



4:45 p.m.

Workshop in the County Council Chambers.

5:30 p.m.

Call to order

Opening remarks/Pledge – Chris Sands

Review and approval of agenda.

Review and approval of the minutes of the 4 January 2018 meeting.

5:35 p.m.

Consent Items

1. **North Pine Canyon Ranch Subdivision 2nd Amendment** – A request to amend an existing subdivision as follows: add a new lot (Lot 5), amend boundaries of Lot 2, and create five agricultural remainders from the two originally approved. The subdivision is located at approximately 4880 West 4600 South, Wellsville, in the Agricultural (A10) Zone.

Regular Action Items

2. **Buena Vista Ranch Phase I Subdivision** – A request to create a new subdivision with 6-lots located on La Plata Ranch Road in the Forest Recreation (FR40) Zone.
3. **Code Amendments** – Amendments to Titles 17.01 & 17.02 regarding authority and plain language.

Board Member Reports

Staff reports

Adjourn

PUBLIC PARTICIPATION GUIDE: PLANNING COMMISSION

This document is intended to guide citizens who would like to participate in a public meeting by providing information about how to effectively express your opinion on a particular matter and the general powers and limitations of the Planning Commission.

WHEN SPEAKING ON AN AGENDA ITEM

Once the Commission opens the public hearing or invites the public to comment on a public meeting agenda item, approach the podium to comment. Comments are limited to 3 minutes per person, unless extended by the Chair of the Planning Commission.

When it is your turn to speak:

1. State your name and address and the organization you represent, if applicable.
2. Indicate whether you are for or against the proposal.
3. Make your statement.
 - a. Include all pertinent facts within your knowledge;
 - b. Avoid gossip, emotion, and repetition;
 - c. Comments should be addressed to the Commission and not to individuals in the audience; the Commission will not allow discussion of complaints directed at specific individuals;
 - d. A clear, concise argument should focus on those matters related to the proposal with the facts directly tied to the decision you wish the Commission to make without repeating yourself or others who have spoken prior to your statement.

LEGISLATIVE (PUBLIC HEARING) VS. ADMINISTRATIVE (PUBLIC MEETING) FUNCTIONS

The Planning Commission has two roles: as a recommending body for items that proceed to the County Council for final action (legislative) and as a land use authority for other items that do not proceed to the County Council (administrative).

When acting in their legislative capacity, the Planning Commission has broad discretion in what their recommendation to the County Council will be and conducts a public hearing to listen to the public's opinion on the request before forwarding the item to the County Council for the final decision. Applications in this category include: Rezones & Ordinance Amendments.

When acting in their administrative capacity, the Planning Commission has little discretion and must determine whether or not the landowner's application complies with the County Code. If the application complies with the Code, the Commission must approve it regardless of their personal opinions. The Commission considers these applications during a public meeting and can decide whether to invite comment from the public, but, since it is an administrative action not a legislative one, they are not required to open it to public comment. Applications in this category include: Conditional Use Permits, Subdivisions, & Subdivision Amendments.

LIMITS OF JURISDICTION

The Planning Commission reviews land use applications for compliance with the ordinances of the County Land Use Code. Issues related to water quality, air quality, and the like are within the jurisdiction of the State and Federal government. The Commission does not have authority to alter, change, or otherwise act on issues outside of the County Land Use Code.



PLANNING COMMISSION MINUTES

4 January 2018

Item

Page

Consent items

1. Birch Hollow Subdivision 2

Regular items

2. Public Hearing (5:35 p.m.): West Acres Rezone 2

3. Public Hearing (5:50 p.m.): Pisgah Stone Products Rezone..... 3

4. Public Hearing (6:15 p.m.): Code Amendments..... 5

5. Board Member Reports 5

1 **Present:** Angie Zetterquist, Josh Runhaar, Chris Harrild, Jason Watterson, Nolan Gunnell, Phil
2 Olsen, Brady Christensen, Jon White, Lee Edwards, Megan Izatt

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

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

7
8 **05:31:00**

9
10 **Agenda**

11
12 Approved with no changes.

13
14 **Minutes**

15
16 ***Gunnell** motioned to approve the 7 December 2017 minutes; **Watterson** seconded; **Passed 4, 0.***

17
18 **05:33:00**

19
20 **Consent Items**

21 **#1 Birch Hollow Subdivision**

22
23 ***Watterson** motioned to recommend approval to the County Council for the Birch Hollow
24 Subdivision with the stated conditions, conclusions, and finding of facts; **Olsen** seconded; **Passed**
25 **4, 0.***

26
27 **05:35:00**

28
29 **Regular Action Items**

30 **#2 Public Hearing (5:35 p.m.): West Acres Rezone**

31
32 **Zetterquist** reviewed the staff report for the West Acres Rezone

33
34 **Staff** and **Commission** discussed the comments received from Smithfield regarding annexation.
35 Smithfield has annexed up to the road and if the applicant would like the subdivision to be
36 accessed from 800 West, Smithfield City will have to approve that. Otherwise access from SR-
37 218 will have to have UDOT approval.

38
39 **05:46:00**

40
41 ***Gunnell** motioned to open the public hearing for the West Acres Rezone; **Watterson** seconded;
42 **Passed 4, 0.***

43
44 **Jeff West** commented regarding annexation into Smithfield; the applicant would like to build 1
45 home and would hopefully use the existing well.

1 **Cheryl Burgess** commented regarding annexation into Smithfield, water concerns with the city
2 well and how it affects the homes to the west of Forrester Acres.

3
4 **Duane Williams** commented in support of the rezone and annexation into Smithfield. Smithfield
5 currently cannot provide sewer services in this area. He also commented that his engineering
6 reports state that wells west of 800 West should not affect the City's wells.

7
8 **Ms. Burgess** commented that they aren't against the rezone.

9
10 **Mr. Williams** commented that the city manager, Craig, is not opposed to annexation but that the
11 city engineer, Clay, is opposed and would like to see the area stay in the County.

12
13 **05:58:00**

14
15 *Watterson* motioned to close the public hearing for the West Acres Rezone; *Gunnell* seconded;
16 *Passed 4, 0.*

17
18 **Staff** and **Commission** discussed annexation and communication from Smithfield City.

19
20 *Gunnell* motioned to recommend approval to the County Council for the West Acres Rezone with
21 the stated conclusions and finding of facts; *Olsen* seconded; *Passed 4, 0.*

22
23 **06:03:00**

24
25 **#3 Public Hearing (5:50 p.m.): Pisgah Stone Products Rezone**

26
27 **Zetterquist** reviewed the staff report for the Pisgah Stone Products Rezone.

28
29 **Staff** and **Commission** discussed the areas needing to be rezoned and have the ME (Mineral
30 Extraction) overlay.

31
32 **06:09:00**

33
34 *Olsen* motioned to open the public hearing; *Watterson* seconded; *Passed 4, 0.*

35
36 **Lance Anderson** commented regarding the parcels being stockpiled on and the location of the
37 scales.

38
39 **Gunnell** asked about the rolling 10 acres and how that affects traffic increase.

40
41 **Zetterquist** responded that as part of the original master plan, the truck traffic was estimated.
42 When the applicant submitted the amendment in November of 2017, the truck traffic had
43 significantly increased.

44
45 **Mr. Anderson** commented regarding the truck traffic and the traffic study.

46
47 **Gunnell** asked how the oversight works for the working 5 to 10 acres.

1 **Harrild** stated the applicant is currently out of compliance. The applicant is trying to update the
2 CUP and come into compliance with that update so that the gravel pit can be expanded.
3
4 **Mr. Anderson** stated with the stock piling the working area is at about 7 ½ acres. The demand
5 has only happened in the past year and the applicant needs to move at a faster rate to meet the
6 demand.
7
8 **Gunnell** asked if there need to be a limit on the area worked before reclamation happens.
9
10 **Harrild** stated that would be addressed with the CUP.
11
12 **White** asked where the extraction was actually happening.
13
14 **Mr. Anderson** responded that most of the extraction is in the same area, the material
15 composition, and what it is being used in. The area that is being stockpiled on is currently out of
16 compliance but is needed to keep running so needs to be brought into compliance.
17
18 **Watterson** expressed concerns for the parcel next to the road and how that affects the aesthetics
19 of the canyon.
20
21 **Mr. Anderson** stated that screening could be put in place and there are things that can be done
22
23 **Gunnell** asked about the footprint down the road.
24
25 **Mr. Anderson** stated the operation is going down to extract. The plan for now is to have the
26 extraction stay where it currently is.
27
28 **Staff and Commission** discussed the reasoning behind the rezone.
29
30 **Mr. Anderson** stated that some areas were brought in to be rezoned so that scales and stock
31 piling can be located on that area.
32
33 **Staff and Commission** discussed reclamation which is over seen by the State and will be
34 discussed more in depth with the CUP.
35
36 **Gunnell** asked about the large footprint.
37
38 **Mr. Anderson** stated that the rezone area could be smaller.
39
40 **Staff and Commission** discussed the intent of the ME overlay area.
41
42 **Mr. Anderson** redrew the map to reflect the areas needed for the operation to work for the
43 Commission to see.
44
45 **06:50:00**
46

1 *Watterson* motioned to close the public hearing for the Pigsah Stone Products; *Olsen* seconded;
2 *Passed 4, 0.*

3
4 *Watterson* motioned to recommend approval for the Pigsah Stone Products Rezone with the
5 noted findings of facts and conclusions; *Olsen* seconded; *Passed 4, 0.*

6
7 **06:53:00**

8
9 **#4 Public Hearing (6:15 p.m.): Code Amendments**

10
11 *Watterson* motioned to open the public hearing; *Olsen* seconded; *Passed 4, 0*

12
13 **06:53:00**

14
15 *Watterson* motioned to close the public hearing; *Olsen* seconded; *Passed 4, 0.*

16
17 **Harrild** reviewed the Amendments to Titles 17.01 and 17.02.

18
19 **Staff** and **Commission** discussed land use decisions and annexation.

20
21 **07:23:00**

22
23 **Board Member Reports**

24
25 **Harrild** reviewed a request from Issa Hamud, Logan City Environmental Director, and Logan
26 City regarding the running of trucks for the landfill.

27
28 **Adjourned**

29
30 **07:32:00**

STAFF REPORT: NORTH PINE SUBDIVISION 2ND AMENDMENT

1 FEBRUARY 2018

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: James & Trisha Maughan
Staff Determination: Approval with conditions
Type of Action: Administrative
Land Use Authority: County Council

Parcel ID#: 11-075-0007, -0009,
 11-075-0025, -0026, -0027, -0028

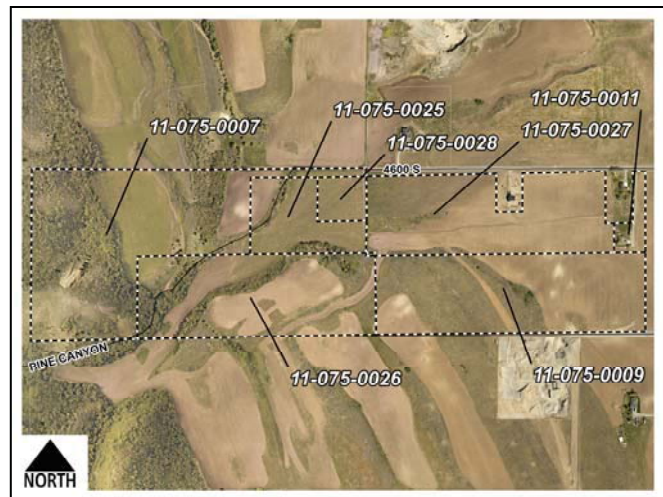
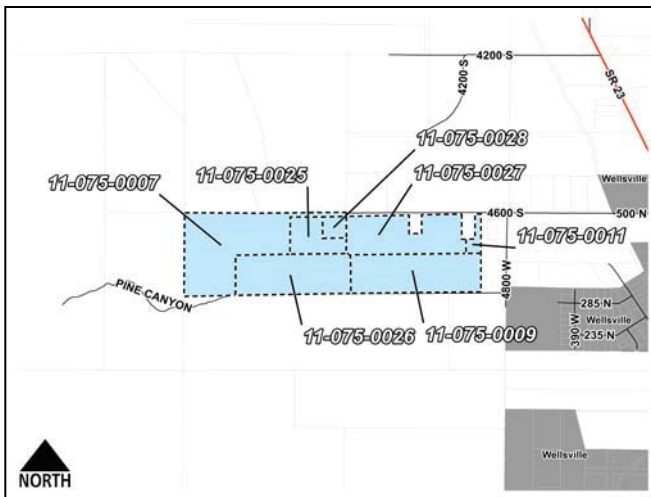
LOCATION

Reviewed by Angie Zetterquist

Project Address:
 4880 West 4600 South
 Wellsville
Current Zoning:
 Agricultural (A10)

Acres: 145.68

Surrounding Uses:
 North – Agricultural/Residential
 South – Agricultural/Residential
 East – Agricultural/Residential
 West – Forest Recreation



FINDINGS OF FACT (21)

A. Request description

1. The North Pine Canyon Ranch Subdivision 2nd Amendment is a request to amend an existing subdivision as follows:
 - a. Add a new buildable lot (Lot 5) measuring 3.0 acres;
 - b. Amend the boundaries of Lot 2, which will increase from 2.15 acres to 2.35 acres; and
 - c. Create five Agricultural Remainders from the two originally approved:
 - i. Agricultural Remainder 1 is 10.31 acres in the Agricultural (A10) Zone;
 - ii. Agricultural Remainder 2 is 42.04 acres and has a split zoning designation with both the Agricultural (A10) Zone and the Forest Recreation (FR40) Zone present;

- iii. Agricultural Remainder 3 is 28.96 acres and has a split zoning designation with both the Agricultural (A10) Zone and the Forest Recreation (FR40) Zone present;
- iv. Agricultural Remainder 4 is 27.70 acres in the Agricultural (A10) Zone; and
- v. Agricultural Remainder 5 is 31.34 acres in the Agricultural (A10) Zone.

B. Parcel legality

- 2. The original division of the property occurred through a subdivision approved in June 2003 for a three-lot minor subdivision with two agricultural remainders. In 2015, the subdivision was amended to create one new buildable lot (Lot 4) and split the subdivision into two separate subdivisions: North Pine Canyon Ranch Amended and the Scott Wells Subdivision. With the addition of Lot 4, the amended North Pine Canyon Ranch Subdivision remained a three-lot subdivision with two agricultural remainders as the original Lot 1 became part of the new Scott Wells Subdivision. In 2016, the two agricultural remainders were further divided into six properties and the boundaries of Lot 2 amended without Land Use Authority approval, resulting in restricted properties. This request for a subdivision amendment will legalize the unauthorized divisions and remove the restrictions on Lots 2 & 5.

C. Authority

- 3. §17.02.060 Establishment of Land Use Authority – The County Council is authorized to act as the Land Use Authority for this application.

D. Culinary water, septic system, and storm water

- 4. §16.04.080 [A] Water Requirements – A domestic, approved water right is required for each new buildable lot. The applicant has obtained a domestic, culinary water share for Lot 5; it can be found under water right #25-10662, change #a42944.
- 5. §16.04.080 [B] Sewage Requirements – All proposed lots require a Bear River Health Department (BRHD) review to determine feasibility of a septic system on the subject property. The applicant has provided a copy of an approved septic tank permit, dated August 23, 2017, from BRHD for the proposed Lot 5.
- 6. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #1.*

E. Access

- 7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 9. §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.
- 10. 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 exceptions to the road manual standards 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.
 - g. A request for a design exception has not been submitted.
11. A basic review of the access to the subdivision identifies the following:
- a. The existing lot gains access from 4600 South, which connects to SR 23. The proposed Lot 5 will be accessed at the terminus of 4600 South.
 - b. 4600 South:
 - i. Is an existing, substandard county facility that provides access to the general public.
 - ii. Currently provides access to eleven dwellings, vacant lots, and agricultural parcels.
 - iii. In front of the eastern half of the subdivision, the road is gravel with a 22-foot wide travel lane.
 - iv. The western portion of 4600 South that will provide access to Lot 5 was covered with snow at the time of Public Works Inspector’s road review. The road must be reviewed again when the road is visible.
 - v. Has an unknown depth and type of material under the gravel surface.
 - vi. Is maintained year round.
12. 4600 South is a substandard road and does not meet the requirements for a local road per the road manual based on the number of trips generated by the existing residences; no additional development is allowed on this road without improvements to meet the minimum standards. In addition, an easement and turn-around must be provided at the terminus of 4600 South for safety and maintenance vehicles to utilize. Improvements to the road must be made prior to any future development. *See conditions #2 & #3.*

F. Service Provision

- 13. §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable. Any 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 Wellsville Fire Department.
- 14. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental currently provides service in this area for residential uses along 4600 South for Tuesday collection. Future development may require that the applicant provide sufficient shoulder space to place the containers 3-to-4 feet apart and must not interfere with passing traffic. Logan City Environmental cautions that due to winter drifting and/or slick weather conditions in this area, collection may be limited or cancelled if trucks are unable to access this area. Residents may have to hold their material over until the following scheduled collection day.
- 15. §16.04.080 [D] School Bus Service – The Cache County School District has determined a school bus service evaluation is not needed until a zoning clearance application has been submitted to build a home.

G. Sensitive Areas

16. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area

- a. Portions of the subdivision are located in the FEMA floodplain and the floodplain buffer. Any structures proposed in these areas require a floodplain permit and/or elevation certificate.
- b. GIS data indicates that a fault line that runs north to south through the western side of the subdivision and there are landslide potential areas. Any future development or change of use requires a geo-technical report if the development is located within the hazard area(s).
- c. There are areas of steep (>30%) and moderate slopes (20-30%) located within the subdivision. No development is allowed in areas with steep slopes. Any future development in areas with moderate slopes requires a geo-technical report.
- d. Portions of the subdivision are allocated within the Wildfire Hazard Areas and Wildland-Urban Interface. Additional requirements and standards may apply. Contact the Cache County Fire District for more information.

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

17. Public notice was posted online to the Utah Public Notice Website on 18 January 2018.

18. Notice was published in the Herald Journal on 21 January 2018.

19. Notices were posted in three public places on 18 January 2018.

20. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 18 January 2018.

21. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (3)

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. A Land Disturbance Permit is required for any future development. (*See D-6*)
2. Prior to recording the final plat, an access easement that meets the minimum Fire District requirements for access must be recorded or included on the subdivision plat for a turn-around at the terminus of 4600 South. (*See E-12*)
3. Prior to recording the final plat, road improvements, including a turnaround, must be made to 4600 South that meet the minimum standards required based on the average daily trips generated by the proposed and existing uses. 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, and base preparation and construction. Fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent. (*See E-12*)

CONCLUSIONS (1)

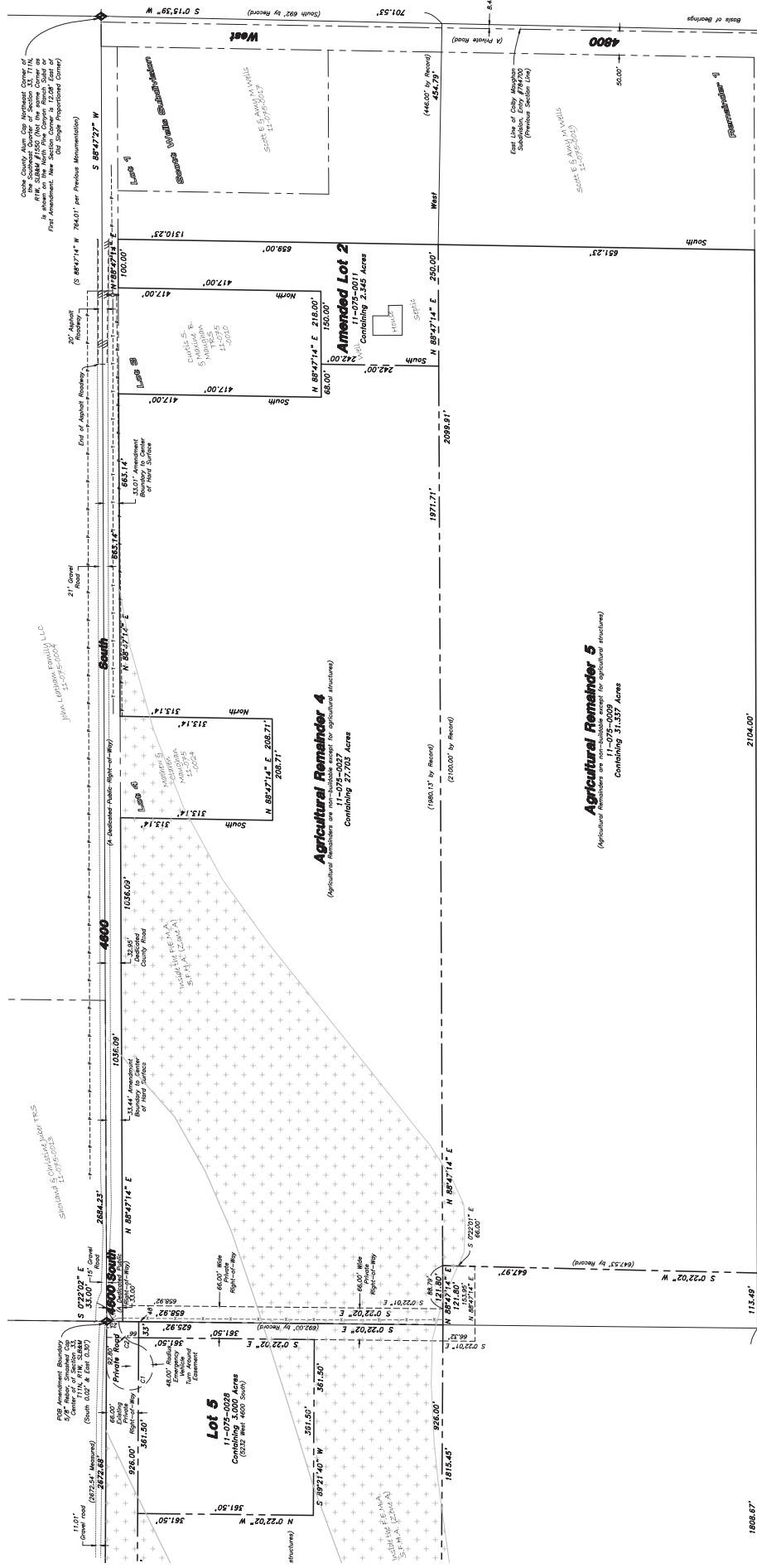
Based on the findings of fact and conditions noted herein, staff recommends approval of the North Pine Canyon Ranch Subdivision 2nd Amendment as:

1. It has been reviewed in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.

North Pine Canyon Ranch Subdivision Second Amendment

(Amending Remainder 1, Remainder 2, and Lot 2)
 A Part of the Southwest Quarter of Section 33, Township 11 North,
 Range 1 West, Salt Lake Base & Meridian, Cache County, Utah

THIS MAP IS BEING RECORDED TO INCLUDE 3-85199 Lot 5'



GENERAL NOTES:

- Culinary Water Note: Cache County has not determined the location of the culinary water main. All owners are advised of the requirements to obtain an approved culinary water source and comply with all other applicable codes and regulations, including the issuance of a building permit.
- Storm Water Drainage Note: Consistent with the standards of the Cache County Manual of Planning, Design and Construction, this subdivision is not limited to, any increased amount of water drainage from any portion of any lot or remainder parcel of this subdivision. The subdivision is not limited to, any increased amount of water drainage, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the subdivision engineer, or the State Water Engineer's Office.
- Private Road Notes: 4600 South, is not dedicated to Cache County and no maintenance or snow removal will be provided by Cache County. The County Interior road, 4600 South, shall be used by all lots/parcels in this subdivision for access to the public road. Subdivision owners responsible for the maintenance, construction, and removal of snow on the private interior road 4600 South.
- The Agricultural Remainders contain steep slopes that will need to be analyzed, prior to development of those parcels. Lot 5 contains zero slope slopes.

DEVELOPER:
 K. Maughan
 520 South Center
 Salt Lake City, UT 84143
 435-760-8814

RECORD OWNERS:
 James S. & Trisha K. Maughan
 520 South Center
 Salt Lake City, UT 84143
 435-760-8814

Other Owners:
 Vicki Maughan, Owner
 4844 Remora Court
 Douglasville, GA 30135
 Curtis S. & Maizee S. Maughan, TRS
 380 S Asper Springs Lane
 Philop, Arizona 85935
 Jerry S. & Nancy M. Maughan TRS
 Weherville, Utah 84339

LEGEND:

- Amended Subdivision Boundary Line
- Lot Line
- Property Line
- Easement Line
- Conduit Protection
- Existing Fence Line
- Power Line
- Gas Line
- Communications Line
- Road
- Edge of Asphalt

Other Symbols:

- Landslide Area
- F.E.M.A. Special Flood Hazard Area
- Power Pole
- Section Corner
- Found Survey Point
- 24" Rebar With Cap

ADVANCED LAND SURVEYING AND MAPPING
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VICINITY MAP - NO SCALE

PLAT NO. 11-025-0028

PLAT NO. 11-025-0029

PLAT NO. 11-025-0037

PLAT NO. 11-025-0039

PLAT NO. 11-025-0041

PLAT NO. 11-025-0042

PLAT NO. 11-025-0043

PLAT NO. 11-025-0044

PLAT NO. 11-025-0045

PLAT NO. 11-025-0046

PLAT NO. 11-025-0047

PLAT NO. 11-025-0048

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PLAT NO. 11-025-0050

PLAT NO. 11-025-0051

PLAT NO. 11-025-0052

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Clinton G. Hansen
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STAFF REPORT: BUENA VISTA RANCH PHASE I SUBDIVISION

1 February 2018

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: Lonnie Bullard

Parcel ID#: 16-010-0001, -0006

Staff Determination: Approval with conditions

16-083-0010, -0011

Type of Action: Administrative

Land Use Authority: County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

La Plata

Surrounding Uses:

North – Forest Recreation

South – Forest Recreation

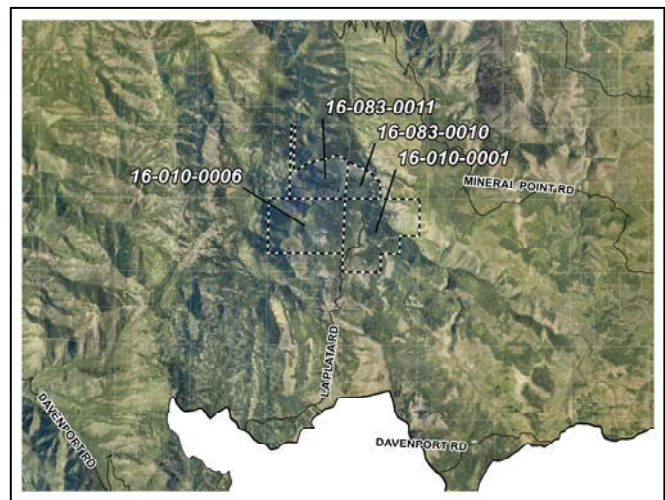
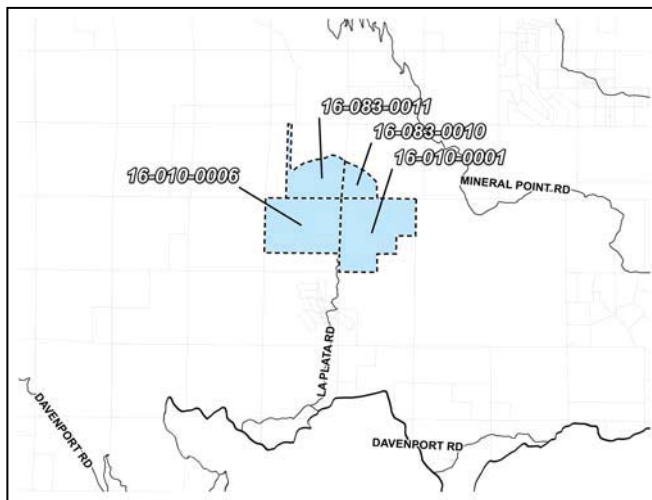
East – Forest Recreation

West – Forest Recreation

Current Zoning:

Forest Recreation (FR40)

Acres: 1,378.34



FINDINGS OF FACT (20)

A. Request description

1. The Buena Vista Ranch Phase I Subdivision is a request for a six-lot subdivision for seasonal use.
 - a. Lot 1 will be 5.94 acres;
 - b. Lot 2 will be 5.04 acres;
 - c. Lot 3 will be 5.01 acres;
 - d. Lot 4 will be 5.89 acres;
 - e. Lot 5 will be 5.49 acres; and
 - f. Lot 6 will be 5.00 acres.

B. Parcel legality

2. The subject parcels are legal with a total gross acreage of 1,378 acres. However, after areas of steep slopes (>30%), which are not developable, are removed the approximate net developable acreage of the four parcels would yield a maximum of 7 lots.

In 2013, the County Council issued a determination of development potential under §17.18, which allows the Council to grant exceptions regarding the development potential of property encumbered by non-developable areas. Based on the County Council's Record of Decision dated 22 October 2013, the subject parcels have a development potential of up to 18 lots. (*Exhibit A*)

The parcels are located in the Forest Recreation (FR40) Zone, which has a year round occupancy restriction. This subdivision request would restrict the maximum occupancy period of any dwelling to one hundred eighty (180) days per calendar year.

C. Authority

3. §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

4. §16.04.080 [A] Water Requirements – As year round residences are prohibited in the FR40 Zone, an approved domestic culinary water right is not required for each proposed lot in this new subdivision. The applicant did provide a copy of a certificate dated January 2015 from The Paradise Irrigation Company indicating the property owner has two shares of capital stock in the irrigation company, however, there is no indication whether this translates to actual water shares or how it would be utilized in the proposed subdivision.
5. §16.04.080 [B] Sewage Requirements – Bear River Health Department (BRHD) has not determined that a septic system is feasible for each proposed lot. If any proposed buildings on the lots need the use of sewage facilities, the applicant must provide a septic permit from BRHD at the time a zoning clearance application is submitted. *See condition #1*
6. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #2*

E. Access

7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
9. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. A analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - d. And any additional impacts to the proposed development access roads.
10. The Road Manual specifies the following:
 - a. §2.1-A-4 Private Road, Table 2.2 Roadway Typical Sections: Roads with up to 30 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and low volumes. These roads are not typically through roads providing public access beyond the areas the road is intended to serve.
 - b. Table 2.2 Roadway Typical Sections: Private roads must meet the minimum standards of a 33-foot-wide right-of-way and two 10-foot-wide gravel travel lanes.
 - 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 require an additional 2.5” depth of asphalt.
11. A basic review of the access to the existing parcels identifies the following:
- a. The existing parcels gain access from La Plata Road, which connects to Davenport Road; the proposed developable lots will be accessed from La Plata Road and private drives off of La Plata Road.
 - b. La Plata Road:
 - i. Is a county facility that provides access to the general public off of Davenport Road;
 - ii. A road review was not possible due to winter weather conditions;
 - iii. Improvements may be required based on based on the road review by the Public Works Inspector when weather permits; required improvements must be completed prior to the recordation of the plat. *See condition #3*
 - iv. The County does not provide maintenance on La Plata Road.
 - c. Private drive (proposed):
 - i. The proposed private drive on the west side of La Plata Road will provide access to 5-lots in Phase I and a total of 8-lots when the subdivision is built out.
 - ii. The proposed private drive on the east side of La Plata Road will provide access to 4-lots when the subdivision is built out, but there are not lots proposed on this private drive for Phase I.
 - iii. Private drives are only permitted for up to 30 ADT; uses above 30 ADT require a local road standard.
 - iv. The applicant will be required to improve the private drives from the access points off of La Plata Road to either a private road or local road standard based on the results of a trip generation report or, if needed, a traffic impact study as specified in §1.9 of the County Road Manual. *See condition #4*

F. Service Provision

- 12. §16.04.080 [C] Fire Control – The County Fire District reviewed the request and stated the proposed subdivision will need to meet fire requirements provided in the Wildland Urban Interface Code.
- 13. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental does not provide refuse collection service in this forest recreation area. The resident is responsible for the removal of all refuse and a letter from the property owner regarding garbage removal is required at the time a zoning clearance application is submitted.
- 14. §16.04.080 [D] School Bus Service – School bus service is not provided in this forest recreation area.

G. Sensitive Areas

- 15. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
 - a. The properties are largely covered in areas of steep slopes (>30%); development is not permitted in these areas.
 - b. The properties also have areas of moderate slopes (20-30%) and landslide areas which require a geo-technical report if any development is proposed in these hazard areas. *See condition #5*
 - c. The properties are located within the Wildland-Urban Interface. Additional requirements and standards may apply. Contact the Cache County Fire District for more information.

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

16. Public notice was posted online to the Utah Public Notice Website on 18 January 2018.
17. Notice was published in the Herald Journal on 21 January 2018.
18. Notices were posted in three public places on 18 January 2018.
19. Notices were mailed to all property owners within 300 feet of the subject property on 18 January 2018.
20. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (5)

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. If required for the proposed structure, a septic permit must be obtained prior to submitting a zoning clearance application. (*See D-6*)
2. A Land Disturbance Permit is required for any future development. (*See D-7*)
3. When weather conditions permit, the public works inspector must complete a road review of La Plata Road to determine what improvements are required on the county road. The developer must complete any required improvements prior to recording the subdivision plat. (*See E-11*)
4. Prior to recording the subdivision plat, the applicant must submit a trip generation report or, if necessary, a traffic impact study to determine whether the average daily trips (ADT) that will be generated by the full build-out of the 18-lot subdivision require improvements to either the Private Road or Local Road standards of the County Road Manual. 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, and base preparation and construction. Fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent. (*See E-11*)
5. The applicant must provide a geo-technical report that meets the minimum requirements of §17.18.060 for future development in hazard areas including moderate slopes and landslide potential areas. (*See G-15*)

CONCLUSIONS (2)

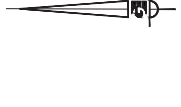
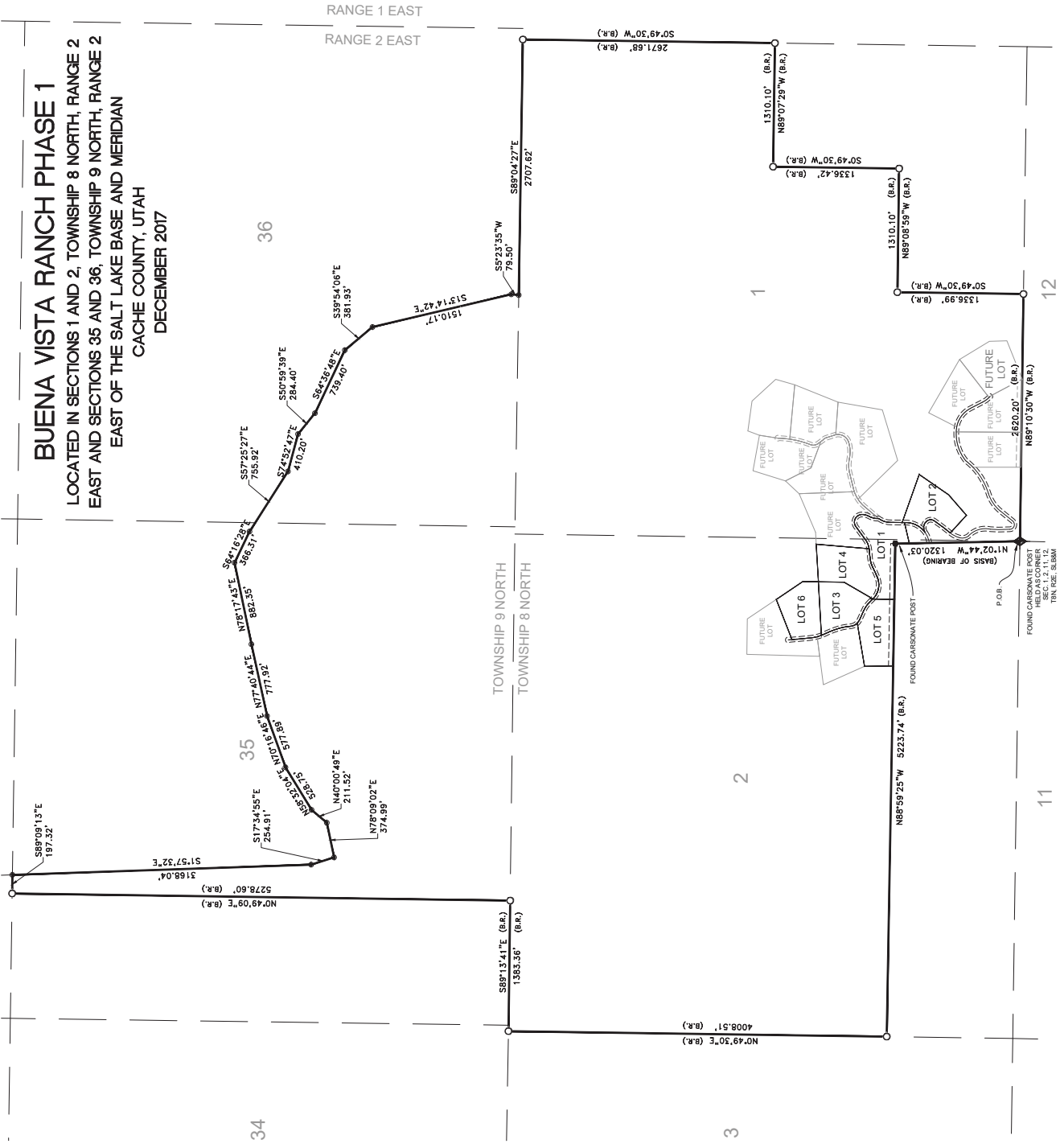
Based on the findings of fact and conditions noted herein, staff recommends Planning Commission recommend approval of the Buena Vista Ranch Phase I Subdivision to the County Council as:

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.

BUENA VISTA RANCH PHASE 1

LOCATED IN SECTIONS 1 AND 2, TOWNSHIP 8 NORTH, RANGE 2 EAST AND SECTIONS 35 AND 36, TOWNSHIP 9 NORTH, RANGE 2 EAST OF THE SALT LAKE BASE AND MERIDIAN
CACHE COUNTY, UTAH
DECEMBER 2017

AREA TABULATIONS:
SUBDIVISION BOUNDARY = 1,371 ACRES
PHASE 6 LOTS = 32.75 ACRES



- LEGEND**
- SECTION CORNER AS NOTED
 - SET #1 BEARING AND CAP MARKED GARDNER ENGINEERING
 - FOUND CORNER AS NOTED
 - SURVEYED LINE COMMENT BY RECORD
 - PROPERTY LINE
 - LOT LINE
 - ADJACENT PARCEL
 - SECTION LINE
 - EASEMENT LINE

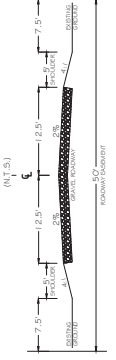
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GARDNER ENGINEERING
CIVIL-LAND PLANNING
REGISTERED PROFESSIONAL ENGINEER
5130 S. SOUTH 3750 EAST, SUITE 100
OFFICE: 801-476-0202 FAX: 801-476-0066

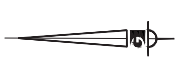
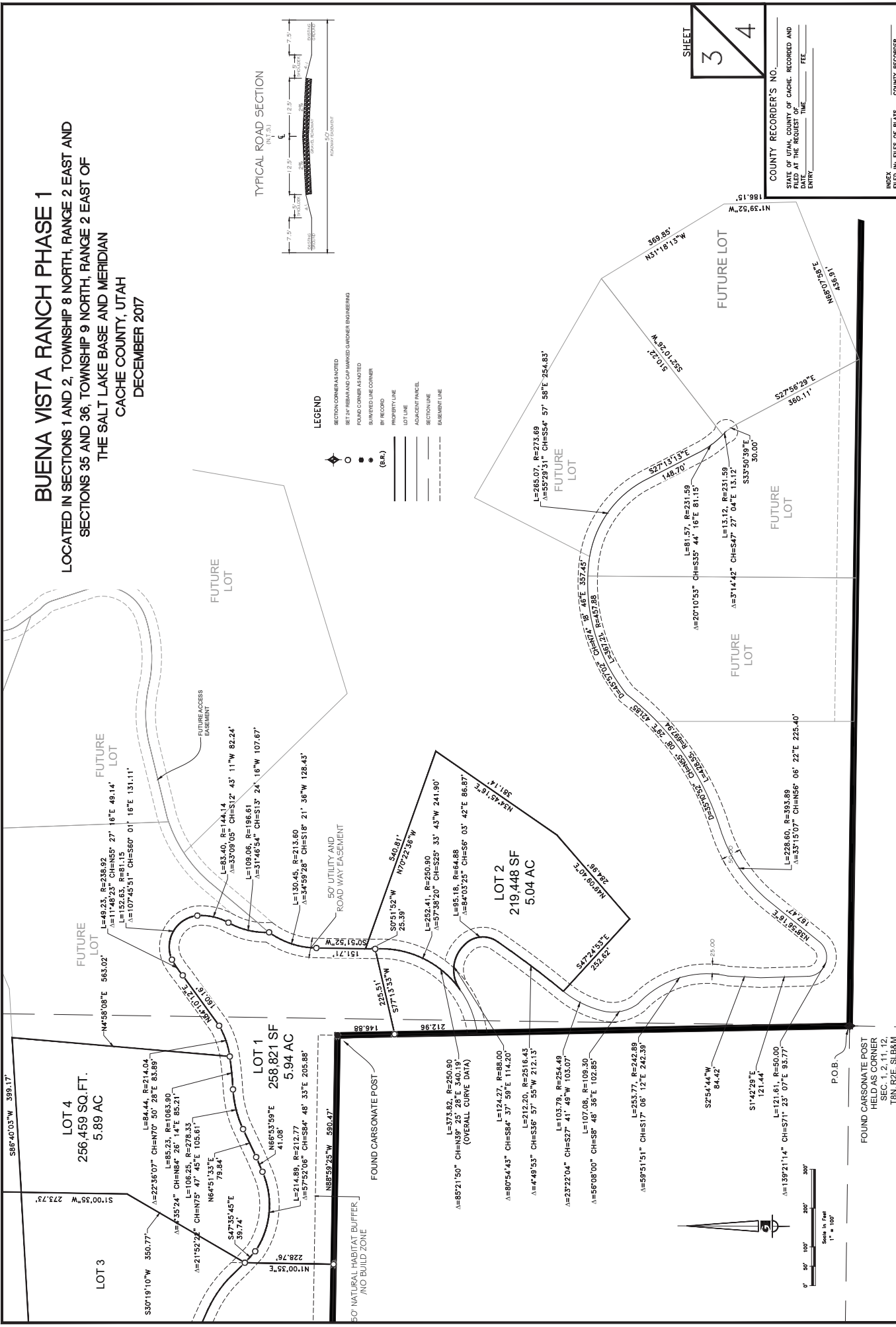
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CACHE COUNTY, UTAH
DECEMBER 2017

TYPICAL ROAD SECTION
(IN FEET)



- LEGEND**
- SECTION CORNERS NOTED
 - SET BY FIBER AND CAP MARKED GARDNER ENGINEERING
 - FOUND CORNER AS NOTED
 - SURVEYED LINE CORNER
 - BY RECORD
 - PROPERTY LINE
 - LOT LINE
 - ADJACENT PARCEL
 - SECTION LINE
 - EASEMENT LINE



SHEET
3 4

COUNTY RECORDER'S NO. _____
STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____
ENTRY _____
INDEX FILED IN FILES OF PLATS _____ COUNTY RECORDER _____

