



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 1 February 2018 meeting.

5:35 p.m.

Regular Action Items

- 1. Creekside Estates Subdivision** – A request to create a new subdivision with 7-lots located at approximately 800 West 100 South, Smithfield, in the Agricultural (A10) Zone.
- 2. Public Hearing (5:45 p.m.): Dominion Energy Sardine Canyon Site Rezone** – A request for a recommendation of approval to add the Public Infrastructure (PI) Overlay Zone to one-acre of a 146.38 acre parcel in the Agricultural (A10) Zone for a future infrastructure station project located at approximately 7300 South 4000 West, Wellsville.
- 3. Public Hearing (5:55 p.m.): Petersboro Heights Rezone** – A request for a recommendation of approval to the County Council for a rezone of 5.27 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 7000 W. Center Street, Petersboro.
- 4. Public Hearing (6:05 p.m.): Spring Ridge Rezone** – A request for a recommendation of approval to the County Council for a rezone of 63.04 acres of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 7800 West 2300 North, Petersboro.
- 5. The Vineyards at Mt. Naomi Farms Conditional Use Permit** – A request for approval of a Conditional Use Permit to operate an agritourism business located at approximately 1285 East 4500 North, near Hyde Park in the Agricultural (A10) Zone.

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

1 February 2018

Item

Page

Consent items

- 1. North Pine Canyon Ranch Subdivision 2nd Amendment..... 2

Regular items

- 2. Buena Vista Ranch Phase I Subdivision..... 2
- 3. Code Amendments 3

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

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

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

7
8 **05:34:00**

9
10 **Agenda**

11
12 *Olsen* motioned to approve the agenda; **Gunnell** seconded; **Passed 4, 0.**

13
14 **Minutes**

15
16 *Gunnell* motioned to approve the minutes from 4, January 2018; **Sands** seconded; **Passed 4, 0.**

17
18
19 **05:35:00**

20
21 **Consent Items**

22 **#1 North Pine Canyon Ranch Subdivision 2nd Amendment**

23
24 *Sands* motioned to approve the consent agenda; **Gunnell** seconded; **Passed 4, 0.**

25
26 **05:38:00**

27
28 **Regular Action Items**

29 **#2 Buena Vista Ranch Phase 1 Subdivision**

30
31 **Zetterquist** reviewed the staff report for the Buena Vista Ranch Phase 1 Subdivision.

32
33 **Staff** and **Commission** discussed the daily trips report, undevelopable areas and how it affects
34 development of the land.

35
36 **Lou Swain** commented regarding access.

37
38 **Jon White** asked if they planned to use Ant Flat Road.

39
40 **Mr. Swain** answered yes.

41
42 **Mr. Swain** commented on water, and approval for the septic.

43
44 **Gunnell** asked about access.

45
46 **Harrild** responded that a typical road for a cabin is required to be 12 feet.

1 **Mr. Swain** commented that the current roads are two lanes and have been maintained by the
2 Swan and Petersen ranches. The road improvements needed, will be completed.

3
4 **Edwards** asked if they were using the Weber County access.

5
6 **Mr. Swain** responded yes and that it is the primary access for the Petersen Ranch.

7
8 **Staff** and **Commission** discussed fire coverage and what the fire district requires. The
9 subdivision plat will need to be updated to show the correct access point.

10
11 ***Gunnell** motioned to recommend approval for the Buena Vista Ranch Phase 1 Subdivision to the*
12 *County Council with the stated findings of facts, conclusions, and the conditions with the*
13 *changes to condition #4; **Sands** seconded; **Passed 4, 0.***

14
15 **05:58:00**

16
17 **#3 Code Amendments**

18
19 **Harrild** reviewed the amendments to Titles 17.01 and 17.02 regarding authority and plain
20 language.

21
22 **Edwards** commented that contact for administrative projects should be handled by staff or at
23 planning commission meetings. Contact for legislative projects should be handled by County
24 Council.

25
26 ***Olsen** motioned to recommend approval to the County Council for the ordinance amendments*
27 *for Titles 17.01 and 17.02; **Gunnell** seconded; **Passed 4, 0.***

28
29 **06:18:00**

30
31 **Adjourned**

STAFF REPORT: CREEKSIDE ESTATES SUBDIVISION

1 March 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: Duane Williams

Parcel ID#: 08-091-0008, -0013

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

800 West 100 South
Smithfield

Current Zoning:

Agricultural (A10)

Acres: 34.0

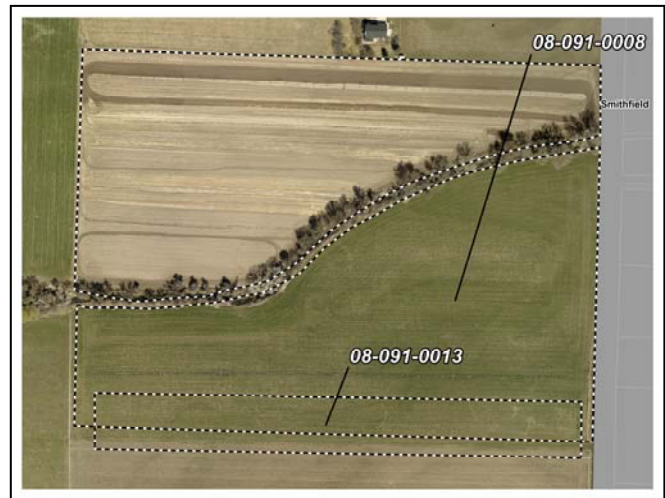
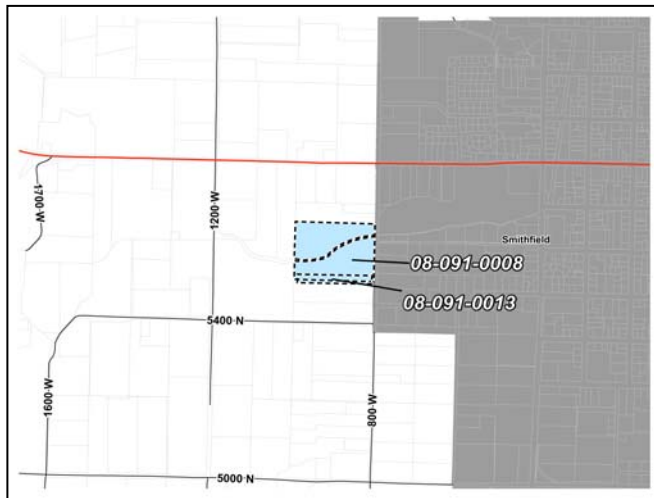
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential/Smithfield City

West – Agricultural



FINDINGS OF FACT (13)

A. Request description

1. The Creekside Estates Subdivision is a request for a seven-lot subdivision.
 - a. Lot 1 will be 9.96 acres;
 - b. Lot 2 will be 2.00 acres;
 - c. Lot 3 will be 2.00 acres;
 - d. Lot 4 will be 6.71 acres;
 - e. Lot 5 will be 6.03 acres;
 - f. Lot 6 will be 1.12 acres; and
 - g. Lot 7 will be 3.35 acres.

B. Parcel legality

2. Both parcels are legal lots, identified as 1970 parcels as per the “Policy for Determination of Parcel Legality” dated 29 August 2013. Properties identified as 1970 parcels may develop the first three lots at a density of 1 unit/2 acres and subsequent division must develop at a density of 1 unit/10 acres. Under the existing development density standards, parcel 08-091-0008 which is 30 acres in size would be allowed a maximum development potential of 3 lots based on 1 unit/10 acres, but with the 1970s designation the development potential is 5 lots. Parcel 08-091-0013 at 4.0 acres would be allowed a maximum development potential of 1 lot under the base standards, but as a 1970 parcel is allowed 2 lots.

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 – An approved domestic culinary water right is required for each proposed lot in a new subdivision. The applicant has applications in process for seven domestic water rights as well as irrigation and stock water under the following base water right numbers with the State Water Division: 25-11449, 25-11450, 25-11451, 25-11452, 25-11453, 25-11454, and 25-11456. Prior to recordation of the subdivision, the applicant must provide a valid, approved domestic water right for each lot. *See condition #1*
5. §16.04.080 [B] Sewage Requirements – Bear River Health Department (BRHD) has determined that a septic system is feasible for each proposed lot.
6. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #2*

E. Access

1. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
2. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
3. A basic review of the access to the existing parcels identifies the following:
 - a. The existing parcels gain access from two private drives, 5600 North & 5700 North, off of 800 West.
 - b. 800 West:
 - i. Is a Smithfield City road that provides access to the general public and is under the jurisdiction of Smithfield City.
 - ii. Per §5.6(A) of the Road Manual, no development within the unincorporated County shall be permitted to utilize a roadway for direct access that is under the jurisdiction of a municipality without express written approval from the affected municipality.
 - iii. The applicant has provided a letter from the Mayor of Smithfield, Jeffrey H. Barnes, dated January 24, 2018, giving approval for two access points off of 800 West. (Attachment A) *See condition #3*
 - c. Private drives (proposed):
 - i. The proposed private drives, 5600 North & 5700 North, will provide access to the 7-lot subdivision.
 - ii. 5600 North will provide access to Lots 4, 5, 6, &7, and 5700 North will provide access to Lots 1, 2, & 3.
 - iii. 5600 North runs 679.53 linear feet east to west before a cul de sac and then the road turns south for 317 linear feet before it dead ends at the south property line.

- iv. 5700 North runs east west along the full length of the property, 1,326.40 feet. At the 1,016.55 foot mark the road turns south for 332.44 additional feet before it ends in a cul de sac.
- v. §2.5(E) of the Road Manual prohibits dead end roadways greater than 500 linear feet in order to promote road connectivity and mobility options unless the Director determines that a topographic constraint will not allow a through road. The course of Summit Creek, an open waterway, winds through the middle of the proposed subdivision from the northeast boundary to the southwest side.
- vi. However, §5.6(A) of the Road Manual supersedes §2.5(E) and expressly states that unincorporated development shall be required to meet all standards and requirements as established by the municipality as part of the conditions for development. Consequently, the road and access requirements of Smithfield City will be the required standard for the private drives. *See condition #4*

F. Service Provision

4. §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 Smithfield Fire Department.
5. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental has identified that collection for the proposed lots will occur on 800 West for Friday collection; no collection services will be provided on the private roads. The applicant must provide sufficient should space along 800 West for the refuse and recycling containers to be 3-to-4 feet apart and be placed far enough off the road so as not to interfere with passing traffic.
6. §16.04.080 [D] School Bus Service – School bus service is provided through a stop at 200 South 800 West.

G. Sensitive Areas

7. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
 - a. A canal owned by the Smithfield Irrigation Company runs through the middle of the proposed subdivision. Development shall not occur in waterways.
 - b. FEMA FIRM Floodplain and floodplain buffer has been identified on portions of the proposed subdivision. Any future development must meet current Code requirements.
 - c. The properties are located within the Airport Influence Area. Disclosure of airport proximity to future property owners is required per §17.17.060 Schedule of Uses. *See condition #5*

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

8. Public notice was posted online to the Utah Public Notice Website on 15 February 2018.
9. Notice was published in the Herald Journal on 18 February 2018.
10. Notices were posted in three public places on 15 February 2018.
11. Notices were mailed to all property owners within 300 feet of the subject property on 15 February 2018.
12. Smithfield City was notified via email on 5 February 2018 to confirm the letter from Mayor Barnes and again on 15 February 2018. Staff received a call from a concerned Smithfield City Council member on 9 February 2018, but has not received any other formal responses at the time the staff report was drafted.
13. 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. Prior to recordation, the applicant must provide proof of an approved, domestic water right for each lot in the subdivision in the name of the owner. *(See D-4)*
2. A Land Disturbance Permit is required for any future development. *(See D-6)*
3. Prior to recordation, the applicant must obtain any required Smithfield City permitting for access to 800 West and provide a copy of said requirement and permitting to the Development Services Office. *(See E-3-b)*
4. Prior to recordation, the applicant must include the Smithfield City road requirements on the plat for the private drives. Additionally, prior to recordation, the applicant must complete any required road improvements for 800 West and the private drives, 5600 North & 5700 North, to the standards of Smithfield City and provide a copy of the Smithfield City approvals for the road improvements to the Development Services Office. *(See E-3-vi)*
5. The applicant must disclose to future property owners that the subdivision is located within the Airport Influence Area. *(See G-15)*

CONCLUSIONS (2)

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

1. The County Council is authorized to act as the Land Use Authority for this application *(See C-3)*, 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.

SMITHFIELD CITY CORPORATION

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

OFFICIALS

JEFFREY H. BARNES
MAYOR
CRAIG GILES
CITY MANAGER
JUSTIN B. LEWIS
CITY RECORDER
JANE PRICE
CITY TREASURER
TERRY K. MOORE
JUSTICE COURT JUDGE

COUNCIL MEMBERS

JAMIE ANDERSON
BART CALEY
WADE C. CAMPBELL
DEON HUNSAKER
CURTIS WALL

January 24, 2018

Duane Williams
580 North Main
Suite 190
Logan, UT 84321

RE: Creekside Estates Subdivision (West of Smithfield and 800 West)

Duane,

You have requested a letter of approval from Smithfield City to allow your Cache County subdivision access to 800 west. The final plat shows two access roads connecting to 800 west, one on the north side of Summit Creek and one on the south side of Summit Creek. By granting access I would hope that your roads are built to a high standard and afterward will be well maintained. Creekside Estates Subdivision will agree to add a paved surface along 800 west south of Summit Creek. The paved shoulder area will minimize the effects of vehicles entering and exiting the subdivision. It will allow an area for garbage collection, bus stops and postal service delivery along 800 west without impeding traffic. I see no reason not to offer you the access you are requesting, so I do hereby grant Creekside Estates Subdivision two access roads connecting to 800 west.

If you have any questions or concerns regarding this information please feel free to contact me.

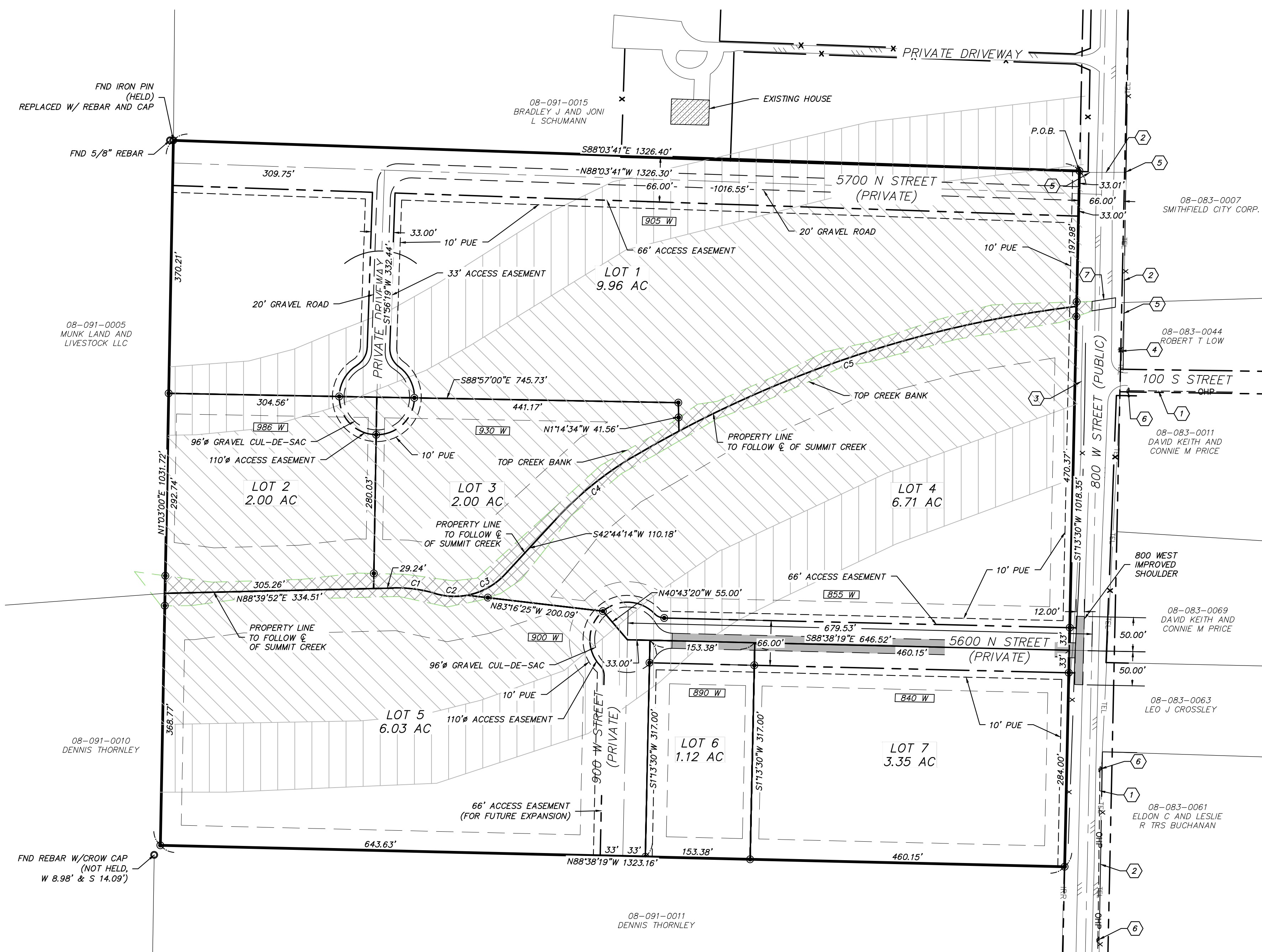
Sincerely,



Jeffrey H Barnes
Smithfield Mayor
96 South Main
Smithfield, UT 84335
(435) 881-2610



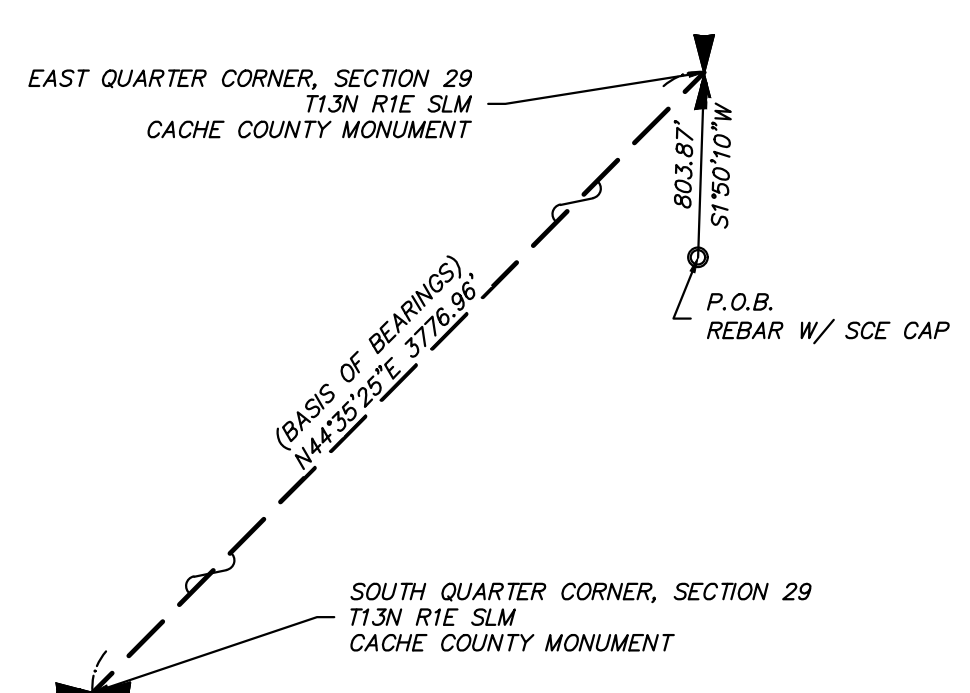
CREEKSIDE ESTATES
PART OF SE 1/4 SEC 29, T13N, R1E, SLM
CACHE COUNTY, UTAH



LEGEND

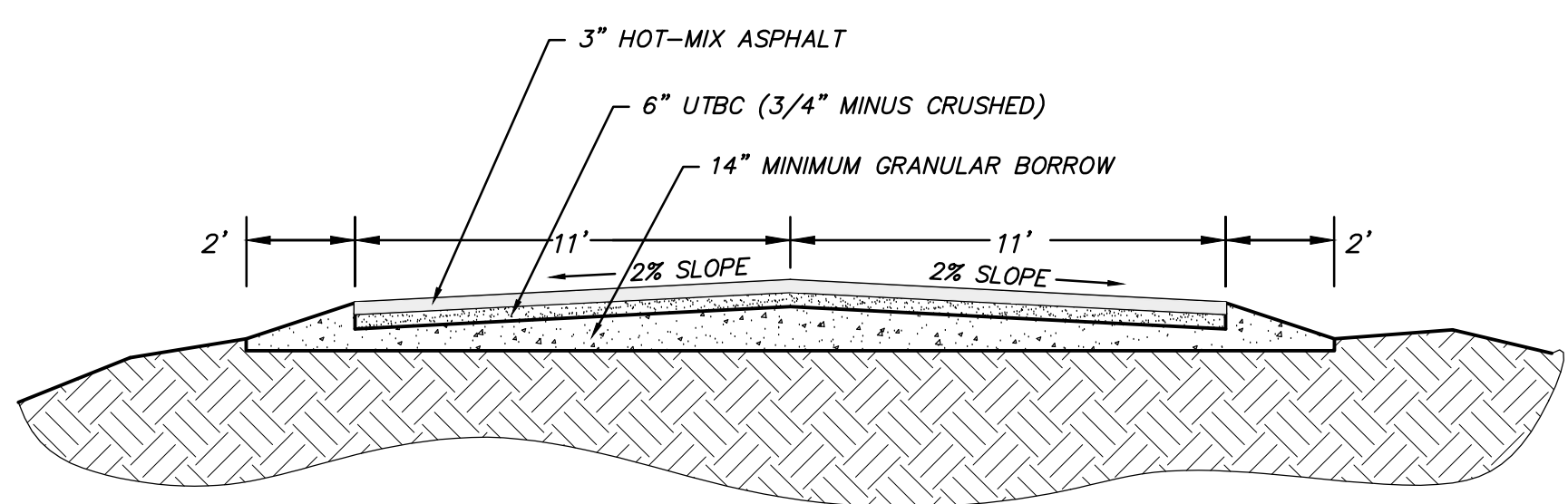
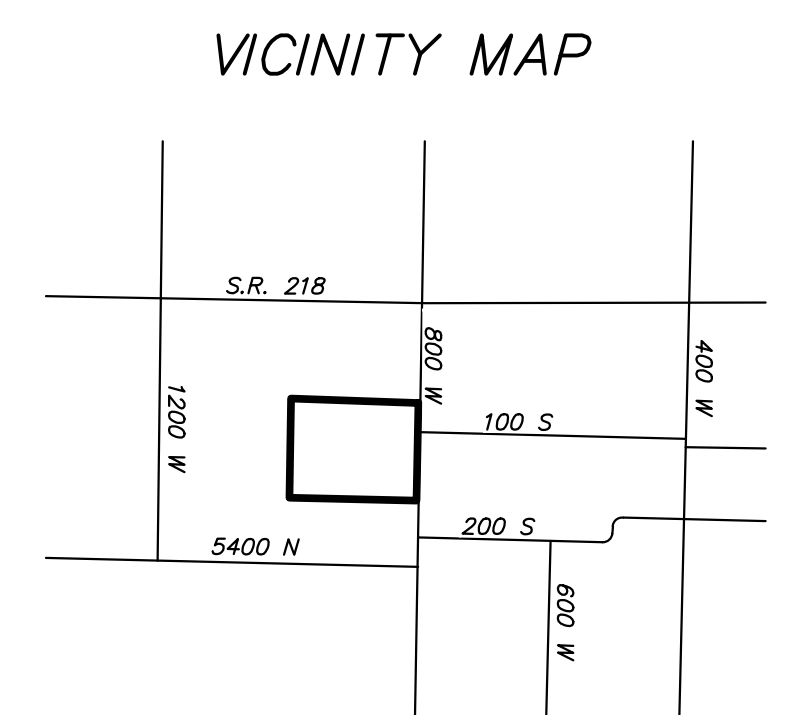
- BOUNDARY
- - - SECTION LINE
- NEW LOT LINE
- RIGHT-OF-WAY LINE
- - - EASEMENT
- - - FENCE
- - - EDGE OF ROADWAY
- - - SETBACKS
30FT - FRONT AND BACK
12FT - SIDES
- - - R/W / ACCESS EASEMENT
- PROPERTY CORNER
- FOUND MARKER
- ⊕ SECTION CORNER
- ▨ EXISTING BUILDING
- ▧ FLOODWAY
- ▩ 100 YR. FLOODPLAIN
- ▨ 100' FLOODPLAIN BUFFER
- ▭ PROPOSED ASPHALT

- KEY NOTES**
- ① OVERHEAD POWER
 - ② UNDERGROUND TELEPHONE LINE
 - ③ IRRIGATION LINE
 - ④ FIRE HYDRANT
 - ⑤ TELEPHONE RISER
 - ⑥ POWER POLE
 - ⑦ BOX CULVERT



CURVE TABLE

CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	61.96'	200.00'	17°44'57"	N82°27'40"W	61.71'
C2	46.76'	100.00'	26°47'26"	S86°58'54"E	46.33'
C3	64.38'	100.00'	36°53'09"	N61°10'48"E	63.27'
C4	144.33'	500.00'	16°32'21"	S51°00'25"W	143.83'
C5	691.22'	1657.08'	23°53'59"	S71°13'35"W	686.22'



1 TYPICAL 22' ROAD CROSS SECTION
SCALE: NTS

OWNER OF RECORD
B-R PROPERTY DEVELOPMENTS LLC
c/o DUANE WILLIAMS
73 S 300 W
SMITHFIELD, UT 84335

GRAPHIC SCALE 1" = 100'

SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY DUANE WILLIAMS FOR THE PURPOSE OF SUBDIVIDING THE SUBJECT PARCEL AS SHOWN. PREVIOUS SURVEYS, TOGETHER WITH DEEDS, FENCES, AND OTHER EVIDENCE WERE USED TO RE-ESTABLISH THE BOUNDARY AS SHOWN. NO MAJOR DISCREPANCIES WERE FOUND.

REBARS W/CAPS STAMPED "STEVEN C. EARL PLS 318575" WERE SET AT ALL CORNERS, EXCEPTIONS NOTED.

NOTES & RESTRICTIONS

- AGRICULTURAL USES: CURRENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THEY WILL BE SUBJECT TO THE SIGHTS, SOUNDS, AND SMELLS ASSOCIATED WITH AGRICULTURAL ACTIVITIES WHICH ARE PERMITTED USES IN THE AGRICULTURAL ZONE AND FOREST RECREATION ZONE.
- CULINARY WATER: CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY OR ADEQUACY OF CULINARY WATER TO ANY OF THE LOTS IDENTIFIED. ALL OWNERS ARE ADVISED OF THE REQUIREMENTS TO OBTAIN AN APPROVED CULINARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- STORM WATER DRAINAGE: NO INCREASED LEVEL OF STORM WATER DRAINAGE SHALL BE ALLOWED TO FLOW FROM ANY PORTION OF ANY LOT OR REMAINDER PARCEL OF THIS SUBDIVISION TO ANY ADJACENT PROPERTIES, DITCHES, CANALS, OR WATERWAYS NOR MAY ANY EXISTING, HISTORIC, OR NATURAL DRAINAGE BE ALTERED WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE AFFECTED PARTY OR ENTITY (MAY INCLUDING BUT IS NOT LIMITED TO: ADJACENT PROPERTY OWNER(S), DITCH OR CANAL COMPANY, CACHE COUNTY, OR THE STATE WATER ENGINEER'S OFFICE).
- COUNTY BUILDING SETBACKS ARE 30' FRONT YARD, 30' REAR YARD, 12' SIDE YARD, 30' SIDE YARD ALONG A ROAD, AND 50' ALONG A WATERWAY. BUILDING SETBACKS ARE FOR PRIMARY BUILDINGS.
- NO SLOPES OF 20% OR GREATER WERE FOUND ON THIS PROPERTY.
- ACCESS EASEMENTS ARE FOR INGRESS/EGRESS AND CONSTRUCTION AND MAINTENANCE OF PRIVATE ROADWAYS/DRIVEWAY.

SURVEY CERTIFICATE

I, STEVEN C. EARL, A PROFESSIONAL LAND SURVEYOR, HOLD CERTIFICATE NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCURATELY DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS TO BE HEREAFTER KNOWN AS CREEKSIDE ESTATES, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

PART OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION; THENCE N44°35'25"E 3776.96 FEET TO THE EAST QUARTER CORNER OF SAID SECTION; THENCE S1°50'10"W 803.87 FEET TO THE POINT OF BEGINNING ON THE WEST LINE OF 800 WEST STREET; THENCE S1°13'30"W 1018.35 ALONG SAID WEST LINE OF 800 WEST STREET; THENCE N88°38'19"W 1323.16 FEET; THENCE N1°03'00"E 1031.72 FEET TO AN IRON PIN; THENCE S88°03'41"E 13326.40 FEET ALONG SOUTH LINE OF LOT 1 OF TOM PITCHER LOT SPLIT SUBDIVISION TO THE POINT OF BEGINNING;

CONTAINING 31.17 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED HEREON, CAUSE THE SAME TO BE SUBDIVIDED INTO LOTS TO BE HERINAFTER KNOWN AS:

CREEKSIDE ESTATES

FURTHERMORE WE DEDICATE, GRANT, AND CONVEY TO ALL PUBLIC UTILITY AGENCIES, THEIR SUCCESSORS AND ASSIGNS, A PERMANENT EASEMENT AND RIGHT-OF-WAY OVER, UNDER, ACROSS, AND THROUGH THOSE AREAS DESIGNATED ON THIS PLAT AS "PUBLIC UTILITY EASEMENTS" FOR THE CONSTRUCTION AND MAINTENANCE OF SUBTERRANEAN ELECTRICAL, TELEPHONE, NATURAL GAS, SEWER, WATER AND DRAINAGE LINES AND APPURTENANCES, TOGETHER WITH THE RIGHT OF ACCESS THERETO, WHICH WOULD REQUIRE THAT NO SURFACE CONSTRUCTION BE ALLOWED WHICH WOULD INTERFERE WITH NORMAL UTILITY USE. IT IS UNDERSTOOD THAT IF IT BECOMES NECESSARY TO RELOCATE SAID UTILITIES AT THE INSTANCE OR REQUEST OF ANY PUBLIC ENTITY OR THE OWNER, THE COSTS AND EXPENSES INCURRED THEREBY WILL BE BORNE BY THE OWNER OR THE ENTITY REQUIRING OR REQUESTING THE SAME.

FURTHERMORE, WE INCORPORATE THE NOTES AND RESTRICTIONS AS LISTED HEREON.

B-R PROPERTY DEVELOPMENTS LLC.
DUANE WILLIAMS, MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF _____ }
COUNTY OF _____ } §
ON THIS ____ DAY OF _____, IN THE YEAR 2018, BEFORE ME
DUANE WILLIAMS, MANAGING MEMBER OF THE B-R PROPERTY DEVELOPMENTS LLC, AND IS THE SAID PERSON WHOSE NAME IS SUBSCRIBED TO THIS INSTRUMENT AND THAT SAID DOCUMENT WAS SIGNED BY HIM IN BEHALF OF SAID B-R PROPERTY DEVELOPMENTS LLC BY AUTHORITY OF ITS BYLAWS.

NOTARY PUBLIC SIGNATURE: _____
NOTARY PUBLIC FULL NAME: _____
COMMISSION NUMBER: _____
MY COMMISSION EXPIRES: _____
A NOTARY PUBLIC COMMISSIONED IN UTAH

COUNTY ATTORNEY APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THIS PLAT AS TO FORM AS REQUIRED BY STATE LAW AND AND COUNTY ORDINANCE.

DATE _____ CACHE COUNTY ATTORNEY

DEPUTY COUNTY SURVEYOR

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

DATE _____ DEPUTY COUNTY SURVEYOR

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON THE ____ DAY OF _____, 2018. DATED THIS ____ DAY OF _____, 2018.

CHAIR _____

CACHE COUNTY COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE ____ DAY OF _____, 2018. DATED THIS ____ DAY OF _____, 2018.

BY: _____
CHAIR _____
ATTESTED TO: _____
CACHE COUNTY CLERK

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ FEE _____
ABSTRACTED _____

INDEX FILED IN: FILE OF PLATS _____
MICHAEL GLEED, COUNTY RECORDER



PRELIMINARY PLAT

SHEET DESCRIPTION

CREEKSIDE ESTATES

PROJECT TITLE



95 Golf Course Rd.
Suite 101
Logan, UT 84321
435.713.0099

DATE: 30 JANUARY 2018

SCALE: 1" = 100'

CALCULATIONS BY: J. DAY

CHECKED BY: S. EARL

APPROVED BY: S. EARL

PROJECT NUMBER: 17081DAY

SHEET: 1 of 1

STAFF REPORT: DOMINION ENERGY SARDINE CANYON SITE REZONE

1 March 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: Rick Hellstrom

Parcel ID#: 10-048-0015 (part of)

Staff Recommendation: Approval

10-048-0020

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

7300 South 4000 West
Wellsville

Acres: 1.06 of 146.46

Surrounding Uses:

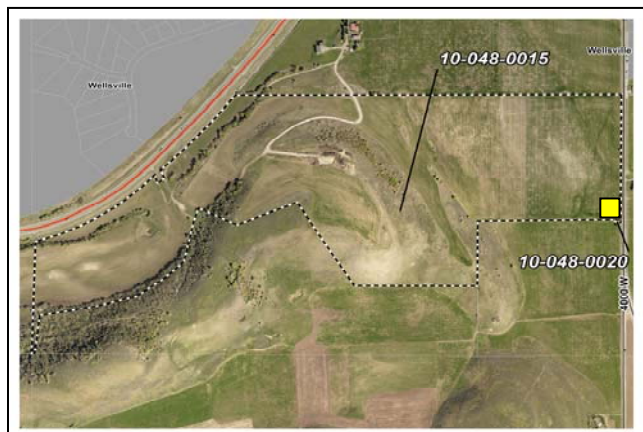
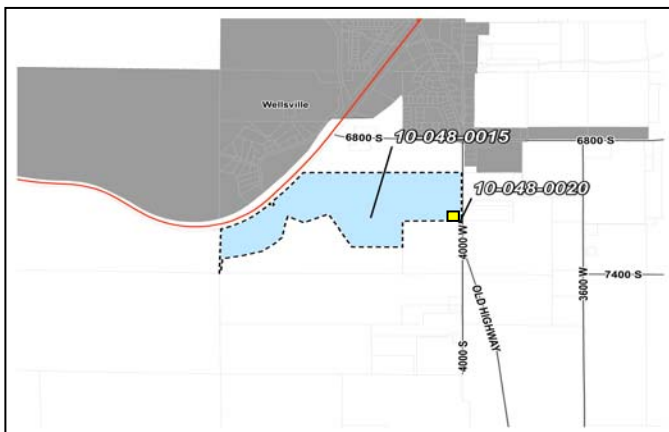
North – Agricultural/Residential/Wellsville
South – Agricultural/Residential
East – Agricultural/Residential
West – Agricultural/Residential/Wellsville

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Public Infrastructure
(PI) Overlay



FINDINGS OF FACT (16)

A. Request description

1. A request to add the Public Infrastructure (PI) overlay zone to one acre, , of a 146.4 acre property (i.e., 10-048-0015), identified in yellow on the maps above, and on a 0.06 acre parcel (i.e., 10-048-0020) in the Agricultural (A10) Zone.
2. This rezone may allow the properties to construct a public infrastructure project with approval of a Conditional Use Permit.
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 map (Exhibit A) and in the following text:
 - a. Land Use Context:
 - i. Parcel status: Parcel 10-048-0015 is a legal parcel and a zoning clearance and building permit were issued for a new single family residence in May 2015. Parcel

10-048-0020, a 50-foot by 50-foot lot, was divided from 10-048-0017 in 1984 for the express purpose of establishing a public infrastructure project. The property is now owned by Questar Gas Company, which is the same entity as Dominion Energy, the applicant on this application. The division was exempt under State Code from the subdivision process and the existing infrastructure project on-site is considered legal, non-conforming.

- ii. Schedule of Zoning Uses: Under the current County Land Use Code, the Public Infrastructure (PI) Overlay Zone identifies additional uses, including the following, that are allowed as a conditional use or zoning clearance in the PI Overlay Zone, but are not permitted in the current A10 Zone:
 - 5600 Utility Facility, Transmission
 - 5610 Utility Facility, Distribution
 - 5700 Telecommunication Facility, Major
 - 5710 Telecommunication Facility, Minor (ZC)
 - 5800 Public Airport
 - 5900 Solid Waste Facilities
- iii. Adjacent uses: The properties directly adjacent to the subject properties are currently used for agricultural and residential uses.
- iv. Zone Placement: The County Land Use Ordinance §17.080.050 states that overlay zoning districts may be created to reflect unique boundaries that may or may not utilize existing property lines. Overlay zoning districts may be approved by the land use authority in sizes and /or configurations particular to the needs of the proposed use. *See conclusion #2*
- v. Sensitive Areas: The subject properties contain sensitive areas that may require additional analysis and review under §17.18.040 including: steep & moderate slopes, wildfire hazard areas, wildland-urban interface areas, FEMA floodplain and buffer, canals, and agricultural protection buffer areas. Consideration of impacts related to a proposed use on these sensitive areas will be addressed as part of each respective approval process required prior to site development activities.

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. *See conclusion #1*
5. The County Land Use Ordinance §17.08.050 [B] identifies the purpose of the PI Overlay Zone and includes the following:
 - a. “Provide for the siting and operation of public infrastructure in an environmentally sound and economically competitive manner.
 - b. Inform current and potential residents of the county of the possible location of future public infrastructure locations.
 - c. Ensure that any public infrastructure be designed, constructed, and operated in a safe and efficient manner, and in compliance with all federal, state, and local laws and regulations for the protection of the general health, welfare, and safety of the citizens of the county.”
See conclusion #2
6. Consideration of impacts related to uses allowed within the PI Zone will be addressed as part of each respective approval process required prior to site development activities.
7. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

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

8. The Road Manual specifies the following:
 - a. §2.4-A-1-c-iii – Unmanned utility facilities are exempt from meeting roadway standards.
See conclusion #3
9. A basic review of the access to the existing properties identifies the following:
 - a. Access to the site is from 4000 West, a county road.
 - b. 4000 West:
 - i. Is an existing county facility that provides access to the general public.
 - ii. Currently provides access to multiple dwellings, vacant lots, and agricultural parcels and connects to a short span of Wellsville City road, 1600 South, before reconnecting with 6800 South, another county road.
 - iii. Consists of an average 21-foot wide paved roadway with 4-foot gravel shoulders on both sides for a total width of 29 feet.
 - iv. Has an unknown depth and type of material.
 - v. Is maintained year round by the county. *See conclusion #3*

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 Wellsville Fire Department.
11. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental had no comments on this rezone request.

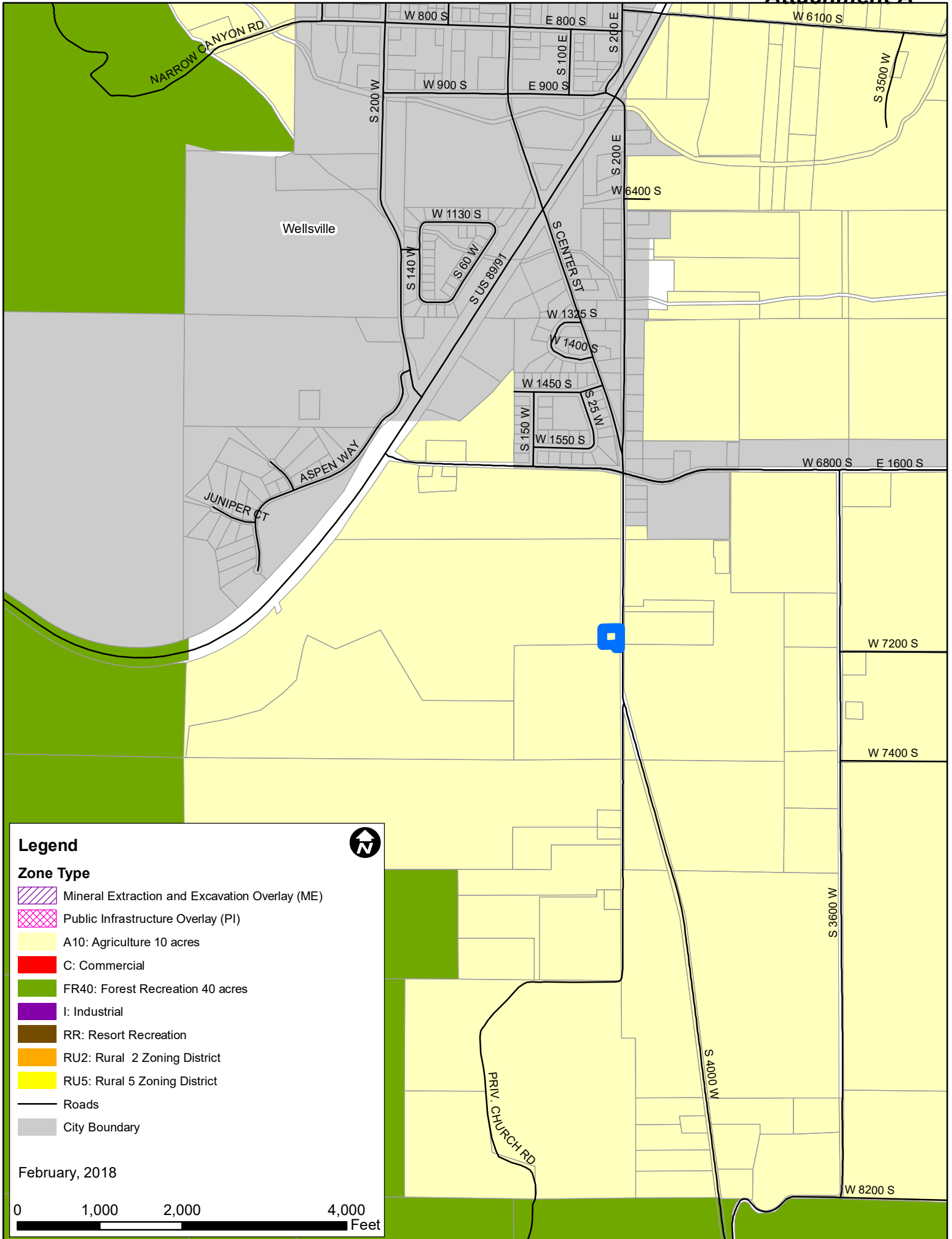
E. Public Notice and Comment—§17.02.040 Notice of Meetings

12. Public notice was posted online to the Utah Public Notice Website on 15 February 2018.
13. Notice was published in the Herald Journal on 18 February 2018.
14. Notices were posted in three public places on 15 February 2018.
15. Notices were mailed to all property owners within 300 feet and cities within one-mile of the subject property on 15 February 2018.
16. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSIONS (3)












Based on the findings of fact noted herein, staff recommends the approval of the Dominion Energy Sardine Canyon Site Rezone as follows:

1. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this rezone request. *See B-4*
2. The location of the subject property is compatible with the purpose of the Public Infrastructure (PI) Overlay Zone as identified under §17.08.050[B] of the Cache County Code. *See A-3-a-iv, B-5*
3. As per §2.4-A-1-c-iii, unmanned utility facilities are exempt from meeting roadway standards. *See C-8, C-9*



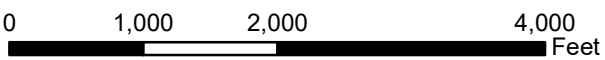
Legend

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



February, 2018



STAFF REPORT: PETERSBORO HEIGHTS REZONE

1 March 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: Mike & Carol Bailey

Parcel ID#: 12-035-0015

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

7000 W. Center Street
Mendon

Acres: 5.27

Surrounding Uses:

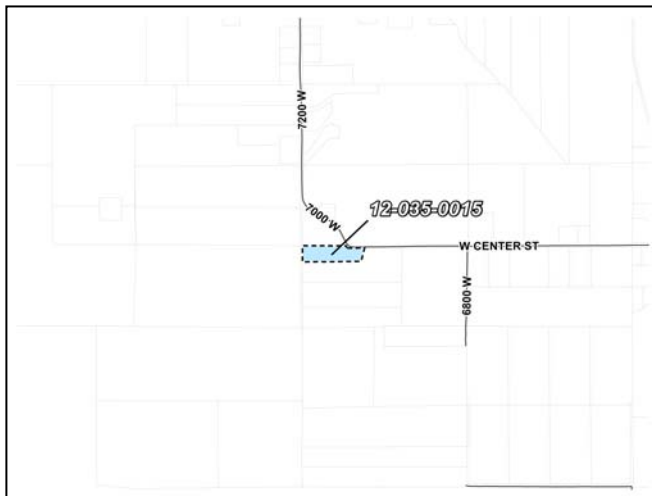
North – Agricultural
South – Agricultural
East – Agricultural/Residential
West – Agricultural

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



FINDINGS OF FACT (16)

A. Request description

1. A request to rezone a 5.27-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 two (2) separate lots as part of a subdivision process.
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 (Attachments A & B) and in the following text:

a. Land Use Context:

- i. Parcel status: In September 2002, a building permit was issued for new single-family dwelling on the subject property. The property was in the same size and configuration when the permit was issued as it is today, making it a legal parcel.
- ii. Density: Within a mile of the proposed rezone, the average size of unincorporated county parcels (51 parcels) with a dwelling is 11.2 acres; the average size of parcels (127 parcels) without a dwelling is 29.9 acres. (Attachment 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 5.27 acres, the subject parcel cannot be divided into any additional lots under the current A10 Zone; a rezone to RU2 would allow a maximum of 2 buildable lots with an average size of 2.63 acres, which is not consistent with the surrounding area. *See conclusion #1.*

- 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 adjacent to the subject property are primarily used for agricultural, with some residential, and vacant lots.

- 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 1.28 miles as the crow flies from the northern boundary of Mendon City and approximately 1.50 miles via the most direct road route. The subject parcel is within the identified future annexation area for Mendon, but Mendon has implemented a moratorium on building permits and annexations as the city continues to pursue the construction of a new well so that the water supply can accommodate additional users. *See conclusion #1*

In the one-mile buffer area, the surrounding properties are primarily zoned A10 (Agricultural) with the properties on the western boundary of the buffer zoned FR40 (Forest Recreation). There is one property within the one-mile buffer that was recently rezoned to Commercial. (Attachment B) *See conclusion #1*

The recently rezoned Commercial parcel (12-048-0007), approved to allow expansion of a non-conforming use, is approximately 1.38 miles to the northwest of the subject property as travelled from 7200 West past 600 North and continuing on to 8000 West.

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.” *See conclusion #2*
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 West Center Street (Local Road) is as follows:
 - a. The subject property has frontage along West Center Street for about 288 feet at which point the road curves north and turns to 7000 West/7100 West, a county road. West Center Street runs east and west between 7100 West and SR 23, a UDOT facility.
 - b. West Center Street is a 24-foot wide paved road with 4-foot wide gravel shoulders. This paved road provides access to agricultural properties and a number of residences.
 - c. The depth and type of material under West Center Street is unknown. However, this is an existing county facility that provides access to the general public.
 - d. Winter maintenance is provided on West Center Street. *See conclusion #3*

D. Service Provisions: *See conclusion #5*

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 Mendon 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. However, they did provide feedback on the existing condition of refuse collection at this location. Presently, collection is provided only on a westbound route, but there is no road shoulder at the corner of 7000 W. Center where it curves resulting in containers frequently tipping over. Future requests for development may require additional shoulder improvements in this area.

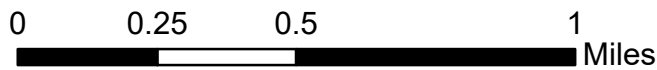
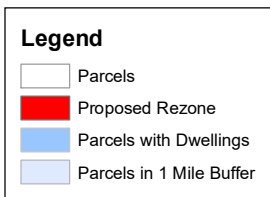
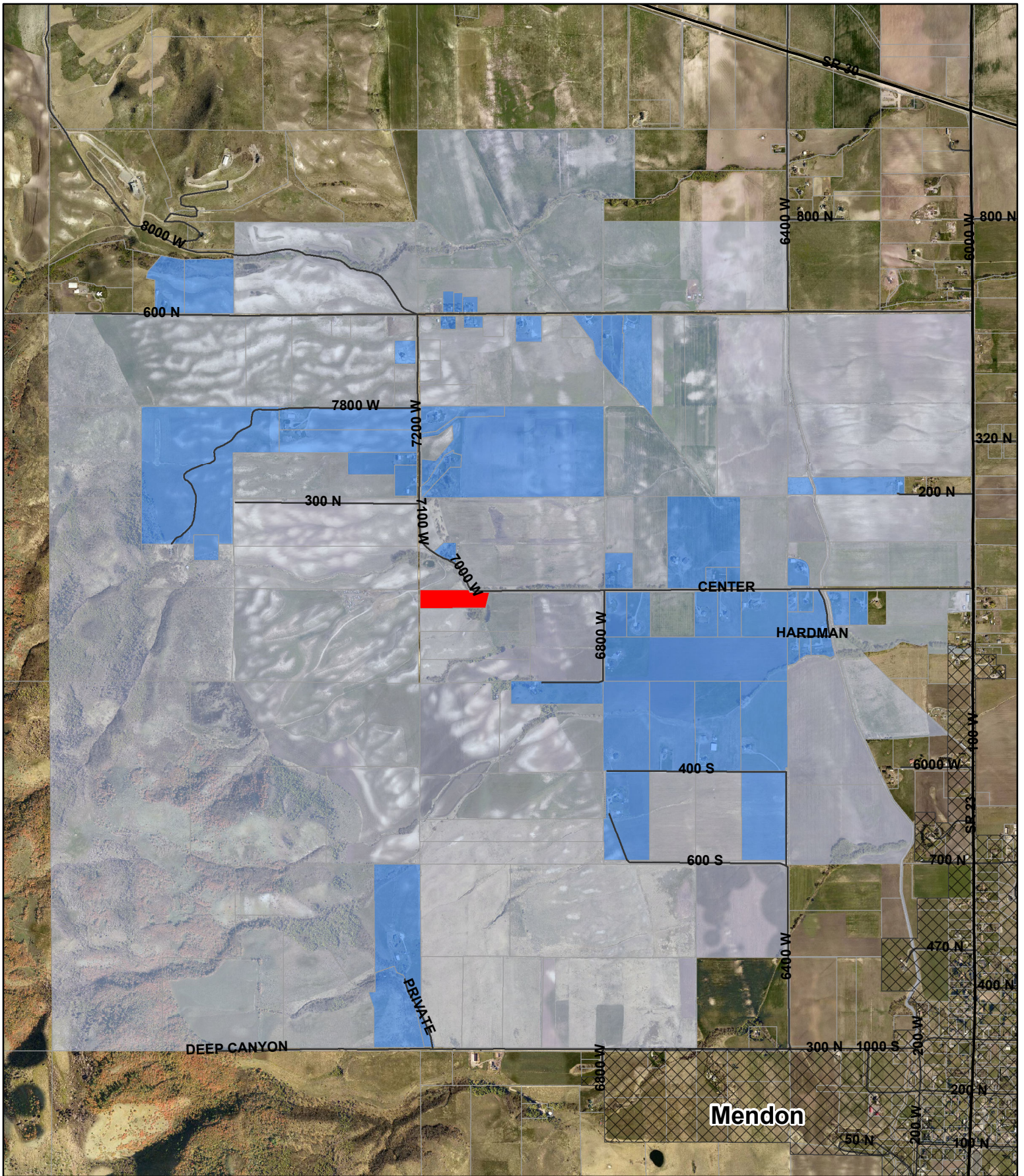
E. Public Notice and Comment—§17.02.040 Notice of Meetings

12. Public notice was posted online to the Utah Public Notice Website on 15 February 2018.
13. Notice was published in the Herald Journal on 18 February 2018.
14. Notices were posted in three public places on 15 February 2018.
15. Notices were mailed to all property owners within 300 feet on 15 February 2018.
16. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSION (5)

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

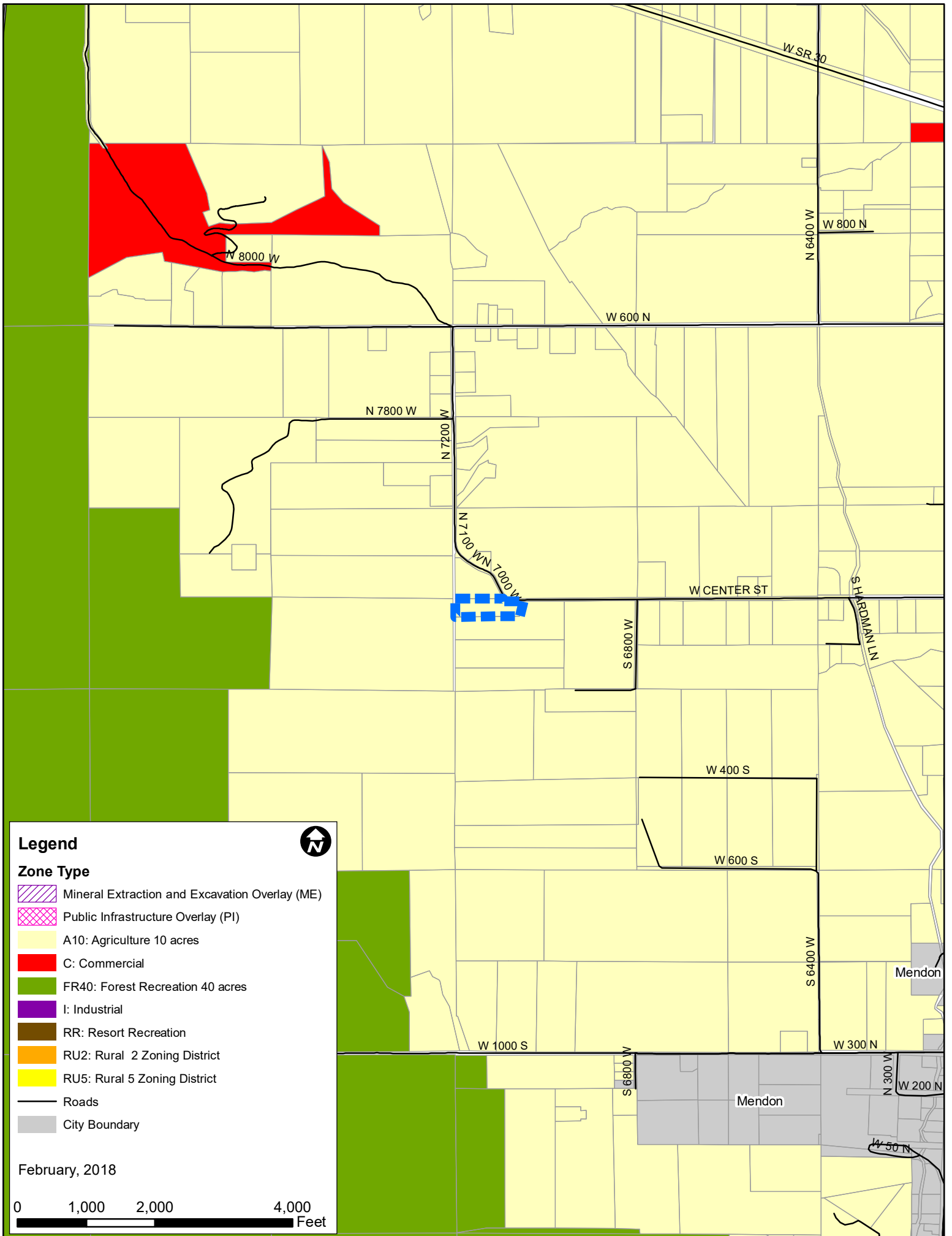
1. The location of the subject property is not compatible with the purpose of the proposed Rural 2 (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as:
 - a. The average size of the subdivided lots, if approved, would not be consistent with the average size of the surrounding property. *See A-3-a-ii*
 - b. The rezone is contrary to the stated purpose of locating the RU2 zone adjacent to municipalities. *See A-3-a-v*
 - c. Mendon City has a moratorium in place and has no intent to annex any property in the near future. *See A-3-a-v*
 - d. A rezone to the RU2 zone is not consistent with the zoning of the surrounding area. *See A-3-a-v*
2. It is not consistent with the Cache Countywide Comprehensive Plan’s vision to allow for clustering plans larger than a single parcel and to limit urban sprawl and growth in non-urban areas of Cache County and protect the agriculture and open space. *See B-5*
3. Although the road that fronts the subject property meets current standards, this rezone does not advance the general welfare of the citizens of Cache County as the County is currently unable to effectively maintain urban type development that this scale and density would allow. *See C-9*
4. Approving a rezone for this single lot would set a precedent for adjacent properties.
5. Providing services to a single additional lot in this area may be possible, but the burden to service and maintain this type of development pattern in this area, which would be possible if this rezone is approved, is not in the best interest of Cache County or its citizens. *See D*



Average Parcel Size Without a Home: 29.9 Acres (127 Parcels)
Average Parcel Size With a Home: 11.2 Acres (51 Parcels)



February 2018



STAFF REPORT: SPRING RIDGE REZONE

1 March 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: Rod Blossom

Parcel ID#: 12-045-0009

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

7800 West 2300 North
Petersboro

Acres: 63.04

Surrounding Uses:

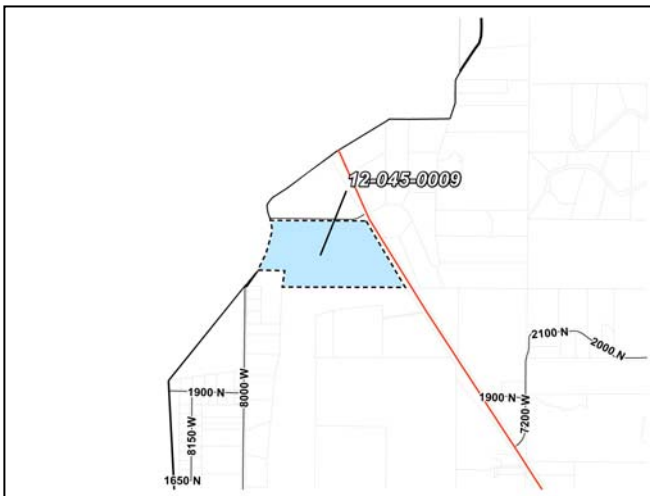
North – Agricultural/Residential
South – Agricultural/Residential
East – SR30/Agricultural/Residential
West – Box Elder County

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



FINDINGS OF FACT (22)

A. Request description

1. A request to rezone a 63.04-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 thirty-one (31) separate lots as part of a subdivision process. The actual number of developable lots may be less if there are any sensitive areas 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 (Attachments A & B) and in the following text:

a. Land Use Context:

i. Parcel status: The property is a legal parcel. The parcel number for this property was 12-045-0002 on the 1978 plat and was 79.73 acres; the 1970 plat indicates it was 69.91 acres. On both the 1978 and 1970 plats, there is a right-of-way that cuts through the property from northwest corner to the center of the south boundary. At that time, the border between Box Elder and Cache County ran along the north boundary line of the subject property. At some point, the right-of-way was realigned along the northern boundary line. In 2005, the property to the south was divided through a subdivision process, the Allen Burris Lot Split. The Spring Ridge Subdivision Phase I, a 9-lot subdivision, to the west was approved in 2006. Future phases of the Spring Ridge Subdivision proposed to include the subject property, but were never pursued. The subject property is in the same size and configuration when the surrounding subdivisions were approved, making it a legal parcel despite the variations in acreage over time.

ii. Density: Within a mile of the proposed rezone that lies within Cache County, the average size of unincorporated county parcels (65 parcels) with a dwelling is 9.3 acres; the average size of parcels (76 parcels) without a dwelling is 27.6 acres. (Attachment 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 63.04 acres, the subject parcel could be divided into a maximum of 6 lots under the current A10 Zone; a rezone to RU2 would allow a maximum of 31 buildable lots with an average size of 2.03 acres each, which is not consistent with the surrounding area. *See conclusion #1*

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 adjacent to the subject property are agricultural, residential, and vacant lots.

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 3.77 miles as the crow flies from the northern boundary of Mendon City and approximately 4.31 miles via the most direct road route. The subject parcel is within the identified future annexation area for Mendon,

but Mendon has implemented a moratorium on building permits and annexations as the city continues to pursue the construction of a new well so that the water supply can accommodate additional users. Given the distance of the subject property from the boundary of the current Mendon City limits, it is unlikely that this area will be annexed in the near future even after the moratorium has been lifted. *See conclusion #1*

In the one-mile buffer area, the surrounding properties are primarily zoned A10 (Agricultural). There are two areas that were rezoned to the Rural 2 (RU2) Zone and then divided: High Country Estates Rezone and the Moake Mini Subdivision Rezone. (Attachment B)

The High Country Estates Rezone from A10 to RU2 was approved by the County Council on July 26, 2011 allowing for 29 buildable lots on 59.51 acres. The subdivision was subsequently approved on March 27, 2012 and amended in 2016. The Moake Mini Subdivision Rezone was approved by the County Council in February 2014 allowing for a 5 buildable lots on 10 acres. The Moake Subdivision was approved in May 2014 for 3 lots; the subdivision still has the potential for 2 additional building lots. The intense development of these subdivisions has resulted in service issues, water problems, and other development-related complaints from residents.

In March 2012, an application requesting the rezone of 349 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone was submitted. The application involved 11 parcels, including the subject parcel. The request was heard by the Planning Commission initially on 3 May 2012 and then continued to 7 June 2012 when the Commission voted to recommend denial of the request to the County Council. There was significant public input received opposing the rezone request including multiple letters and a petition with a 150 signatures. A public hearing was set for County Council on 10 July 2012 and the item was continued without a vote or decision to the meeting on 31 July 2012 then 14 August 2012 and then 28 August 2012 when it was finally tabled indefinitely by the Council. That original request has not been back to the County Council for further action. Staff recommends the request be considered withdrawn with this rezone request. *See conclusion #2*

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. A rezone request is a legislative action and the County Council, as the ultimate authority for making the decision on a rezone request, has a great amount of flexibility in how it handles a legislative land use decision. The only criteria for adopting a legislative decision, either for or against an issue, is that it advances the general welfare, and does not violate state or federal statutes and constitutions.
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.”

C. Cache Countywide Comprehensive Plan

- 6. The Cache Countywide Comprehensive Plan (“Plan”) was adopted in January 1998 with the primary purpose is to recommend orderly future patterns of land use (Plan, pg.1).
- 7. The Land Use Element of the Plan further establishes as goals of residential housing development to: 1) limit urban sprawl and growth in non-urban areas of Cache County and protect the agriculture and open space; 2) preserve and protect the rural atmosphere of non-urban areas of Cache County. Strategies that were included as part of these stated goals include limiting the size of subdivisions to 4 houses in unincorporated areas, limit large residential subdivisions to incorporated areas, and impose impact fees to help provide essential services. (Plan, Land Use Element, pg. 111) *See conclusion #3*

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

- 8. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 9. 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).
- 10. The subject property has frontage along 2400 North, a county road, and SR 30, a UDOT facility.
- 11. A basic analysis of county road 2400 West (Local Road) is as follows:
 - a. 2400 North runs along the north boundary of the property and connects to 8000 West.
 - b. Is a 34-foot wide paved road with 6-foot wide gravel shoulders. This paved road provides access to agricultural properties and a number of residences.
 - c. The depth and type of material under 2400 West is unknown. However, this is an existing county facility that provides access to the general public.
 - d. Winter maintenance is provided *See conclusion #4*
- 12. SR 30:
 - i. Is a state highway that provides access to the general public and is under the jurisdiction of the Utah Department of Transportation (UDOT).
 - ii. Any access to the subdivision from SR 30 requires UDOT approval.

E. Service Provisions:

13. Resolution No. 2015-20 – In August 2015, the Cache County Council reviewed the impact of new development along unimproved roadways on the safety and welfare of citizens of Cache County. Further, the Council determined that given the existing budget constraints there is not funding sufficient for the existing roadways to be properly maintained. Consequently, the Council adopted Resolution No. 2015-20 limiting expansion of road services on substandard roads including no expansion of winter maintenance. The existing county road, 2400 North, would require additional maintenance activities if a rezone to the highest density allowed in the county were approved for the subject property, which conflicts with the resolution.
14. §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 Mendon Fire Department.
15. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental had no comments on the rezone request.
16. §16.04.080 [A] Water Requirements – Domestic water rights are required for subdivided lots. Although the present request is not for a subdivision, an approved rezone would allow a maximum of 31 lots requiring 31 separate water shares for domestic culinary use as well as secondary water rights for irrigation. The applicant indicates that they have documentation showing adequate water levels for this scale of development, however, staff has not reviewed the documentation and the feedback staff has received from the Fire Department and residents in the area indicates water is a concern for current residents and may impact future development. *See conclusion #1*
17. Other Services – This rezone request, in addition to the previously approved High Country Estates and Moake Mini Subdivision rezones and subdivisions, would develop a sizeable community. This type of development, with the nearest services being located in Logan, approximately 10 miles away, can aptly be described as sprawl, and will cause an increase in vehicle miles traveled for all activities, even to obtain the most basic services. *See conclusion #1*

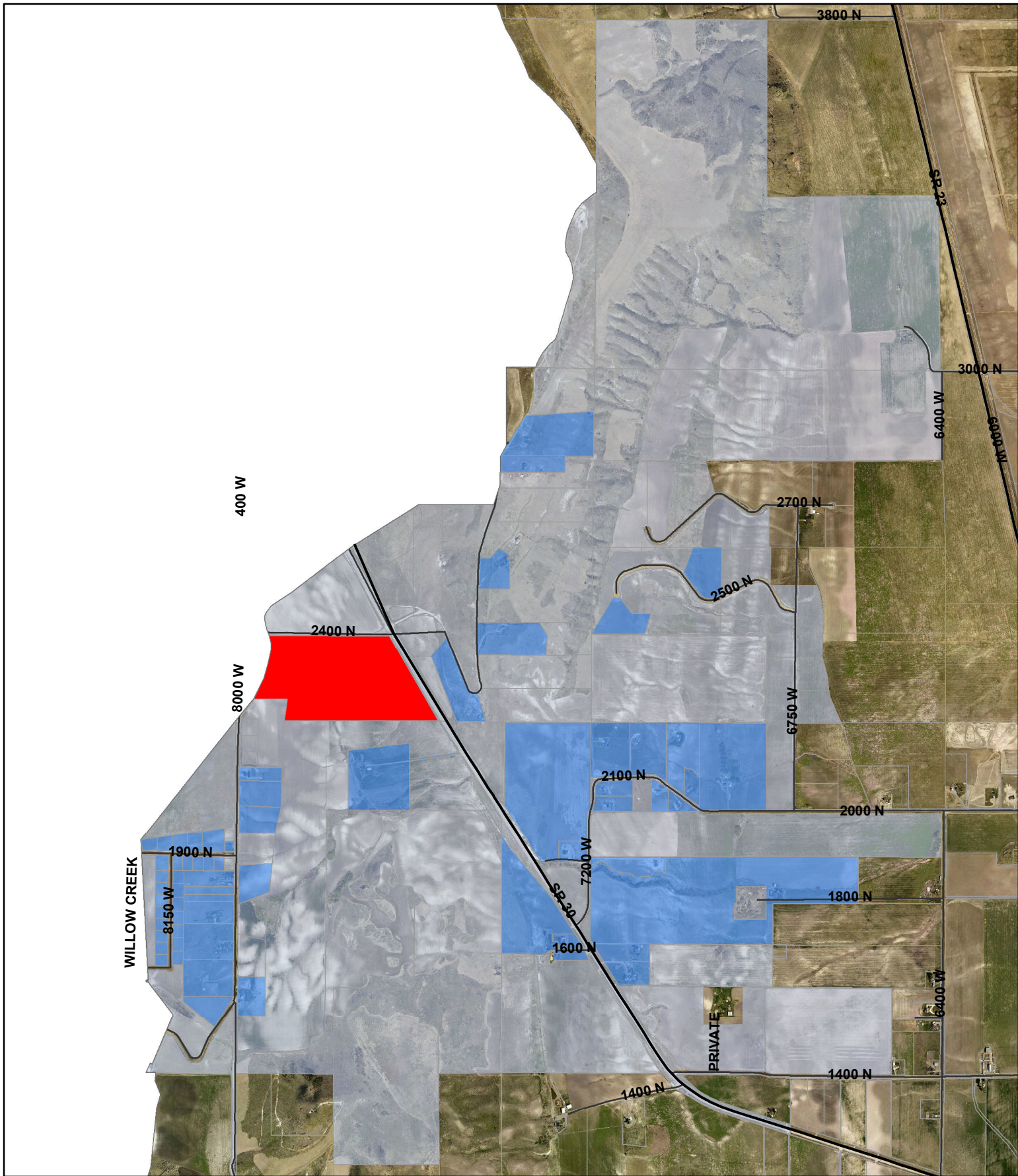
F. Public Notice and Comment—§17.02.040 Notice of Meetings

18. Public notice was posted online to the Utah Public Notice Website on 15 February 2018.
19. Notice was published in the Herald Journal on 18 February 2018.
20. Notices were posted in three public places on 15 February 2018.
21. Notices were mailed to all property owners within 300 feet on 15 February 2018.
22. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSION (4)

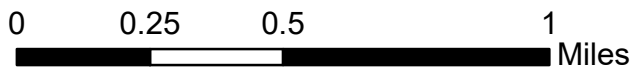
Based on the findings of fact noted herein, the Spring Ridge Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the subject property is not compatible with the purpose of the proposed Rural 2 (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as:
 - a. The average size of the subdivided lots, if approved, would not be consistent with the average size of the surrounding properties. *See A-3-a-ii*
 - b. The subject property it is not adequately serviced by utilities or public service provision. *See E-16, E-17*
 - c. The rezone is contrary to the state purpose of locating the RU2 zone adjacent to municipalities. *See A-3-a-v*
2. The previous Spring Ridge Estates Rezone request is hereby determined to be withdrawn.
3. It is not consistent with the Cache Countywide Comprehensive Plan's vision to limit urban sprawl and growth in non-urban areas of Cache County and protect the agriculture and open space by limiting the size of subdivisions to 4 houses, limit large residential subdivisions to incorporated areas, and impose impact fee to provide essential services. *See C-7*
4. Although the county road, 2400 North, that fronts the subject property meets current standards, this rezone does not advance the general welfare of the citizens of Cache County as the County is currently unable to effectively maintain urban type development of this scale and density. *See D-11*

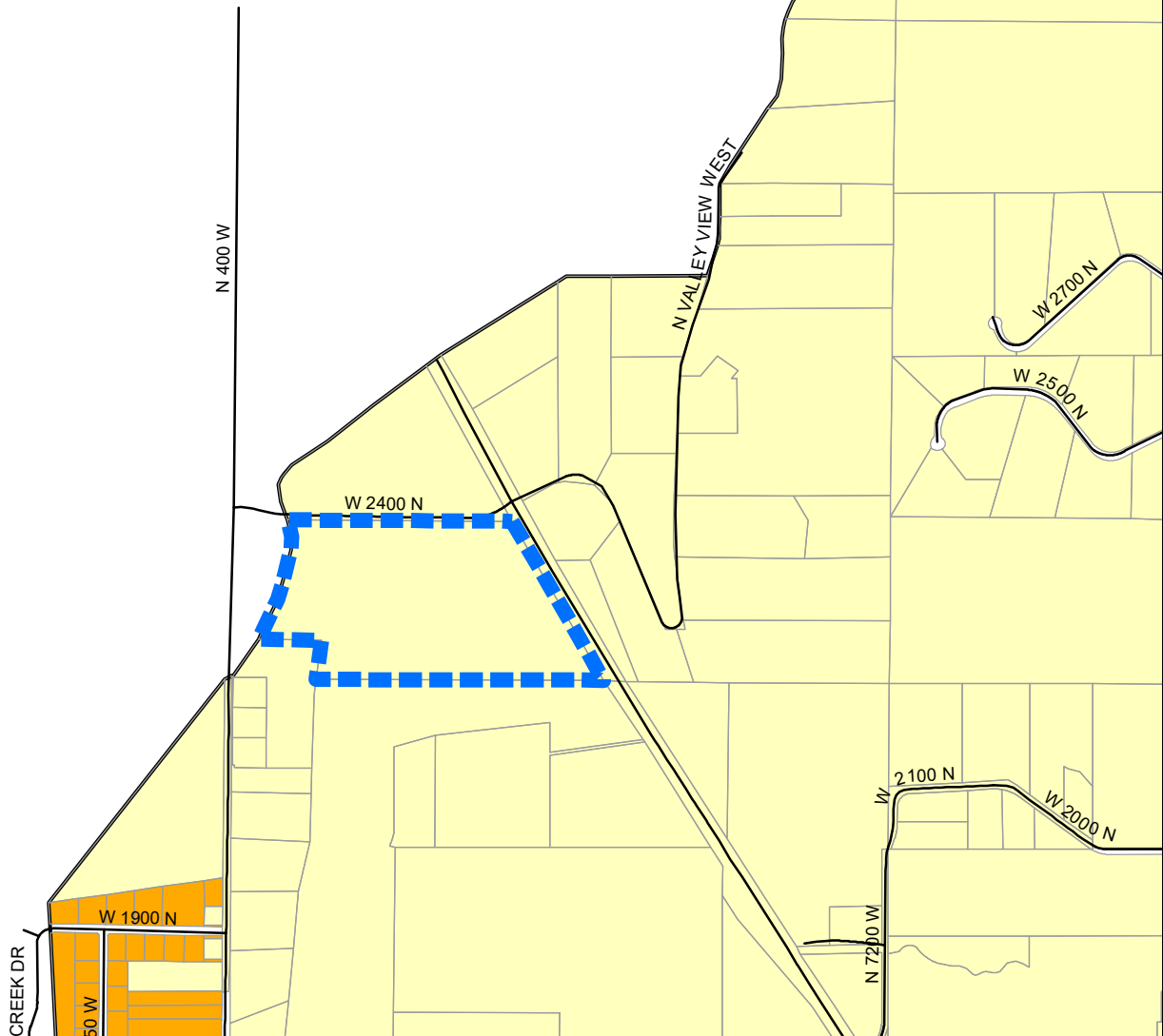


Legend

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













Average Parcel Size Without a Home: 27.6 Acres (76 Parcels)
Average Parcel Size With a Home: 9.3 Acres (65 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

February, 2018

0 1,000 2,000 4,000 Feet



STAFF REPORT: THE VINEYARDS AT MT. NAOMI FARMS CUP

1 March 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: Keith Meikle
Staff Determination: Approval with conditions
Type of Action: Administrative
Land Use Authority: Planning Commission

Parcel ID#: Lot #2 of Mt. Naomi Subdivision
 04-002-0005 (Agricultural Remainder)

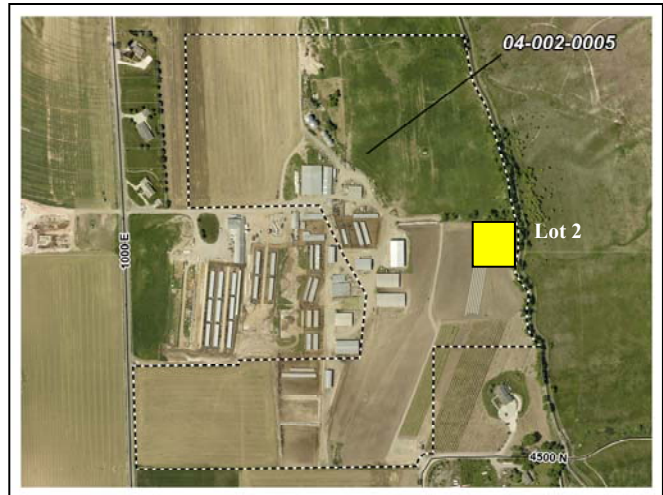
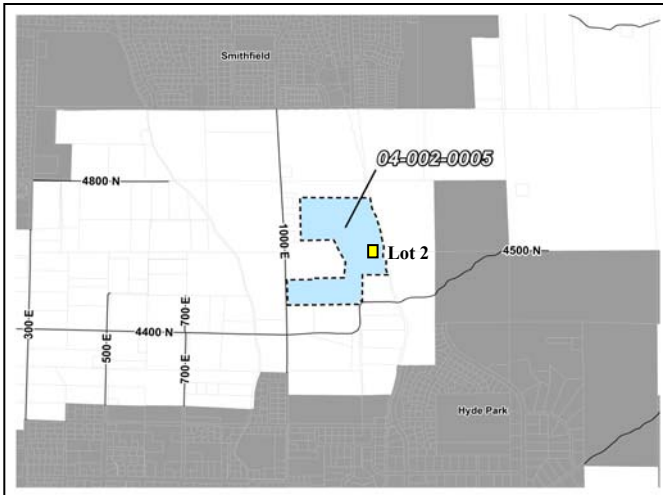
PROJECT LOCATION

Reviewed by Angie Zetterquist

Project Address:
 4580 North 1280 East
 Hyde Park
Current Zoning:
 Agricultural (A10)

Acres: 49.87

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



FINDINGS OF FACT (29)

A. Request description

1. The Vineyards at Mt. Naomi Farms Conditional Use Permit (CUP) is a request to operate an Agritourism business out of an existing structure (“the barn”) on Lot 2 of the Mt. Naomi Subdivision.
2. On January 9, 2018, the County Council approved a request for a subdivision amendment creating Lot 2, which included the barn, and expanding the size of the agricultural remainder.
3. Per the Letter of Intent (Attachment A), the applicant is proposing to use the barn for wholesale and retail sales of products produced on the farm as well as providing a venue for a variety of activities including: agritourism activities and experiences, educational activities, weddings, life celebrations, receptions, birthdays, corporate events, and non-profit fundraisers. *See condition #1*

- a. Construction
 - i. The barn measures 2,940 square feet and was built in 2017 (see *Parcel Legality* below for more information on the construction).
 - ii. The barn is located on a 0.58 acre lot surrounded by agricultural land and vineyards.
 - iii. A private access road, approximately 4500 North, will be provided off of 1000 East, a county road, to access the parking lot, which is located on the Agricultural Remainder parcel of the subdivision. A parking lot for catering vehicles and spaces for ADA accessible parking is located immediately north of the barn.
 - iv. Customers or guests visiting the barn will walk along a pedestrian path through part of the vineyard to reach the barn.
 - v. An existing free-standing sign is currently located at the corner of 1000 East and 4400 North. The sign measures approximately 12.6 square feet and is mounted on two 6-foot high posts. The existing sign and any other directional signage must be relocated to the area of the private access drive and must meet the minimum requirements of §17.23 Sign Standards. *See condition #2*
- b. Operation
 - i. The barn will provide a venue for activities including, but not limited to, weddings/receptions, life celebrations, educational activities, and the like.
 - ii. The barn includes bathrooms and a catering area.
 - iii. Tables and chairs are provided on-site, but off-site caterers will prepare and provide food service.
 - iv. The applicant anticipates two full-time employees for the barn operation; there will not be any caretakers residing at the barn.
 - v. Hours of operation are from 8:00am to 11:00pm and the barn venue will be available for events 7 days a week.

B. Parcel Legality

4. The original division of the property occurred through a subdivision approved in August 2008 for a one-lot subdivision with an agricultural remainder. In 2014, the applicant combined the agricultural remainder (04-002-0005) with another parcel (08-122-0002) not a part of the subdivision without land use authority, resulting in a restricted property, which was resolved with the subdivision amendment approved in January 2018.
5. As mentioned above, Lot 2 currently has the barn located on the property. A zoning clearance for an agricultural structure was issued in November 2016 and then revised in April 2017; a zoning clearance can be issued on a restricted property so long as it is strictly an agricultural structure. A building permit was not required for the structure as the applicant affirmed that it was solely for agricultural purposes, specifically equipment storage and repair. The applicant subsequently obtained a building permit (#5312) for the agricultural structure as the Agricultural Building Statement he signed clearly states that if a building permit and inspections are not obtained at the time of construction the use of the building cannot be changed in the future. In July 2017, another building permit (#5558) was erroneously issued for a tenant improvement to the structure to change the use from an agricultural structure to a reception hall without approval of a zoning clearance or a conditional use permit (CUP). The building permit (#5558) does have a condition that requires approval of a CUP prior to the Certificate of Occupancy being issued. *See condition #3*

C. Conditional Uses *See conclusion #1*

6. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
 - a. Compliance with law;
 - b. Health, safety, and welfare;
 - c. Adequate service provision;
 - d. Impacts and mitigation.

D. Compliance with law *See conclusion #1*

7. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
8. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. *See conclusion #2*
9. Lot 2 will be a legal parcel upon the recordation of the subdivision amendment plat approved by the County Council in January 2018. A CUP cannot be approved on a restricted parcel.
10. §17.07.030, Use Related Definitions defines this use as
 - a. “6140 Agritourism: a use or activity for the on-site recreation, retail purchase, education or participation of the general public. Any such use/activity may include, but is not limited to a: farm tour; farm stay; educational class; corn maze; group event or competition; U-pick operation; farmers market; farm museum; cider mill; petting farm/zoo; retail sales facility (e.g. meat shop; dairy or creamery; nursery; gift shop; flower, herb, or spice store; bakery; restaurant; or café); small-scale food processing (e.g., process pumpkins grown on premise into pumpkin pies), and other similar uses/activities as determined by the Land Use Authority. Any such use or activity must meet the minimum requirements as follows:
 - i. Any such use/activity must be accessory to a primary Agricultural Production use. The primary and accessory uses must:
 1. Be located on land that qualifies as land under agricultural use that is actively devoted to agriculture as defined by the Farmland Assessment Act, UCA 59-2-5, and;
 2. Be located on a legal parcel, five (5) acres or larger in size; or on contiguous legal parcels that are a total of five (5) acres or larger in size.
 3. Consist of 51% or more products produces on site.
 - ii. The use/activity occurs for more than twenty-one (21) consecutive or non-consecutive days per year, and provides agriculturally related, and in some instances, non-agriculturally related products and events to the general public.
 - iii. Must obtain Land Use Authority review and approval prior to operation.
 - iv. Overnight accommodation is permitted as follows:
 1. Guest rooms must be located within an owner occupied dwelling or seasonal cabin that meets the minimum Building and Fire Code standards;
 2. No more than a total of four (4) guest rooms with a maximum occupancy of two per rooms; not counting children 15 years of age and under.”

11. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Agricultural (A10) Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.

E. Health, safety, and welfare *See conclusion #1*

12. The County Land Use Ordinance stipulates that:

- a. Proposed CUP's must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.

13. All activities at the barn as identified within The Vineyards at Mt. Naomi Farms CUP Letter of Intent are proposed to occur on Lot 2 of the subdivision except the primary parking area for guests will be on the Agricultural Remainder of the subdivision. Guests will access the parking area and the barn via a private access road that will be required to meet the minimum County standards in the Road Manual. The private access road, ~4500 North, off of 1000 East will provide direct access to the site and reduce the impact from traffic on the county roads, 4400 North, 1200 East, & 4500 North. With the required conditions of approval, the operation that the applicant is proposing will not cause unreasonable risks to the safety of persons or property and it will not unreasonably interfere with the lawful use of surrounding properties.

F. Adequate service provision *See conclusion #1*

14. The County Land Use Ordinance stipulates that:

- a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.

15. Access: The subject property will gain access from a private access road, approximately 4500 North, off of 1000 East, a county road.

- a. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- b. 4500 North is currently a 30-foot wide private road access and utility easement recorded on the Mt. Naomi Subdivision 1st Amendment plat; the road itself has not been constructed. For the purposes of the plat, the access was a private driveway for Lot 2, a developable lot, so the actual improvements were not required to be completed prior to the recording of the plat.
- c. The private road providing access from 1000 East to the parking lot and the barn must meet any applicable requirements of the County Fire District and the Road Manual prior to the recordation of the CUP. *See condition #5*
- d. The County provides year round maintenance on 1000 East, but will not provide maintenance for the private access road.
- e. The required Parking Analysis will provide a basis for the average daily trips (ADT) for the proposed use. Although the applicant would prefer to install a gravel road in keeping with the aesthetics of the agricultural surroundings, the actual requirements for the type of road that will be required will be based on the ADT from the required Parking Analysis. *See condition #4*

- f. County roads 4400 North, 1200 East, and 4500 North also provide access to the parking lot. However, the signed, primary access will be the private road, ~4500 North.

16. Parking:

- a. §17.22 Off Street Parking Standards – All uses included under Use Index 6000, Resource Production and Extraction Uses, require a Parking Analysis be conducted to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. The Parking Analysis must conform to §17.07.040 General Definitions and §17.22 Off Street Parking Standards.
- b. The applicant has provided a preliminary parking analysis drafted by a registered landscape architect that calls for a total of 87 parking spaces (83 standard spaces and 4 ADA compliant). (Attachment B) The total number of spaces was based on an average of 2 events per week with an ADT (average daily trip) count of 25. However, there is no discussion of the basis for that conclusion, including the standards of the most current edition of the Institute of Transportation Engineers (ITE) Parking Generation report, which is required under §17.22 Off Street Parking Standards . The Parking Analysis must be revised to comply with the requirements of the County Code and evidence of licensure provided. *See condition #4 & #5*
- c. The preliminary parking analysis also identifies the need for 2 bus parking spaces, which can be utilized for overflow parking for an additional 15 standard parking spaces. The primary parking area on the Agricultural Remainder will have 75 parking spaces and the 2 bus spaces/overflow parking area. The parking adjacent to the barn will have the 4 ADA parking spaces and 8-10 additional spaces for delivery trucks, catering, staff, etc.
- d. On the preliminary parking analysis, the standards stalls are described as being 9 feet by 20 feet with drive aisles at 22 feet wide minimum; the ADA stalls will meet the minimum requirements and include two van stalls.
- e. The parking lot and pedestrian path leading to the barn will include lights for night use. A detailed lighting design must be provided. *See condition #4 & #5*

17. Refuse:

- a. Logan City Environmental provides waste collection for the site and had no comments for this proposal except to state residential carts and commercial dumpsters are available as needed depending on volume of refuse generated.
- b. The applicant stated in the Letter of Intent that trash receptacles will be placed around the building for guests and those receptacles will be deposited in a 3-yard dumpster located on the adjacent farm property for disposal.

18. Fire: §16.04.080 [C] Fire Control – The County Fire District has reviewed the proposed plans and visited the site. The existing county road, 4400 North, does not currently meet fire code requirements. A road that meets Fire Code requirements must be constructed prior to the operation of the agritourism business. *See condition #5*

- a. Water supply for fire suppression is provided by a dry hydrant located on the property for fire protection that meets NFPA 1142.

19. Water: The subdivision is located within the vicinity of Hyde Park City and the applicant has provided a letter from the Public Works Director of Hyde Park City, Mike Grunig, confirming that culinary water is being provided by the City. No additional water rights are needed for the proposed use.

20. Septic: The applicant provided a copy of the septic permit for the barn as part of the Mt. Naomi Subdivision 1st Amendment application process. Applicant shall provide confirmation from

the Bear River Health Department that the proposed use under this CUP can be accommodated by the existing septic system and does not require any upgrades. *See condition #6*

G. Impacts and mitigation *See conclusion #1*

21. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”
22. The County Land Use Ordinance stipulates that:
 - a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
 - b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.
23. Known or reasonably anticipated detrimental effects of the use are as follows:
 - a. Traffic: One of the primary uses for the proposed agritourism operation will be as a reception center. This type of use generates additional traffic and may negatively impact the surrounding residential uses and add increased trips to the existing roads. Currently, the county road 4400 North is the primary access to the subject property. This road is substandard and would require significant improvements to meet the requirements for the Fire Department and the Local Road standards in the County Road Manual. The applicant has proposed constructing a private access road, 4500 North, east of 1000 East for guests to access the barn facility. The applicant is required to construct the private access road prior to the recordation of the CUP. *See condition #5*
 - b. Parking: Uses classified under Use Code 6000, Resource Production and Extraction Uses, require a Parking Analysis to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. To mitigate any reasonably anticipated detrimental effects of the proposed use, a revised Parking Analysis must be submitted that conforms to §17.07.040 General Definitions and §17.22 Off Street Parking Standards to the Director. *See condition #4*
 - c. Lighting: The proposed hours of operation will extend into the evening hours requiring exterior lighting to provide guidance for guests navigating the parking area and the pedestrian path to the barn. As the surrounding area is primarily residential and agricultural, the impacts caused by parking lot lighting and exterior lights on the barn structure may be detrimental to surrounding uses. The applicant must provide a detailed lighting design plan to identify how lighting impacts will be mitigated. *See condition #7*
 - a. Sensitive Areas:
 - i. GIS data indicates that the subject property has a fault line that runs north to south through the eastern side of the property. The applicant previously provided a geo-technical report for the construction of the barn. The report has been recorded against the property for future reference.
 - ii. The subject property is located within the Airport Influence Area.
 - iii. A canal owned by the Cache Highline Water Association runs along the eastern boundary of the subdivision. Future development must not occur in waterways.

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

24. Public notice was posted online to the Utah Public Notice Website on 15 February 2018.
25. Notice was published in the Herald Journal on 18 February 2018.
26. Notices were posted in three public places on 15 February 2018.
27. Notices were mailed to all property owners within 300 feet of the subject property on 15 February 2018.
28. Hyde Park City was notified on 23 February 2018.
29. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (7)

These conditions are based on the Cache County Land Use Ordinance and on the findings of fact as noted herein:

1. The applicant and operator(s) must abide by the information as provided in the application and the information as identified in this report. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *See A-3*
2. Existing and proposed signage, including directional signage, must be relocated to the area near the private access drive and must meet the minimum standards of §17.23 Sign Standards. *See A-3-a*
3. Prior to recordation, the applicant must work with the Building Department to ensure all inspections have been completed and a Certificate of Occupancy has been issued. *See B-5*
4. Prior to recordation, a revised Parking Analysis as defined by the Cache County Land Use Ordinance must be submitted to the Development Services Office for the review and approval of the Director to determine the road type required for the private access road based on the ADT and the number of parking spaces needed for the barn. Evidence of professional licensure must also be provided by the person preparing the analysis. *See F-15-c, F-15-e, F-16-b, G-23-b*
5. Prior to recordation, the applicant must improve the private road access off of 1000 East to meet the minimum county requirements for either a Private or Local Road standard based on the ADT findings of the Parking Analysis. 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 F-15-c, F-15-e, F-18, G-23-a*
6. Prior to recordation, the applicant shall provide confirmation from the Bear River Health Department that the existing septic system is sufficient for the proposed use. *See F-20*
7. A detailed design plan shall be submitted for the parking lot landscaping and lighting for review and approval by the Director of Development Services. The design plan must specify the method for minimizing light from negatively impacting neighboring properties. *See F-16-e, G-23-c*

CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, The Vineyards at Mt. Naomi Farms CUP is hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and; *See B,C, D, E, F, G*
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request. *See D-8-7*

Letter of Intent

1a. Purpose of Building: The Vineyards at Mt. Naomi Farms, hereafter referred to as “the barn” will be used for wholesale and retail selling of value-added processed products produced on the farm. Services may include, but are not limited to: agritourism activities and experiences, agricultural educational activities, weddings, life celebrations, receptions, birthdays, corporate events, school activities and non-profit fundraisers.

The operations of use: We run a vineyard and U-Pick, allowing guests to the farm to pick their own fruit. The barn will operate as a point of sale for farm-grown wholesale and retail products, and experiences. The barn includes bathrooms and a catering area. The barn was built to IBC standards. It has been inspected during all construction phases and has passed final inspection. Total square footage of the inside of the Vineyards barn is 2,940.

It is a unique agritourist property because it is located in a vineyard and U-Pick farm. Our guests, who come from all over the country and from across the world have requested to use our farm for life celebrations. This facility is designed to accommodate these requests. It is a destination point for those who crave rural experiences with spectacular views.

b. We have 2 employees. There will be no employees living in the barn.

c. Hours of operation are variable dependent on the season. Guests may arrive as early as 8:00A.M. and leave by 11:00 P.M. Days of the week are also variable, but it is projected that usage will be highest during weekends.

d. SEE PARKING SITE DESIGN

1. Facility mirrors parking requirements in the code for a religious-type facility. Parking is provided for bus, handicap, and service vehicles as per code. Parking lot design is more than adequate for guests and employees. Congestion will not be an issue.

2. No mail, UPS or semi trucks will deliver to the barn. Any unforeseen delivery needs will be handled by the adjacent farm.

e. Signage: See signage proposal

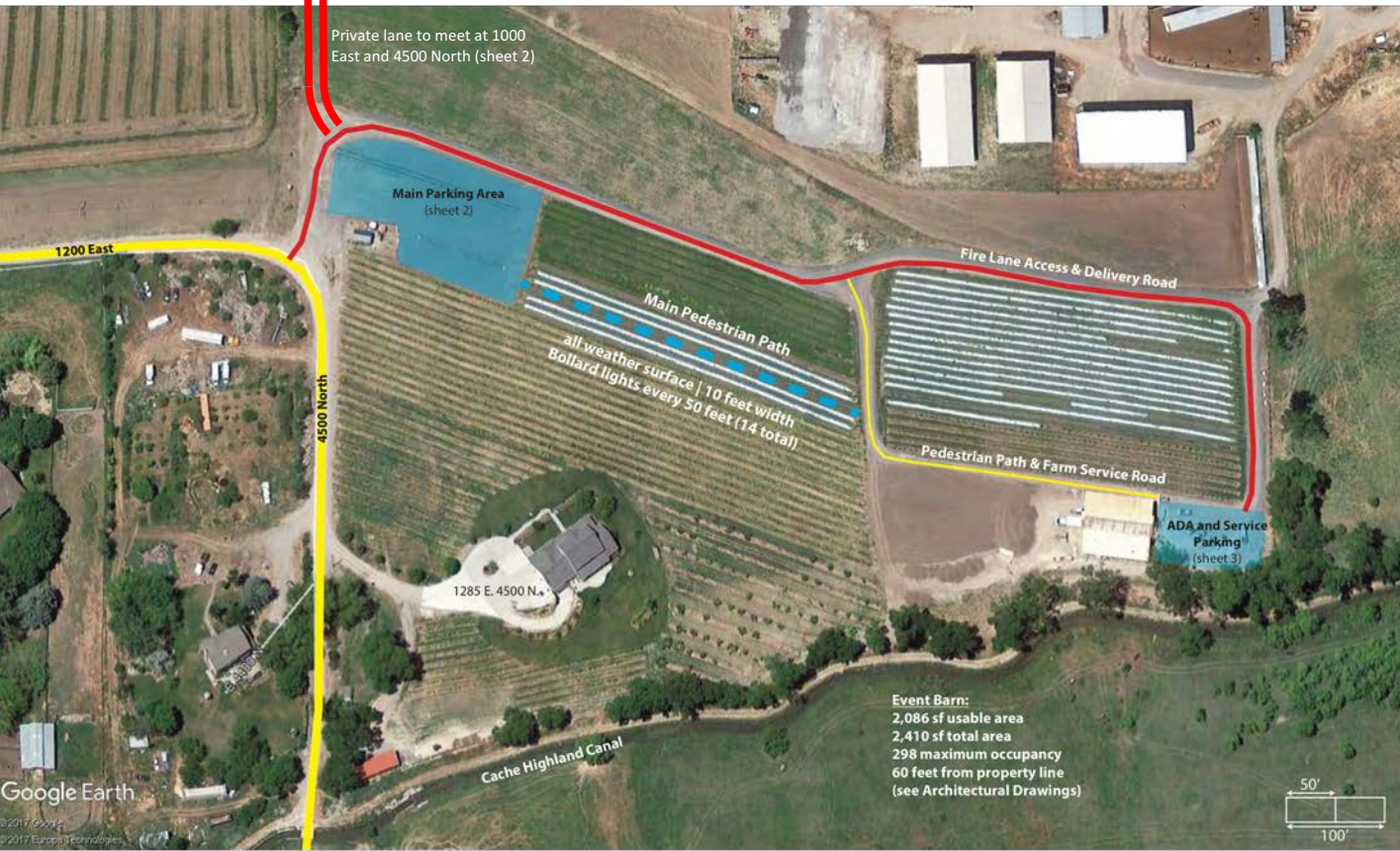
f. Equipment: The building has no large equipment needs. At times, tables and chairs will be used in the barn.

g. Garbage: Many trash receptacles are placed around the building. Trash will be deposited in a 3-yard dumpster located on the adjacent farm under the same ownership. Logan City United removes it once weekly. No additional waste services will be required by the facility.

SITE PLAN



Private lane to meet at 1000 East and 4500 North (sheet 2)



Event Barn:
 2,086 sf usable area
 2,410 sf total area
 298 maximum occupancy
 60 feet from property line
 (see Architectural Drawings)



Parking Analysis

87 permanent parking spaces (83 + 4 ADA)
 At max of 2 events per week the ADT= 25.
 2 bus parking or overflow for 15 additional spaces
 Additional overflow parking for additional vehicles available when needed.
 Parking spaces exceed minimum levels of design, and parking supply for employees and customers to avoid congestion of public streets.
 Parking plan provides ample access, landscape, and lighting to ensure safe and free flow of pedestrian and vehicles, avoids negative impacts on neighboring property and public streets.



Vineyards	
Designer	M. Ryciewicz-Borecki
Signature	

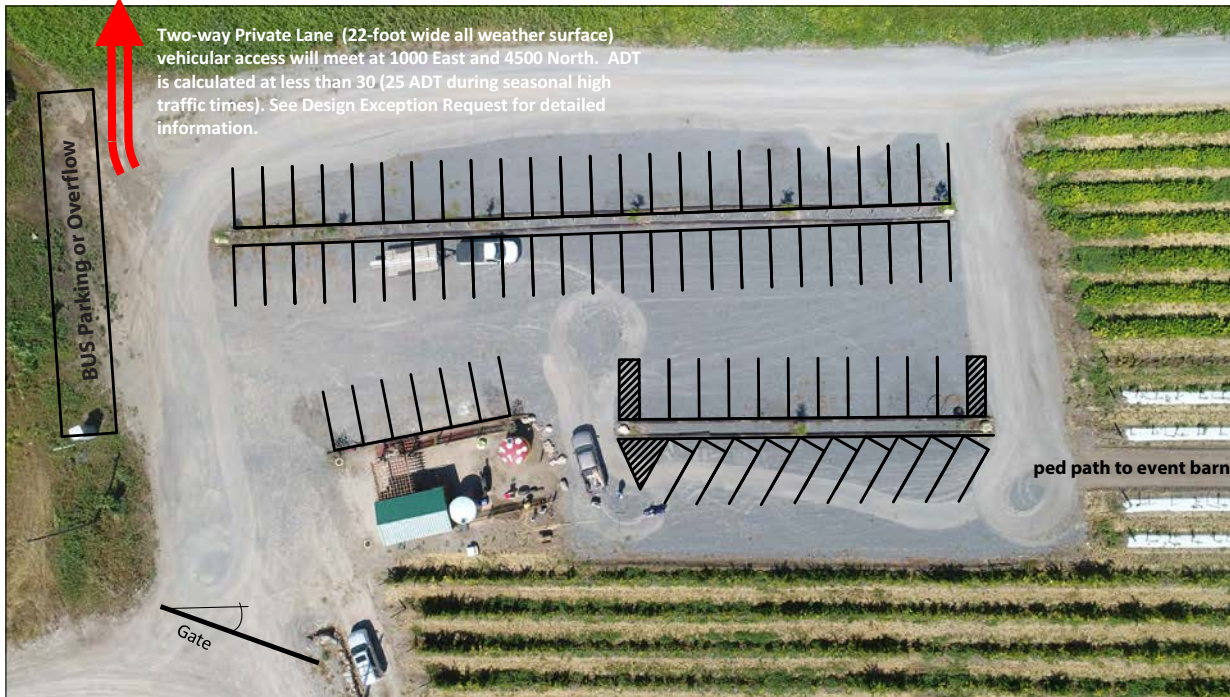
M. Ryciewicz-Borecki, P.
 Registered Landscape Architect, Illinois
 License No. 157.00107

Circle B Irrigation LLC
 4075 N. HWY 91
 P.O. Box 549
 Hyde Park, UT 84318

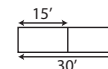
Site Plan	Sheet
1/12/18	1 of 3

Attachment B

Main Parking Area: Total 75 Parking Spaces & 2 bus spaces (or 15 overflow spaces)



Vehicular Access from 1200 East until Private Lane completed (expected May 2018). Upon completion a closed gate will prevent public access to the Vineyards from 1200 East. See Design Exception Request for more information.



Main Parking

Parking lot design facilitates safe and free flow of vehicles.

75 parking spaces on all weather surface material, and 2 bus spaces (or overflow for 15 cars)

All parking spaces are 9 by 20 feet

Drive lanes are 22 feet wide or wider

Wine grape vines and honeylocust trees planted within parking center islands

Parking lot lighting design per code to minimize impact to neighboring property

Pedestrian path to event barn lit with 42" height bollard lights every 50 feet (14 lights total)

N →

CIRCLE B IRRIGATION

Vineyards

M. Ryciewicz-Borecki

M. Ryciewicz-Borecki, P.
Registered Landscape
Architect, Illinois
License No. 157.00107

Circle B Irrigation LLC
4075 N. HWY 91
P.O. Box 549
Hyde Park, UT 84318

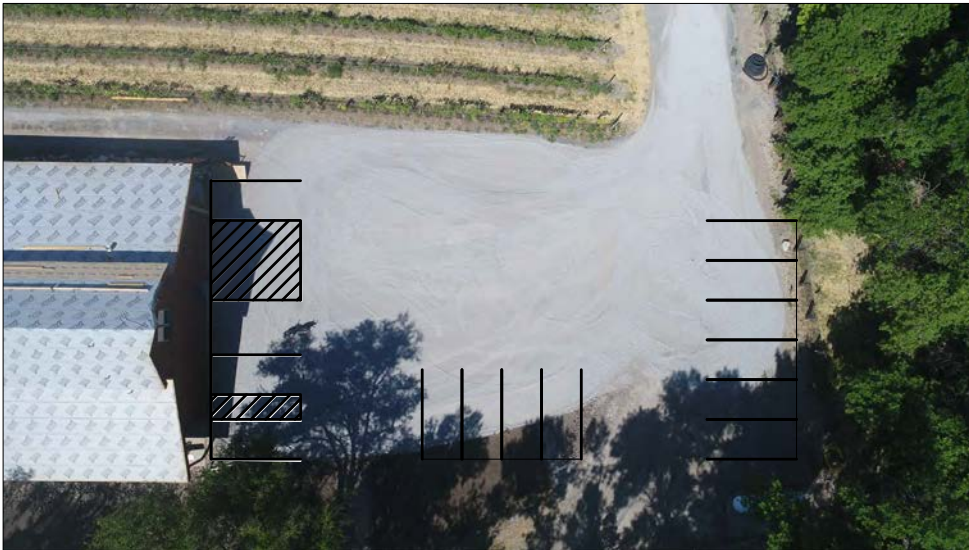
Main Parking

1/12/18

2 of 3

Attachment B

ADA and Service Parking Area: 4 ADA & 8 Delivery/Service Spaces



ADA /Service Area

8 Service parking spaces for delivery and employee access

2 ADA accessible stalls + 2 van accessible ADA stall on concrete pad directly adjacent to Event Barn

All ADA spaces and service stalls are lighted per code



CIRCLE IRRIGATION

Vineyards

M. Ryciewicz-Borecki

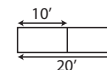
M. Ryciewicz-Borecki,
Registered Landscape
Architect, Illinois
License No. 157.0010

Circle B Irrigation L
4075 N. HWY 91
P.O. Box 549
Hyde Park, UT 843

ADA/Service

1/12/18

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Attachment B