

4-1-6. Carry out other duties as assigned by the Commission.

4-1-7. Fill any vacancies in the offices of Vice-Chair or Secretary by appointment lasting through January 1st of the following year.

4-2. The Vice-Chair shall be an appointed member of the Commission and shall:

4-2-1. Act in the absence or inability of the Chair to act.

4-2-2. Have the powers to function in the same capacity as the Chair in cases of the Chair's inability to act.

4-2-3. Fill immediately any vacancy in the office of Chair through January 1st of the following year.

4-2-4. Be responsible for the orientation of new members of the Commission.

4-3. The Secretary shall:

4-3-1. Keep a written record of all business transacted by the Commission.

4-3-2. Keep a file of all official records and reports of the Commission.

4-3-3. Certify all minutes of the Commission.

4-3-4. Give notice of all hearings and public meetings.

4-3-5. Attend to the correspondence of the Commission.

4-3-6. Keep a set of minutes.

4-3-7. Prepare and be responsible for the publishing of all advertisements relating to public hearings.

4-3-8. If the Secretary is an appointed member of the Commission, the Secretary may, with the consent of the Commission, delegate any of the above responsibilities of the Secretary to the Director of Development Services (or similar official), except that the certification of minutes of the Commission may not be delegated.

ARTICLE 5 - STANDING AND SPECIAL COMMITTEES

5-1. Any standing committees may be appointed by the Chair.

5-2. Any special committees may be appointed by the Chair and shall function for a duration as set by the Chair. The duties and responsibilities of any special committee shall be clearly defined and outlined at a regularly schedule Planning Commission meeting.

5-3. Each standing and special committee shall prepare a written report of meetings held to become a part of the permanent records of the Commission.

ARTICLE 6 - MEETINGS

6-1. Regular meetings of the Commission shall be held on the first Thursday of each month, commencing at 5:30pm and ending at 8:00pm. Meetings may be extended beyond 8:00 p.m. with the approval of a majority of the members present. When a meeting date falls on a legal holiday, the meeting shall be held on the week following unless otherwise designated by the Commission.

6-1-1 Commission public hearings shall be held during the regular meeting on the first Thursday of each month.

6-2. Special meetings shall be called at the request of the Chair or at the request of any three members of the Commission. Written notice which states the time and purpose of the special meeting shall be given to each member at least five (5) days prior to such meetings. Noticing of special meetings shall be made in compliance with State Code Ann. §17-27a Part 2 and §17-53 Part 4.

6-3. A majority of the membership of the Commission shall constitute a quorum. When a quorum is present, a majority vote of the members present is sufficient for the adoption of any motion. Voting may be a roll call, in which case a record shall be kept as part of the minutes. Any member shall have the right to demand a roll call vote.

6-4. Meetings shall be open to the public except when deemed necessary, in which case the Commission may go into Executive (closed) Session, when the provisions of the Utah Open and Public Meetings Act, State Code Ann §17-53 Part 4, shall be in effect.

6-5. The rules contained in the current edition of Roberts Rules of Order Newly Revised shall govern the Planning Commission in all cases to which they are applicable and in which they are not inconsistent with the Bylaws, any special rules of order the Planning Commission may adopt, and County or State code that regulates the Planning Commission or its meetings.

ARTICLE 7 - ORDER OF BUSINESS

7-1. The order of business for a Regular Meeting shall be:

7-1-1. Call to Order by the Chair

7-1-2. Roll call by the Secretary

7-1-2-1. Determination of a quorum

7-1-3. Approval of agenda

7-1-4. Approval of minutes

7-1-5. Report of the Secretary

7-1-6. Consent Agenda

7-1-9. Agenda Items

7-1-9-1. Public Comment

7-1-9-2. Public Hearings

7-1-10. Report of Special Committees

7-1-11. Liaison Reports

7-1-12. Zoning Administrator's Report

7-1-13. Adjournment

7-2. The Zoning Administrator is authorized to prepare for each meeting a consent agenda for consideration by the Commission. The consent agenda may include any item believed by the Zoning Administrator to meet all required ordinances, be routine, and not controversial in nature.

7-2-1. A single motion and vote in favor thereof shall approve all items on the consent agenda.

7-2-2. Any member of the Commission may request to have any item removed from the consent agenda. Such request need not be seconded. Such item shall then be taken up for discussion by the Commission as a regular agenda item.

7-3. Public Comment portion of the meeting will be limited to 30 minutes for each agenda item unless otherwise specified by the Chair.

7-3-1. The agent for the agenda item will be limited to a 5 minute period of open discussion, with additional time allowed to respond to questions of the Planning Commission.

7-3-2. Individual speakers from the public will be limited to 3 minutes each unless prior approval is obtained from the Chair.

ARTICLE 8 – COMMUNICATION AND CORRESPONDENCE

8-1. To ensure that the decision-making process is fair and impartial, the Planning Commission is to abide by certain standards regarding "ex parte" communication on cases under review.

8-1-1. Ex parte communication is defined as "oral or written, off-the record communication made to or by commissioners or commission decision-making personnel, without notice to parties, that is directed to the merits or outcome of an on-the-record proceeding."

8-1-2. If prohibited ex parte communication is attempted, the Commissioner involved should first attempt to stop the party from engaging in prohibited behavior, then document the attempt and notify the Secretary. The Secretary will then enter a statement into the public file and make copies of the statement available to other parties in the case.

8-2. If the Planning Commission and/or a Commissioner determines that there is a conflict of interest on an agenda item, that Planning Commissioner shall not participate in the discussion or action on that agenda item. In such event, the Planning Commissioner shall seat themselves in the audience or leave the room. For purposes of determining the existence of a quorum, that Commissioner shall not be counted.

8-3. It shall be the duty of the Secretary to communicate by telephone or other means when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

8-4. All official papers and plans involving the authority of the Commission shall bear the signature of the Chair or Vice-Chair.

ARTICLE 9 - AMENDMENTS

9-1. These by-laws may be changed by a recorded two-thirds (2/3) vote of the entire Planning Commission and approval by the County Council.