



**4:45 p.m.**

Workshop in the County Council Chambers

**5:30 p.m.**

Call to order

Opening remarks/Pledge – Jason Watterson

Review and approval of agenda

Review and approval of the minutes of the 7 February 2019 meeting

**5:35 p.m.**

**Consent Items**

1. **High Creek Properties Subdivision 1<sup>st</sup> Amendment** – A request to amend the boundaries between Lots 4 & 5 in an existing 5-lot subdivision located at 8125 South Highway 165, near Paradise, in the Agricultural (A10) Zone.

**Regular Action Items**

2. **DD Auto & Salvage Conditional Use Permit 2<sup>nd</sup> Amendment** – A request to amend an existing conditional use permit (CUP) for a storage and warehousing facility by expanding the boundary to include an additional 1.3 acre parcel in the Industrial (I) Zone.
3. **Specific Criteria for Rural 2 & Rural 5 Zone Rezone Requests**

Board Member Reports

Staff reports

Adjourn

## **PUBLIC PARTICIPATION GUIDE: PLANNING COMMISSION**

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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.

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### **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.

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### **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.

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### **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.



**Item**

**Page**

**Consent Agenda Items**

- 1. Mountain View Meadows Subdivision ..... 2

**Continued Items**

- 2. Michael Burton Conditional Use Permit..... 2

**Regular Action Items**

- 3. Whisper Ridge Conditional Use Permit 2<sup>nd</sup> Amendment ..... 2
- 4. Buena Vista Ranch Subdivision ..... 5

1 **Present:** Chris Harrild, Jason Watterson, Lane Parker, Brady Christensen, Nolan Gunnell, Chris Sands,  
2 Phillip Olsen, Jon White, Tony Baird, Megan Izatt

3 **Start Time: 05:33:00**

4 **Christensen** welcomed and **Sands** gave opening remarks.

5 **05:35:00**

6 **Agenda**

7 Approved with no changes.

8 **05:36:00**

9 **Minutes**

10 *Gunnell* motioned to approve; *Watterson* seconded; **Passed 6, 0.**

11 **05:36:00**

12 **Consent Items**

13 **#1 Mountain View Meadows Subdivision**

14 *Olsen* motioned to approve the consent agenda; *Watterson* seconded; **Passed 6, 0.**

15 **05:38:00**

16 **Continued Items**

17 **#2 Michael Burton Conditional Use Permit**

18 **Harrild** reviewed the staff report changes for the Michael Burton Conditional Use Permit.

19 **Staff** and **Commission** discussed condition #2 regarding a dwelling on the property.

20 *Parker* motioned to approve the Michael Burton Conditional Use Permit with the stated findings of fact,  
21 8 conditions, and 2 conclusions; *Olsen* seconded; **Passed 6, 0.**

22 **05:47:00**

23 **Regular Action Items**

24 **#3 Whisper Ridge Conditional Use Permit 2<sup>nd</sup> Amendment**

25 **Harrild** reviewed the staff report for the Whisper Ridge Conditional Use Permit (CUP) 2<sup>nd</sup> Amendment.

26 **Staff** and **Commission** discussed the ways in which Whisper Ridge is out of compliance with their  
27 current CUP and possibly pulling the permit until compliance is reached.

- 1 **Dan Lockwood** commented in regards to non-compliance with the permit.
- 2 The **Commission** discussed the yurts and their need to be removed.
- 3 **Mr. Lockwood** commented on the possibility of getting a building permit for the yurts.
- 4 **Christensen** asked about use of the cabin.
- 5 **Mr. Lockwood** commented on the use of the cabin by staff and delivered food.
- 6 **Olsen** asked about where people are meeting to go to Whisper Ridge.
- 7 **Mr. Lockwood** stated that they used to meet at the Cracker Barrel in Paradise but with the advances in  
8 providing directions digitally they no longer need to do that.
- 9 **Gunnell** asked about the bomb boxes and explosives.
- 10 **Mr. Lockwood** talked about the explosives and the bomb boxes and how they use them.
- 11 **Gunnell** asked about how emergency services access the sites.
- 12 **Mr. Lockwood** stated that they work intimately with Powder Mountain Search and Rescue and they  
13 could notify Cache County EMS. All employees are also wilderness survival responders.
- 14 **Mr. Lockwood** described their emergency procedures for injuries and response.
- 15 **Gunnell** asked if Mr. Lockwood understood the 30 consecutive days of flight with the helicopter.
- 16 **Mr. Lockwood** stated its 30 consecutive days of flight but they haven't had 30 days of weather that  
17 would permit flight. For inspection purposes, the flight logs could be checked.
- 18 **Christensen** asked about the Powder Mountain agreement.
- 19 **Mr. Lockwood** stated that Powder Mountain reached out to them for an agreement and he gave the  
20 agreement details.
- 21 **White** stated that it sounds like they are operating in the new area without a permit.
- 22 **Mr. Lockwood** stated that they are not skiing in those areas commercially.
- 23 **Christensen** asked about Powder Mountain's non-compliance.
- 24 **Mr. Lockwood** stated he doesn't know anything about Powder Mountain's non-compliance.
- 25 **Harrild** stated that both businesses would need to be in compliance with their CUPs to operate their  
26 businesses.
- 27 **Mr. Lockwood** stated that the agreement with Powder Mountain is very advantageous for Whisper  
28 Ridge.

- 1 **Gunnell** asked about the wildlife issues and the road.
- 2 **Mr. Lockwood** pointed to the map on the screen and showed where the bomb caches and the groomed  
3 trails are located.
- 4 **Christensen** asked Mr. Lockwood to point out the boundaries.
- 5 **Mr. Lockwood** stated that the portion of the land in the white outline is the new property and that there is  
6 about 5 miles between the two pieces of property that they are using and want to use. Whisper Ridge does  
7 not need to use the road on the State's property where they can access that portion through Powder  
8 Mountain.
- 9 **Christensen** stated the conditions for the current CUP must be met and the new area cannot be used until  
10 it has been approved.
- 11 **Mr. Lockwood** stated that they haven't knowingly been out of compliance but they want to be in  
12 compliance with the permit.
- 13 **White** stated his biggest concern is that operations are happening on ground that is unpermitted right  
14 now.
- 15 **Christensen** asked if he would stop operating on the new area.
- 16 **Harrild** stated Whisper Ridge had to stop operating on the new area now because he doesn't have a  
17 permit.
- 18 **Mr. Lockwood** asked if that meant he couldn't go on the property at all.
- 19 **White** stated that Mr. Lockwood can't use the property with paying customers.
- 20 **Harrild** stated he cannot bring clients in and operate under Whisper Ridge. If the property owner is  
21 skiing himself on the property, there is no issue.
- 22 **Mr. Lockwood** stated there are plans for the property to be used commercially for Whisper Ridge.
- 23 **Pam Kramer** stated she is with the Department of Wildlife Resources and went over the DWR's  
24 concerns with the property and the road.
- 25 **Gunnell** asked about the definition of motorized vehicles and how the helicopter skiing affects wildlife.
- 26 **Ms. Kramer** stated motorized vehicles aren't permitted. Helicopters can affect wildlife. Usually it is  
27 moose in this area during the winter time.
- 28 **Watterson** asked if there were any right-of-ways Ms. Kramer is aware of on the property and the road.
- 29 **Ms. Kramer** stated there are right-of-ways up there but they are not very clear.
- 30 **Parker** asked about signage.

1 **Ms. Kramer** stated there is signage stating no motorized vehicles and the DWR has worked with Powder  
2 Mountain about access from their property for motorized vehicles and skiing.

3 **Christensen** asked how many acres the DWR has up there.

4 **Ms. Kramer** commented the new area is 200 acres.

5 The **Commission** and **Staff** discussed the conditions. Adding a condition #10 regarding the road across  
6 state property was discussed. The cabin was discussed and if using the cabin as housing for staff is in  
7 violation of the conditional use permit.

8 **Mr. Lockwood** asked about the cabin.

9 **Harrild** stated the initial application did not include the cabin and the cabin cannot be used under the  
10 existing CUP.

11 **Mr. Lockwood** asked about the La Plata property, which is the subject the CUP 2<sup>nd</sup> Amendment request.

12 **Harrild** stated the property cannot be used commercially but Mr. Lockwood can go to the property as a  
13 property owner.

14 **Mr. Lockwood** talked about coming into compliance and what his intent was with applying for the CUP  
15 2<sup>nd</sup> amendment request.

16 **Parker** motioned to approve the Whisper Ridge Conditional Use Permit 2<sup>nd</sup> amendment with the stated  
17 findings of fact, 9 edited conditions and the addition of condition #10 regarding access across state  
18 lands, and the 2 conclusions as written; **Watterson** seconded the motion; **Passed 6, 0.**

19 **07:32:00**

20 **#4 Buena Vista Ranch Subdivision**

21 **Harrild** reviewed the Buena Vista Ranch Subdivision staff report.

22 **Olsen** motioned to approve a six month extension for the Buena Vista Ranch Subdivision; **Watterson**  
23 seconded; **Passed 6, 0.**

24 **07:34:00**

25 **Harrild** reminded the Commissioners about the meeting with the County Council on Tuesday, Feb. 12,  
26 2019 at 3:00 p.m.

27 **07:35:00**

28 **Adjourned**





### STAFF REPORT: HIGH CREEK PROPERTIES SUBDIVISION 1<sup>ST</sup> AMENDMENT 7 MARCH 2019

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:** Tom Dilatush

**Parcel ID#:** 01-148-0004, -0005

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

#### LOCATION

*Reviewed by Angie Zetterquist*

**Project Address:**

8125 South Highway 165  
near Paradise

**Current Zoning:**

Agricultural (A10)

**Acres:** 8.43 acres

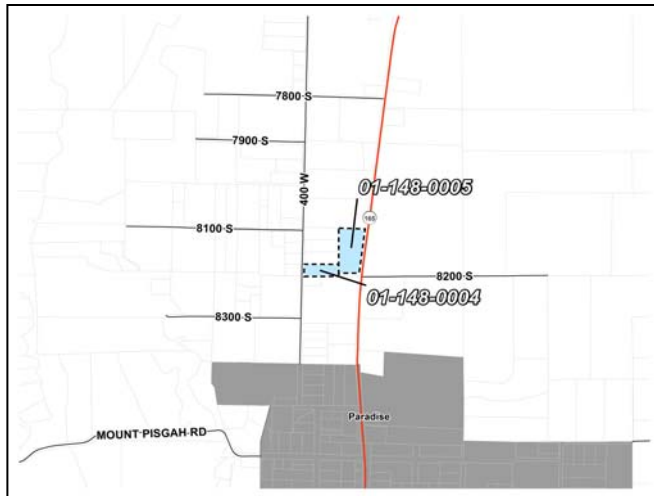
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential

West – Agricultural/Residential



#### FINDINGS OF FACT (20)

**A. Request description**

1. The High Creek Properties Subdivision 1<sup>st</sup> Amendment is a request to adjust the boundary lines between Lots 4 & 5 of the existing 5-lot subdivision. The boundary line adjustment will increase Lot 4 from 2.4 acres to 5.15 acres and Lot 5 will decrease in size from 6.01 acres to 3.28 acres.

**B. Parcel legality**

2. The original five-lot subdivision was approved in January 2010.

### **C. Authority**

3. §17.02.030 [E] Authority for Land Use Actions – The Planning Commission is authorized to act as the Land Use Authority for subdivision amendments. *See conclusion #1.*

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

4. §16.04.080 [A] Water Requirements – A domestic, approved water right is required for each of the lots. There is an existing single-family dwelling on Lot 5 and an approved domestic water right share for Lot 4 (#25-10920/a40515) through the Paradise Irrigation Company.
5. §16.04.080 [B] Sewage Requirements – As no new lots are being proposed, the applicant is not required to provide a septic system feasibility letter for this subdivision.
6. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #1*

### **E. Access**

7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
9. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
  - a. The layout of proposed roads;
  - b. An analysis of existing roadway compliance with the Road Manual requirements;
  - c. Existing maintenance;
  - d. And any additional impacts to the proposed development access roads.
10. The Road Manual specifies the following:
  - a. §2.1-A-3 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
  - b. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
  - c. §2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
11. Table A-8 Typical Cross Section Structural Values: The minimum structural composition for gravel roads requires 14” depth of granular borrow, 6” depth of road base, and paved roads required an additional 2.5” depth of asphalt.
12. A basic review of the access to the existing lots identifies the following:
  - a. Primary access to Lot 5 is Hwy 165, a UDOT road, and amended Lot 4 can be accessed from both Hwy 165 and 400 West, a county road.
  - b. Highway 165:
    - 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 Hwy 165 requires UDOT approval.
  - c. 400 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 including Lots 1, 2, & 3 of the existing subdivision.
    - iii. Consists of an average 22-foot paved width with 4-foot wide gravel shoulders.

- iv. Has an unknown depth and type of material under the chip and seal surface, but the Public Works Department is not requiring further road analysis given the minimal change to the previously approved subdivision.
- v. Is maintained year round

**F. Service Provision**

- 13. §16.04.080 [C] Fire Control – The County Fire District did not have any comment or concerns about the proposed boundary line adjustment.
- 14. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental had no comments on the proposed subdivision amendment. Service is provided in the area for Wednesday collection.

**G. Sensitive Areas**

- 15. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
  - a. Portions of the subdivision are located in the FEMA floodplain and the 100-foot floodplain buffer. Any structures proposed in these areas require a floodplain permit and/or elevation certificate. *See condition #2*
  - b. A canal runs through the east side of the subdivision.

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

- 16. Public notice was posted online to the Utah Public Notice Website on 20 February 2019.
- 17. Notice was published in the Herald Journal on 23 February 2019.
- 18. Notices were posted in three public places on 20 February 2019.
- 19. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 21 February 2019.
- 20. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**CONDITIONS (2)**

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

- 1. A Land Disturbance Permit is required for any future development. (*See D-6*)
- 2. Any future development located within sensitive areas may require further analysis. (*See G-14*)

**CONCLUSIONS (1)**

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Based on the findings of fact and conditions noted herein, staff recommends approval of the High Creek Subdivision 1<sup>st</sup> Amendment as:

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



PROJECT TITLE  
HIGH CREEK PROPERTIES SUBDIVISION,  
LOTS 4 AND 5 AMENDED

DATE: 27 NOVEMBER 2018  
SCALE: 1" = 40'  
DRAWN BY: [Redacted]  
CHECKED BY: [Redacted]  
APPROVED BY: [Redacted]  
PROJECT NUMBER: 18-00-003  
SHEET: 1 OF 1

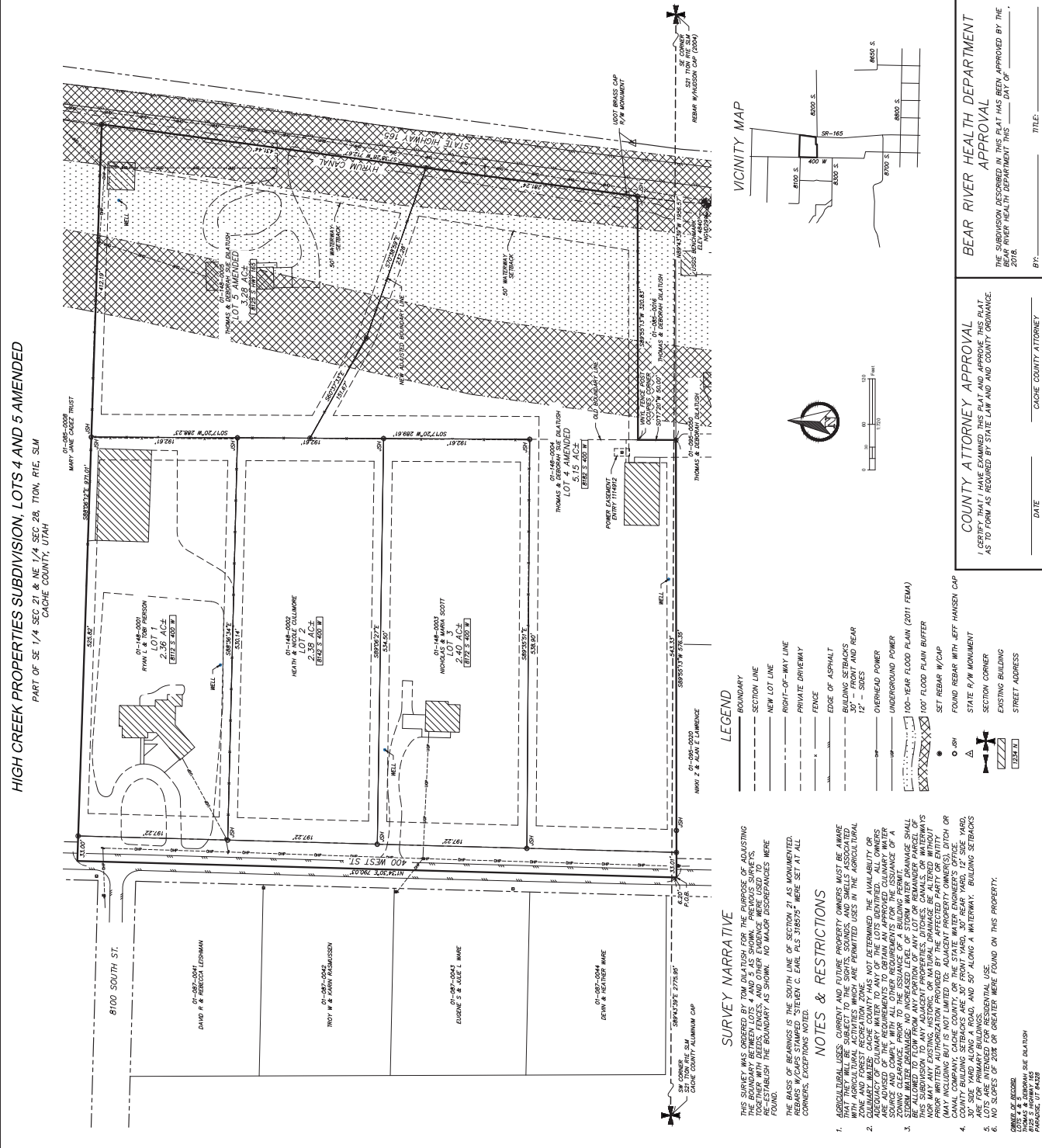
**SURVEY CERTIFICATE**  
I, STEVEN C. EARL, A PROFESSIONAL LAND SURVEYOR, HOLD CERTIFICATE NO. 31875-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN, WHICH IS ACCURATELY DESCRIBED HEREON, AND HAVE SUBMITTED SAID HIGH CREEK PROPERTIES SUBDIVISION, LOTS 4 AND 5 AMENDED, AND THAT THE SAID SUBDIVISION HAS BEEN SURVEYED AND STATED ON THE GROUND AS SHOWN ON THIS PLAN.

**LEGAL DESCRIPTION**  
PART OF THE SOUTHEAST QUARTER OF SECTION 21 AND PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 10 NORTH, RANGE 7 EAST, 6TH MERIDIAN, LOCATED IN CACHE COUNTY, UTAH, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 21;  
THENCE S89°43'39"E, 5308.72 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 21;  
THENCE N89°43'39"W, 2532.77 FEET ALONG THE SOUTH LINE OF SAID SECTION 21;  
THENCE N1°24'30"E, 7940.3 FEET;  
THENCE S7°38'28"W, 7126.67 FEET TO THE POINT OF BEGINNING;  
THENCE S89°55'17"W, 3206.83 FEET;  
THENCE S89°55'17"W, 576.35 FEET TO THE POINT OF BEGINNING;  
CONTAINING 16.17 ACRES, MORE OR LESS, AND 5 LOTS.

**OWNER'S DEDICATION**  
KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE TRACT OF LAND SHOWN ON THIS PLAN, HAVE CAUSED TO BE HEREWATER KNOWN AS THE LOTS 4 AND 5 AMENDED, FURTHERMORE, WE DEDICATE THE PORTION OF PROPERTY THAT LIES WITHIN 35 FEET OF THE CENTER LINE OF THE EXISTING ROADWAY, AND 15 FEET OF THE CENTER LINE OF THE EXISTING ROADWAY, AND 15 FEET OF THE CENTER LINE OF THE EXISTING ROADWAY, TO THE PUBLIC FOREVER, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY REPAIR OF SAID ROADWAY, INCLUDING THE CONSTRUCTION, MAINTENANCE, AND ADDITIONALLY, WE INCORPORATE ALL NOTES AND RESTRICTIONS AS LISTED HEREON.

THOMAS DULATUSH  
DEBORAH SUE DULATUSH  
STATE OF UTAH }  
COUNTY OF CACHE } §  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR 2018, BEFORE ME THOMAS DULATUSH AND DEBORAH SUE DULATUSH, PROVED ON THE BASIS OF THEIR KNOWLEDGE AND BELIEF, AND AS WITNESSES THEREOF, THEY SUBSCRIBED TO IN THIS DOCUMENT, AND ACKNOWLEDGED THEY EXECUTED THE SAME.  
NOTARY PUBLIC SIGNATURE: \_\_\_\_\_  
NOTARY PUBLIC NAME: \_\_\_\_\_  
COMMISSION NUMBER: \_\_\_\_\_  
A NOTARY PUBLIC COMMISSIONED IN UTAH

**DEPUTY COUNTY SURVEYOR**  
I CERTIFY THAT I HAVE EXAMINED THIS PLAN AND FIND THAT IT IS IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE OFFICE, AND FURTHER, IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY THE COUNTY ORDINANCE AND STATE LAW.  
DATE: \_\_\_\_\_ DEPUTY COUNTY SURVEYOR: \_\_\_\_\_  
THIS PLAN IS RECOMMENDED FOR APPROVAL/REBVAL BY THE PLANNING COMMISSION ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.  
CACHE COUNTY PLANNING COMMISSION  
CHAIR: \_\_\_\_\_  
INDEX  
FILED IN: FILE OF PLATS \_\_\_\_\_ MICHAEL GLEED, COUNTY RECORDER



**HIGH CREEK PROPERTIES SUBDIVISION, LOTS 4 AND 5 AMENDED**  
PART OF SE 1/4 SEC 21 & NE 1/4 SEC 28, T10N, R1E, S14W  
CACHE COUNTY, UTAH

**LEGEND**  
BOUNDARY  
SECTION LINE  
NEW LOT LINE  
RIGHT-OF-WAY LINE  
PRIVATE DRIVEWAY  
FENCE  
EDGE OF ASPHALT  
BUILDING SETBACKS  
30' - FRONT AND REAR  
12' - SIDES  
OVERHEAD POWER  
UNDERGROUND POWER  
100-YEAR FLOOD PLAIN (2011 FEMA)  
100' FLOOD PLAIN BUFFER  
SET REBAR W/CAP  
FOUND REBAR WITH LEFT HANSEN CAP  
STATE R/W MONUMENT  
EXISTING CORNER  
EXISTING BUILDING  
STREET ADDRESS

**SURVEY NARRATIVE**  
THIS SURVEY WAS ORDERED BY TOM DULATUSH FOR THE PURPOSE OF ADJUSTING THE BOUNDARY BETWEEN LOTS 4 AND 5, AS SHOWN. PREVIOUS SURVEYS, INCLUDING SURVEY NO. 18-00-002, HAVE BEEN REVIEWED AND FOUND TO BE CORRECT. NO MAJOR DISCREPANCIES WERE FOUND.  
THE BASIS OF BEARINGS IS THE SOUTH LINE OF SECTION 21 AS MONUMENTED. THE BEARINGS OF THE OTHER BEARS, AS SHOWN, WERE SET AT ALL CORNERS, EXCEPTIONS NOTED.  
1. AGRICULTURAL USES, CURRENT AND FUTURE, PROPERTY OWNERS MUST BE AWARE OF AND COMPLY WITH ALL APPLICABLE REGULATIONS.  
2. ZONING AND FOREST RESTRICTIONS, CURRENT AND FUTURE, PROPERTY OWNERS MUST BE AWARE OF AND COMPLY WITH ALL APPLICABLE REGULATIONS.  
3. ADEQUACY OF GULFWAY WATER TO ANY OF THE LOTS IDENTIFIED, ALL OWNERS SHALL BE RESPONSIBLE FOR OBTAINING NECESSARY PERMITS AND CLEARANCE FROM THE APPROPRIATE AGENCIES.  
4. ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF A BUILDING PERMITS, SHALL BE OBTAINED FROM THE APPROPRIATE AGENCIES.  
5. ANY CONSTRUCTION, INCLUDING OR NATURAL DRAINAGE, BE ALLOWED WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE AFFECTED PARTY OR ENTITY.  
6. THE STATE WATER ENGINEER'S OFFICE, CACHE COUNTY, UTAH, SHALL BE NOTIFIED OF ANY CONSTRUCTION, INCLUDING OR NATURAL DRAINAGE, BE ALLOWED WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE AFFECTED PARTY OR ENTITY.  
7. COUNTY BUILDING SETBACKS ARE 30' FRONT YARD, 30' REAR YARD, 17' SIDE YARD, AND 5' FRONT AND REAR YARD, AND 50' ALONG A WATERWAY. BUILDING SETBACKS ARE FOR PRIMARY BUILDINGS.  
8. LOTS ARE INTENDED FOR RESIDENTIAL USE.  
9. NO SCOPES OF WORK OR GREENTHAT WERE FOUND ON THIS PROPERTY.

**NOTES & RESTRICTIONS**  
1. AGRICULTURAL USES, CURRENT AND FUTURE, PROPERTY OWNERS MUST BE AWARE OF AND COMPLY WITH ALL APPLICABLE REGULATIONS.  
2. ZONING AND FOREST RESTRICTIONS, CURRENT AND FUTURE, PROPERTY OWNERS MUST BE AWARE OF AND COMPLY WITH ALL APPLICABLE REGULATIONS.  
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**VICINITY MAP**  
BEAR RIVER HEALTH DEPARTMENT APPROVAL  
THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.  
BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_ CACHE COUNTY ATTORNEY

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

**BEAR RIVER HEALTH DEPARTMENT APPROVAL**  
BEAR RIVER HEALTH DEPARTMENT APPROVAL  
THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.  
BY: \_\_\_\_\_ TITLE: \_\_\_\_\_  
DATE: \_\_\_\_\_ CACHE COUNTY ATTORNEY

### STAFF REPORT: DD AUTO & SALVAGE CUP 2<sup>ND</sup> AMEND.

7 March 2019

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:** David Grange

**Parcel ID#:** 05-060-0021

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

#### LOCATION

*Reviewed by Angie Zetterquist*

**Project Address:**

1976 West 200 North (SR 30)

West of Logan City

**Current Zoning:**

Industrial (I) Zone

**Acres:** 1.30

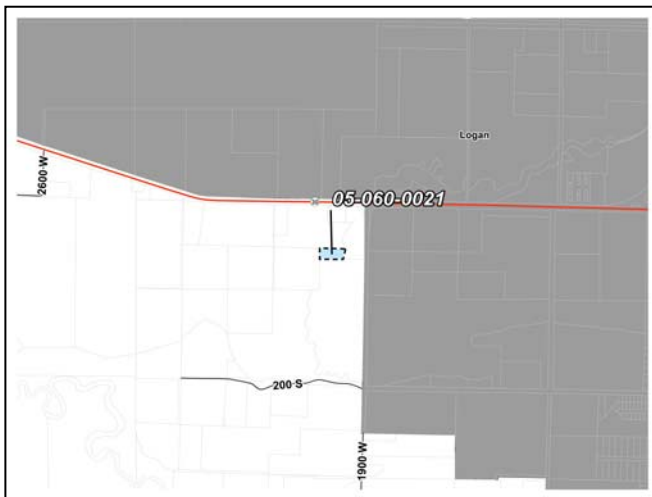
**Surrounding Uses:**

North – SR 30/Logan City; comm. & mixed use

South – Agricultural

East – Logan City; industrial and commercial zoning

West – Agricultural/Residential



#### FINDINGS OF FACT (35)

##### A. Request description

1. The DD Auto & Salvage Conditional Use Permit (CUP) 2<sup>nd</sup> Amendment is a request to expand the existing use on to an adjacent 1.30 acre parcel.
2. The County Council approved a rezone of the subject property from Commercial (C) to Industrial (I) in January 2019 and the applicant is now seeking to expand the existing CUP to include this parcel.
3. Per information from the Recorder's Office, the subject property was unclaimed land that was not identified in the legal descriptions for any adjacent properties. As a result, the applicant quit claimed the property to himself in February 2018. The quit claim deed stated the unclaimed property would become part of parcel 05-059-0012, also owned by the applicant. However, due to a pending Conditional Use Permit on that parcel, the unclaimed piece could



not be added to it without impacting the CUP. Consequently, the unclaimed property was then divided from 05-059-0012 and the current parcel number was created. As the property was divided without land use authority, the subject property is considered restricted. The restriction can be resolved by amending the CUP to incorporate the expanded boundary and combining this piece with 05-059-0012. **See condition #1**

4. The applicant had previously been in violation of the County Land Use Ordinance as the existing salvage yard had been expanded without the review or approval of the Land Use Authority. An amendment was approved by the Planning Commission in September 2017 and the permit recorded, with the use in compliance with all conditions of approval, on 7 September 2018. One of the conditions of approval of the previously approved amendment was to remove all storage off of the subject property, which was completed, but recent aerial imagery shows vehicle storage may have resumed without approval.
5. The letter of intent for the subject 2<sup>nd</sup> Amendment request of the DD Auto & Salvage Conditional Use Permit (CUP) is attached (Attachment A) and simply states the new parcel is being added to the existing scrap yard operations. There are no structures planned for this property and screening is in place. **See condition #2**
6. As the current letter of intent refers back to the existing and approved use, the letter of intent for the DD Auto & Salvage CUP 1<sup>st</sup> Amendment reflects the full scope of operations and the following phased improvements. It is attached for reference and used to describe the full scope of operations at the facility. (Attachment B): **See condition #2**
  - a. Phase I: 0-3 years
    - i. Security screening/fencing along the property lines adjacent to Highway 30 and 1900 West, and also along the south and west property lines.
    - ii. Signage will be located at the northwest corner of the salvage yard at the entrance to the property along Highway 30, and at the northeast corner of the salvage yard.
    - iii. SR-30 access improvements.
    - iv. A 6,000 square foot truck and storage shop.
    - v. The piping of the existing slough from 1900 West to the southern extent of the property. **See condition #3.**
  - b. Phase II: 3-10 years
    - i. A 12,000 square foot main office building (central) that will function as an office, warehouse, and retail pick-n-pull parts counter.
    - ii. A 7,500 square foot shop and storage building (west).
    - iii. An open face steel building to house new lift racks and the environmental equipment used in the removal of liquids from vehicles.
    - iv. A 3,200 square foot temporary office.
    - v. A 6,000 square foot storage building.

**B. Conditional Uses *See conclusion #1***

7. §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.

**C. Compliance with law *See conclusion #1***

8. 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. *See conclusion #1*
  - 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. *See conclusion #1*
9. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. *See conclusion #1*
10. Parcel 05-060-0021 has been determined to be a restricted parcel as discussed above and in the staff report for the rezone request. In order to lift the restriction, the parcel must be combined with 05-059-0012 prior to recordation of the CUP. *See condition #1*
11. §17.07.030, Use Related Definitions defines this use as “3400 Storage and Warehousing, and also specifically as #2. Salvage Yard.”
12. §17.07.040, Definitions, defines “3400 Storage and Warehousing” as, “A structure(s) containing storage space(s) of varying sizes that are affiliated with a commercial or industrial uses. Such facilities are to be used for dead storage only. No business activities may be conducted from a storage facility other than those that are clearly ancillary to the primary business.”
  - a. Item #2 “Salvage Yard” is further defined as, “A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material or equipment. Scrap or discarded material includes but is not limited to metal, paper, rags, tires, bottles, motor vehicle parts, machinery, structural steel, equipment, and appliances. The term includes facilities for separating trash and debris from recoverable resources, such as paper products, glass, metal cans, and other products which can be returned to a condition in which they may again be used for production.”
13. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Industrial (I) Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.
14. The Highway Beautification Act of 1965 required that junkyards along identified highways must be screened. 200 North (SR 30) is one of those highways.
15. UCA §72-7-205 Conditions for licensing of junkyard within 1,000 feet of highway, specifies that, “The department [UDOT] may not grant a license for the establishment, maintenance, or operation of a junkyard within 1,000 feet of the nearest edge of the right-of-way of any highway on the interstate or primary systems unless the junkyard is:
  - a. Screened by natural objects, plantings, fences, or other appropriate means so the junkyard is not visible from the main-traveled-way of the system;” *See condition #4*
16. §17.10.040 Site Development Standards – The required setback from the property line in the Industrial (I) Zone is 30’. The storage of material or placement of structures within the setback area is not permitted. *See condition #5*

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

17. 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.
- 18. The Master Plan, section 5.0 (Attachment B) describe DD Auto & Salvage’s process for the handling and disposal of hazardous waste and material as regulated by the Utah Department of Environmental Quality (Utah DEQ).
- 19. A UPDES General Multi-Sector Industrial Storm Water Permit was obtained for the previously approved CUP amendment (#UTR000843). The applicant must work with the State Department of Environmental Quality to obtain the required general construction permits as well as amending the industrial permit to expand the boundary. Copies of all permits must be provided to the Department of Development Services. *See condition #6*
- 20. All activities as identified within the DD Auto & Salvage CUP Master Plan amendment request are proposed to occur on parcel 05-059-0012 and outdoor storage with no structures on parcel 05-060-0021 with the condition that the parcels are merged prior to recordation. *See condition #1.*

**E. Adequate service provision *See conclusion #1***

- 21. 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.
- 22. Access: The property gains access from 200 North (SR 30).
  - 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. 200 North (SR 30) exceeds the requirements of the County Road Manual.
  - c. 200 North (SR 30) is a UDOT facility. During the previous amendment request, the applicant reviewed their access with UDOT, completed a traffic impact study, and received initial UDOT approval prior to the construction of the access. A copy of the final UDOT approval was provided to staff. The applicant should confirm that the proposed expansion will not require further improvements from UDOT. *See condition #7*
  - d. UDOT provides year round maintenance on 200 North (SR 30).
- 23. Parking:
  - a. §17.22 Off Street Parking Standards – All uses included under Use Index 3000 require a minimum of one parking space per 250 square feet, or a Parking Analysis conforming to §17.07.040 General Definitions and §17.22 Off Street Parking Standards.
  - b. The parking requirements were reviewed and approved by the Development Services Office prior to the recordation of the CUP for the 1<sup>st</sup> Amendment. As there are no new structures proposed for the expansion area, a revised parking analysis is not required.
- 24. Refuse:
  - a. The applicant has provided their process the handling of hazardous waste and materials in Attachment B, Section 5.0.
  - b. A description regarding the disposal of non-hazardous waste has not been provided. *See condition #8*
  - c. The Logan City Environment Department, Solid Waste Collection, reviewed the proposed expansion and submitted a comment opposing the amended CUP. In support of their



recommendation to deny the amended CUP, they identify the presence of sensitive areas including wetlands and irrigation/drainage ditches running through the property that need to be protected from contamination resulting from the activities of the salvage yard. At a minimum, they believe a storm water management permit with a robust pollution prevention plan should be a condition of approval. *See condition #3, #6, & #8*

25. Fire: §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable, but that future development on the property as proposed requires preliminary plan review by the County Fire District. Any future development must be evaluated and may require improvements based on the location and type of proposed development. Water supply for fire suppression would be provided by the Logan City Fire Department. *See condition #9*
26. Water: If culinary water facilities are provided, an approved, domestic water right is required.
27. Septic: If individual buildings add restrooms, the Bear River Health Department will review them when a Zoning Clearance application has been submitted.

**F. Impacts and mitigation *See conclusion #1***

28. 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.”
29. 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.
30. Known or reasonably anticipated detrimental effects of the use are as follows:
  - a. Visual: *See condition #5*
    - i. As per the Highway Beautification Act of 1965 and UCA 72-7-205 the use must be screened so that the junkyard is not visible from 200 North (SR 30).
    - ii. There is screening present, corrugated metal panels, around the expanded area to screen the yard from 1900 West.
    - iii. Previously, the applicant has screened the property along 200 North (SR 30) with an 8’ high concrete wall.
    - iv. A 6’ high concrete wall has been installed on the south property line, and a chain link and concrete wall has been installed on the west property line.
    - v. A stacking plan has been provided as part of the Master Plan.
    - vi. The Master Plan references that a berm on the adjoining property adequately screens the use from east.
  - b. Noise: Hours of operation for the use are unknown, however the business Facebook page indicates business hours of 8:00 a.m. to 5:30 p.m. It is not anticipated that the existing or proposed use would create detrimental amounts of noise, and that existing and required screening may adequately mitigate any significant detrimental effect.
  - c. Traffic: Based on the completed traffic impact study a low level of site generated traffic is anticipated, and therefore traffic is not likely to have a significant detrimental effect.

**d. Sensitive Areas:**

- i.** FEMA FIRM Floodplain has been identified on portions of the parcels proposed for rezone. Any future development within the floodplain must meet current Code requirements.
- ii.** Based on USFWS identified Wetlands mapping that identified possible wetlands present on portions of the parcels proposed for rezone, a wetland delineation was completed that confirmed the actual wetland locations. *See condition #3*

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

- 31.** Public notice was posted online to the Utah Public Notice Website on 20 February 2019.
- 32.** Notice was published in the Herald Journal on 23 February 2019.
- 33.** Notices were posted in three public places on 20 February 2019.
- 34.** Notices were mailed to all property owners within 300 feet of the subject property and Logan City 21 February 2019.
- 35.** At this time, the Development Services Office has received one written opposition comment from the Logan City Environmental Services. (Attachment C)

**CONDITIONS (9)**

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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 merge the subject property, parcel #05-060-0021, with the adjacent parcel, #05-059-0012, to remove the restriction. (*See A-3, C-10, D-20*)
- 2.** The applicant must abide by the site plan and construction specifications as submitted to the Cache County Development Services Office. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. (*See A-5, A-6*)
- 3.** All development, construction, or work activity within the identified wetland areas and the slough must cease, and prior to recording the permit, a copy of any required amended state and federal permits must be provided to the Development Services Department for any proposed development action to be taken in the identified wetland areas. (*See A-6-a, E-24-c, F-30-d-ii*)
- 4.** The existing screening must be maintained in good condition and repaired as necessary. Any screening that is removed must be replaced with screening reviewed and approved by the Development Services Office. (*See C-15-a, F-30-a*)
- 5.** The required setback from the property line in the Industrial (I) Zone is 30'. The storage of material or placement of structures within the setback area is not permitted. (*See E-16*)
- 6.** Prior to recordation, the applicant must work with the State Department of Environmental Quality to obtain all necessary permits including, but not limited to, a general construction permit and an amended industrial permit for the operation of a salvage yard. Copies of all required permits must be submitted to the Development Services Office. (*See D-19, E-24-c*)
- 7.** Prior to recordation, the applicant must confirm with UDOT that no additional improvements are required to the access off of 200 North (SR-30) as a result of the proposed expansion. The applicant must notify the Development Services Office of the result of the UDOT review. (*See E-22-c*)
- 8.** Prior to recording the permit, a description regarding the disposal of non-hazardous waste must be provided to the Development Services Department. (*See E-24-c*)
- 9.** Future development on the property requires preliminary plan review by the County Fire District. Any future development must be evaluated and may require improvements based on the location and type of proposed development (*See E-25*)

## CONCLUSIONS (2)

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Based on the findings of fact and conditions noted herein, staff recommends approval of the DD Auto & Salvage Conditional Use Permit 2<sup>nd</sup> Amendment as:

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 C, D, E, F*)
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, and; (*See C-10*)

Letter of intent

January 31, 2019

My intent with this application is simply to add this parcel # 05-060-0021 to our existing scrap yard and operations. We have previously had the zoning changed to fit the use requirements. All screening requirements have already been affected and should be ready for this action.

*There will be no structures planned. it will be used for storage.*

Sincerely,

David Grange

435-994-2268

# Letter of Intent

December 5, 2016

DD Auto & Salvage;

We at DD Auto have been involved in acquiring a CUP on parcel # 05-059-0012. This effort has evolved to the point where it is necessary to reapply. This parcel is a combination of several parcels. It is all zoned commercial but part of it has had a recorded CUP for several years. The remainder of this parcel has been secured and screened as well as other requirements completed or in progress as set forth by county requirements.

We have also been upgrading and using a small part of parcel # 05-060-0001 as part of an agreement that was on our previous request for CUP. We plan to abandon and discontinue use of this property and application for this Parcel.

I was very pleased with the support that the County Council exhibited on sept. 27, 2016 where I was assured that this process was necessary and would proceed smoothly.

Sincerely,

A handwritten signature in cursive script that reads "David Grange".

David Grange

**MASTER PLAN**

**FOR THE**

**DD AUTO & SALVAGE EXPANSION**  
**CONDITIONAL USE PERMIT**

*PREPARED FOR:*

*CACHE COUNTY CORPORATION*

*&*

*DD AUTO & SALVAGE*  
*LOGAN, UTAH*

*PREPARED BY:*

CACHE-LANDMARK ENGINEERING  
1011 WEST 400 NORTH MAIN SUITE 130  
LOGAN, UTAH 84321

PHONE: (435) 713-0099

FAX: (435) 713-0055

CL Project #16082GRA

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- 4.0 SCREENING**
- 5.0 HAZARDOUS MATERIALS AND ENVIRONMENTAL QUALITY**
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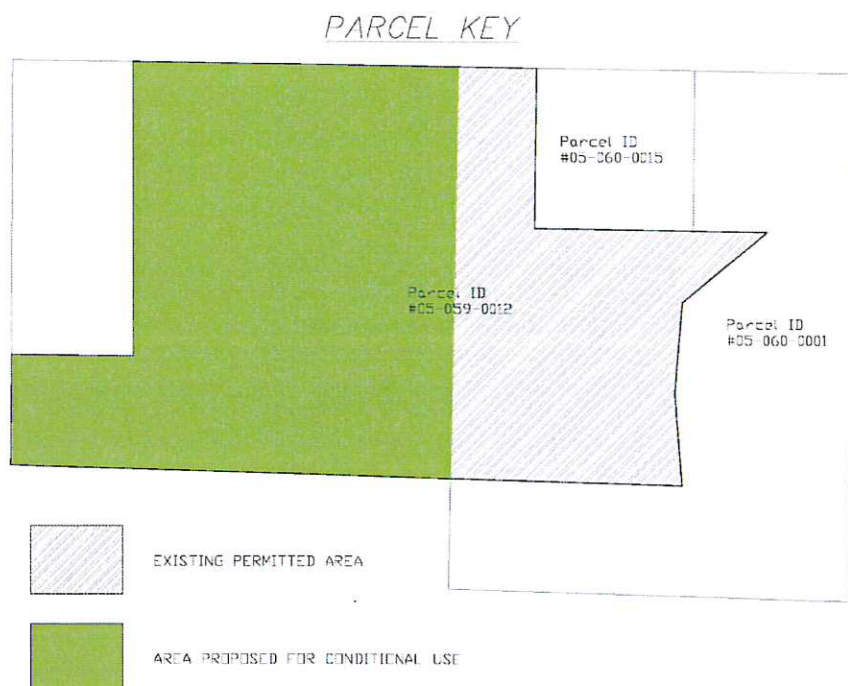
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- SHEET MP1.2 – DD Auto & Salvage Warehouse Elevation Concept

**APPENDIX B – DECEMBER 2011 VISUAL IMPACT ANALYSIS**

**APPENDIX C – UDOT ACCESS APPROVAL LETTER**



*Figure 1.1: Current Existing and Proposed Conditional Use Area*

## 1.0 Project Location, Purpose and Need

### Project Area and Existing Zoning

The proposed project area consists of parcel (Tax # 05-059-0012) which contains both currently permitted area and proposed area for conditional use.

This parcel was previously divided as shown in Figure 1.2 to show the existing permitted parcel and the parcel proposed for conditional use. Three (3) parcels (Tax #'s 05-060-0017, 05-060-0014, 05-060-0016) were combined to the current parcel #05-059-0012 which had existing conditional use permits for existing salvage yard activities and uses, as well as permits for construction and use of two (2) storage buildings, one (1) office building and a trailer.

The master plan is part of a conditional use application to expand the salvage yard use to the extents of parcel #05-059-0012 as identified in Figure 1.1. A boundary line adjustment was completed as part of this process, and the current parcel configuration is as shown in Figure 1.1.

### Purpose and Need

DD Auto & Salvage has been experiencing exceptional growth. In response to this growth, DD Auto & Salvage has looked at ways to streamline their operations and to



make improvements to existing facilities that will increase security, decrease processing time, decrease potential for environmental contamination, and improve employee safety.

## 2.0 Project Description, Proposed Improvements and Phasing

### Project Description

The DD Auto & Salvage project can be described as a planned improvement/upgrade project anticipated to continue over the next several years. The overall plan outlines the addition of offices, maintenance buildings, car racks and covered areas throughout site, organized in a manner that will improve the efficiency of the auto salvaging process. The operation also requires that several areas be defined and secured for different uses/operations. A perimeter fence along State Road 30 has been installed to improve security, but also provides a visual screen to the operation. Interior site circulation will be expanded providing new gravel driveways to access the new structures and parcels. It is also proposed to pipe the existing slough that runs through the property.

### Proposed Improvements, Phasing and Cost

A list of specific improvements has been provided below in Table 2.1 with phasing and an estimated improvement cost. The proposed improvements identified in the Table can be referenced on the proposed site plan (See Appendix A). The anticipated timeline for completion of each phase is as follows:

Phase I	–	0-3 years
Phase II	–	3-10 years

<u>Proposed Improvement</u>	<u>Description</u>	<u>Phase</u>	<u>Est. Cost</u>
Security/Screen Fencing	SR 30 – 1900 West (limited) Interior Yards See Appendix A	I	(Completed)
SR 30 Access Improvements	See Appendix A	I	(Completed)
Truck Storage & Shop (Central)	6,000 s.f.	I	\$330,000
Piping Existing Slough	See Appendix A	I	\$29,700
Main Office Building	Pick and Pull Office 12,000 s.f. See Appendix A	II	\$660,000
Shop and Storage Building (West)	7,500 s.f.	II	\$412,500
New Lift Racks	See Appendix A	II	\$2,000
Temporary Office	3,200 s.f.	II	\$224,000

Table 2.1 – Proposed Improvements, Phasing and Cost

### 3.0 Property Access, Circulation and Permitting

#### Existing Property Access and Circulation

Existing access to the project area is through shared driveway access with parcel #05-060-0015 (not a part of the existing operation or this application). Access is directly from State Road 30 (200 North Street) which is managed by Utah Department of Transportation (UDOT). This is the only access to the salvage yard for pick up, delivery and customer traffic. All turn around areas are interior to the individual parcels.

#### Access Permitting

A pre-application meeting was conducted with UDOT and the CMPO on September 15, 2010. The meeting identified the need for a UDOT Access Permit to be required as part of the project and identified any private driveway spacing to be 500' or greater from any existing driveways or roads. The "Grant of Access Application" can be downloaded at <http://www.udot.utah.gov/main/!uconowner.gf?n=200509151531031>.

A Category II Traffic Impact Analysis was completed for the study area extents identified from 1900 West Street to 2100 West Street. This study was submitted to UDOT as part of an access permit and variance request. The permit application was approved with conditions (See Appendix C). All conditions identified by UDOT were satisfied prior to commencement of access improvements.

### 4.0 Screening

#### Highway Beautification Act of 1965

The Highway Beautification Act of 1965 required salvage yards along Interstate corridors and primary highways to be screened. State road 30 is identified as a primary highway by the state of Utah. The Utah Code reads (72-7-205):

*The department (UDOT) may not grant a license for the establishment, maintenance, or operation of a junkyard within 1,000 feet of the nearest edge of the right-of-way of any highway on the interstate or primary systems unless the junkyard is:*

- (a) screened by natural objects, plantings, fences, or other appropriate means so the junkyard is not visible from the main-traveled-way of the system;*

An 8' screen fence has been completed around the northern perimeter of the property. The location of the screen fence and a north elevation view can be found in Appendix A. The intent is to screen the salvage operation from the view of travelers along State Road 30. A 6' concrete panel has also been installed on the south property line, and both a chain link and concrete wall on west property lines as well. The stacking plan identified as part of Appendix A is conceptual only. DD Auto & Salvage is screened along 1900 West by an existing berm of fill material created by an adjacent property owner.

## 5.0 Hazardous Materials and Environmental Quality

The process of auto salvage is a resource that works to limit the environmental impacts of automobiles. The process involves the dismantling and segregating of various automobile components for disposal and/or resale. DD Auto & Salvage is an intermediary in the salvaging process; they offer primary stripping services, a pick-n-pull yard for resale of used auto parts and shipment of vehicles to Western Metals in Plymouth, Utah to be shredded and recycled. Several of the component parts of an automobile require sensitive handling and proper disposal. The topics and materials identified below are part of the DD Auto & Salvage operations and are regulated by the Utah Department of Environmental Quality (UDEQ). A brief description of DD Auto & Salvage's current operations and practices are described as follows:

### Unused Fuels

Unused fuels are collected from each vehicle and stored in above ground containers onsite. Most of the fuel is used by DD Auto & Salvage to operate equipment and company vehicles. This fuel is used on a daily basis and eliminates the need for disposal.

### Other Fluids

Several other fluids and gases are collected from vehicles as a requirement prior to sending to the shredder. All collected fluids are stored and disposed of in accordance with Utah DEQ standards and industry best management practices (BMPs).

### Batteries

All batteries are removed from salvaged vehicles prior to shredding. These batteries are typically removed by DD Auto & Salvage and stored onsite. They are delivered to an appropriate battery disposal site twice a year.

### Tires

Because of the environmental concerns with storing large stockpiles of old tires the preferred method for tire storage and disposal is to leave them on the cars and send them to Western Metals to be shredded with the entire automobile. The secondary method when tires have been segregated is to stockpile them and then ship them to Utah Tire Recyclers in Salt Lake City, Utah.

### Oils

All used oils are collected and stored in 500 gallon tanks above ground. Much of this oil is provided to local industries who can dispose of it through burning in specially designed furnaces. Some oil left in cars prior to shredding is an industry best management practice. This oil serves to lubricate the shredder and can ease the shredding process.

### Storm Water

Storm water runoff is one of the most pervasive methods that contaminants are transferred from a salvage facility to the surrounding landscape. DD Auto & Salvage has recently installed concrete on the ground plane of the vehicle processing area. This impervious surface prevents infiltration of pollutants and conveys all pollutants to an inlet

and oil separation trap. DD Auto & Salvage has a current UPDES General Multi-Sector Industrial Storm Water Permit.

#### Accidental Spill Clean Up Procedure

In the event that there is an accidental spill within the salvage yard property, the following steps will be followed to clean it up and to prevent contamination of adjacent lands and waters.

1. Manufacturer's recommended methods for spill cleanup will be clearly posted near the primary location of the hazardous material.
2. Site personnel will be made aware of all the hazardous materials and the procedures for handling and clean-up.
3. Materials and equipment necessary for spill cleanup will be kept in the material storage area onsite.
4. All spills will be cleaned up immediately after discovery.
5. The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
6. Spills of toxic or hazardous material will be reported to the appropriate State or local agency.
7. A spill prevention log will be kept to log the description of the spill, what caused it, and the cleanup measures; measures to prevent this type of spill from recurring will also be noted.

### **6.0 Sensitive Lands**

Some sensitive lands have been identified within the project area. It is anticipated that there are wetlands associated with the existing slough that is proposed to be piped as part of this project. The required wetland delineation has been prepared for this area and submitted to the U.S Army Corp of Engineers (USACE) for a jurisdictional determination (JD). In addition to the wetland delineation a stream alteration permit application has been prepared and submitted to the Utah Division of Water Rights. All requirements of these organizations will be met regarding mitigation for impacts to existing wetlands.

### **7.0 General Maintenance**

The salvage yard shall be maintained in accordance with industry standards and will meet the regulations regarding hazardous material disposal and environmental quality as identified in Section 5.0. The general salvage yard areas will be used to store scrap metal and salvage vehicles as necessary to facilitate the demand of the operation. The stacks or piles of salvage material shall not exceed the heights identified in the Stacking Plan MP1.1B. The primary access through the site will be maintained free and clear of salvage material.

**APPENDIX – A: MASTER PLAN DRAWINGS**

MP1.0 – DD Auto & Salvage Site Plan

MP1.1A – DD Auto & Salvage Screening Section/Elevations

MP1.1B – DD Auto & Salvage Stacking Plan

MP1.2 – DD Auto & Salvage Warehouse Elevation Concept





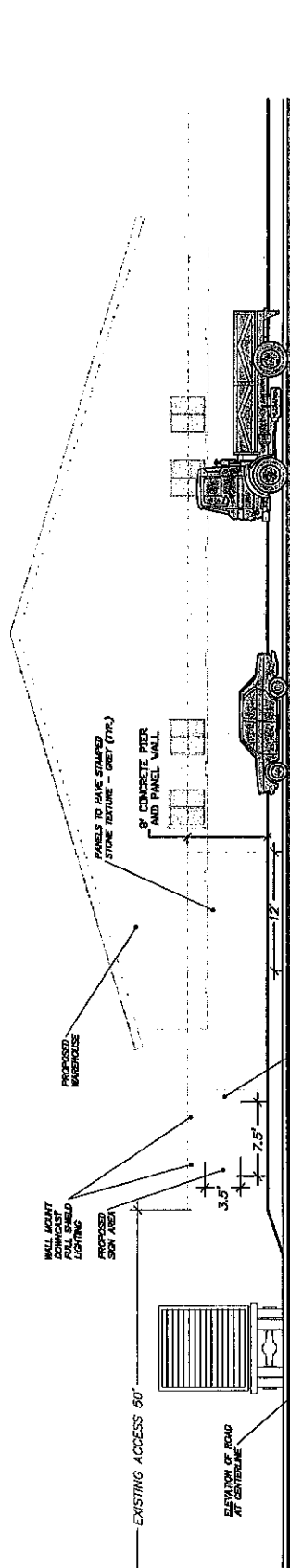
DD AUTO & SALVAGE  
SCREENING SECTION/ELEVATIONS

DD AUTO & SALVAGE  
CONDITIONAL USE PERMIT APPLICATION  
1916 W. 20th NORTH STREET  
LOGAN, UT 84321

PROJECT TITLE  
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LOGAN, UT 84321  
L.S. # 117,242  
48371A.0099

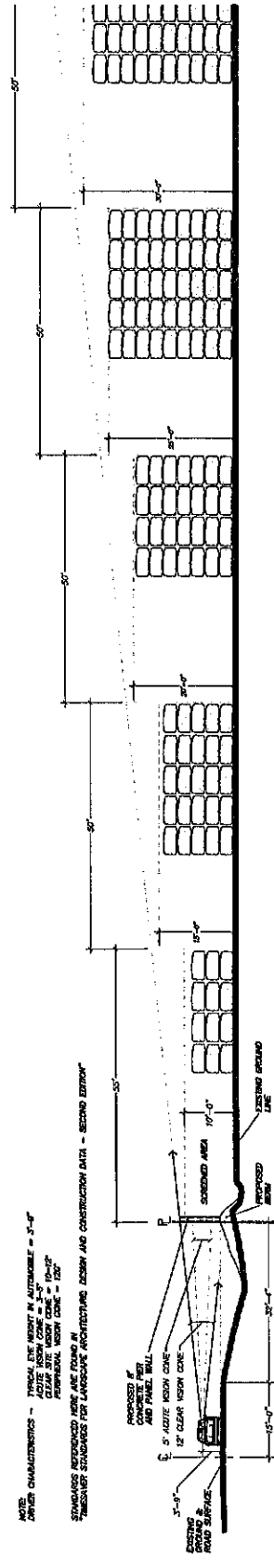
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DRAWN BY:  
CHECKED BY:  
PROJECT NUMBER:  
SHEET NUMBER:  
SHEET TOTAL:

MP1.1A



ELEVATION A - TYPICAL WALL AND SIGNAGE

NTS



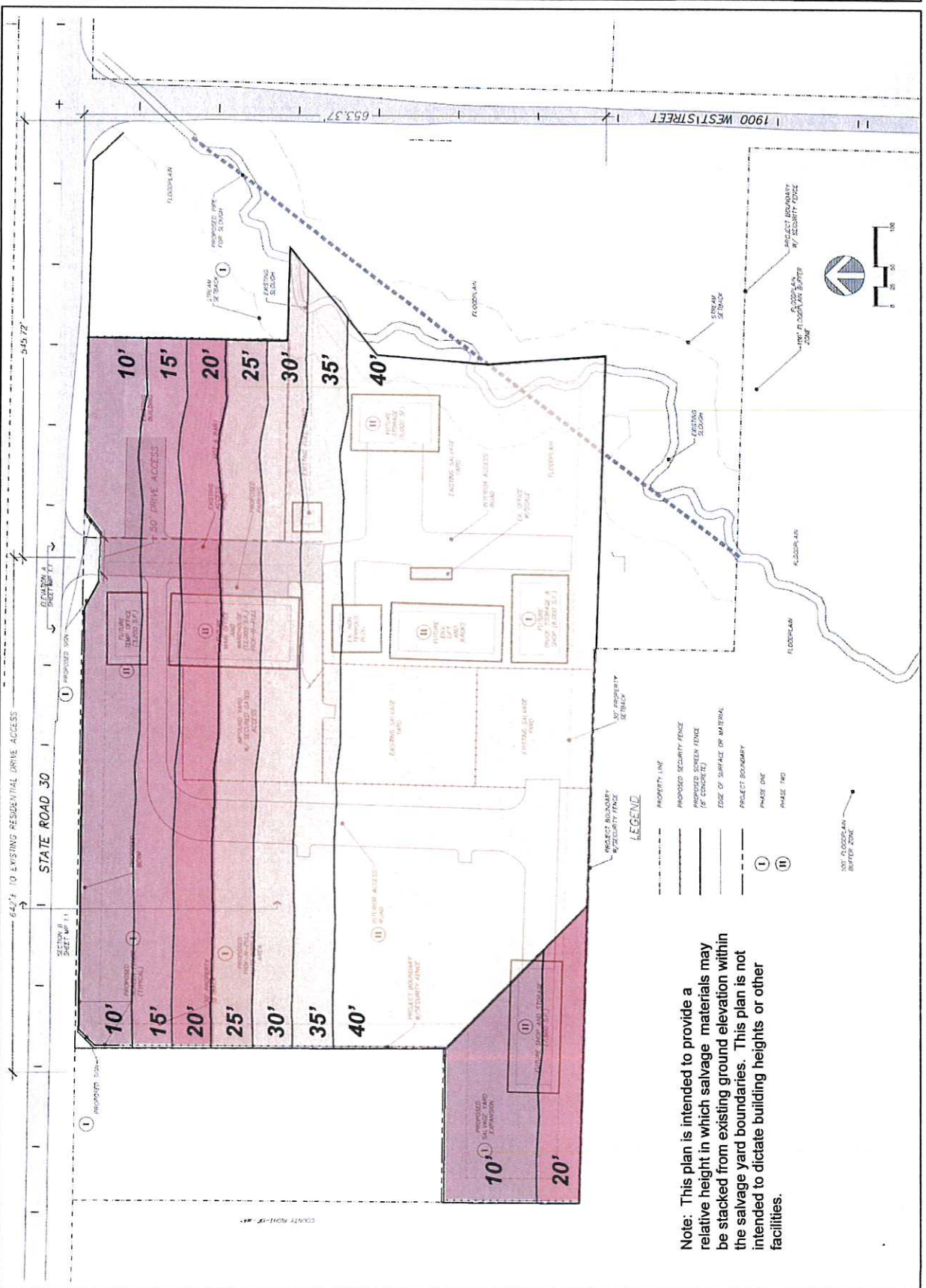
SECTION B - STACKING CROSS-SECTION

NTS

NOTE:  
ANOTHER CHARACTERISTICS - TYPICAL EYE HEIGHT IN AUTOMOBILE = 5'-0"  
CLEARANCE HEIGHT TO SIGN TOP = 10'-0"  
CLEARANCE HEIGHT TO SIGN BOTTOM = 12'-0"

STANDARD SIGNPOSTS ARE TO BE USED FOR SIGNAGE. PROVIDE SIGNAGE DESIGN AND CONSTRUCTION DATA - SECOND EDITION

	DD AUTO & SALVAGE STACKING PLAN	DD AUTO & SALVAGE 1976 W. 200 NORTH STREET LOGAN, ILL. 63121	C	CITY OF ST. LOUIS DEPARTMENT OF PLANNING AND DEVELOPMENT 1417 MARKET STREET ST. LOUIS, MISSOURI 63103 TEL: 314-241-2311 FAX: 314-241-2311	PROJECT NUMBER: SHEET NUMBER: SHEET TOTAL: DATE:	MPT 11B
	COUNTY NORTH ST. LOUIS	DD AUTO & SALVAGE 1976 W. 200 NORTH STREET LOGAN, ILL. 63121		PROJECT NUMBER: SHEET NUMBER: SHEET TOTAL: DATE:		



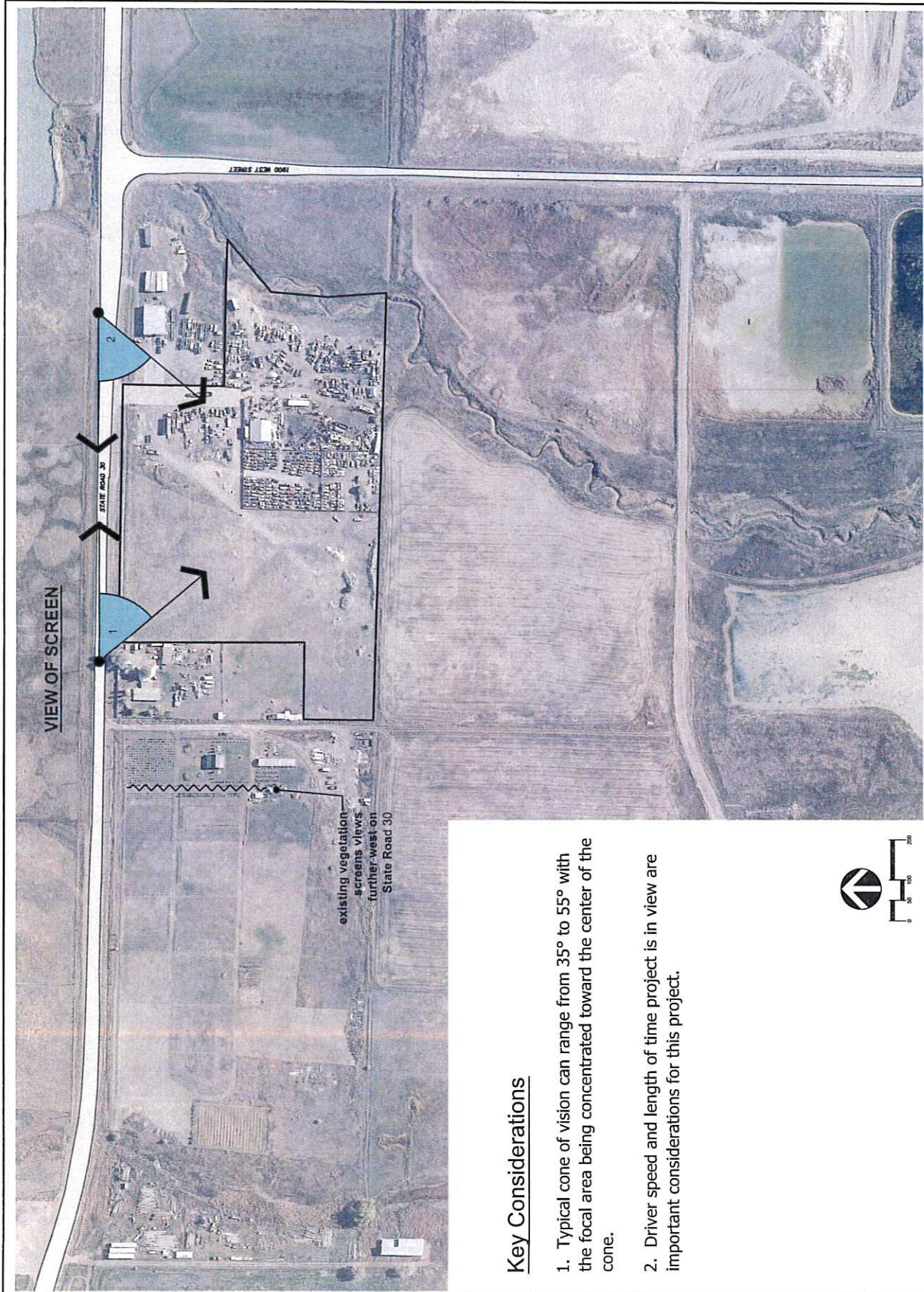




**APPENDIX – B: DECEMBER 2011 VISUAL IMPACT  
ANALYSIS**

	Cedar Creek Civil & Landmark Surveyors 1001 W. 40th N. Logan, UT 84321 Phone: 435-751-1100 Fax: 435-751-1105
	PROJECT TITLE: DD AUTO & SALVAGE CONDITIONAL USE PERMIT APPLICATION 1976 W. 200 NORTH STREET LOGAN, UT 84321
DATE: 27 FEBRUARY 2017	SCALE: 1" = 100'-0"
CALCULATED BY: J. WALKER	DRAWN BY: J. WALKER
CHECKED BY: J. WALKER	PROJECT NUMBER: 1503000001
SHEET: VOS	SHEET: VOS

DD AUTO & SALVAGE  
 Key Observation Point Locations



Key Considerations

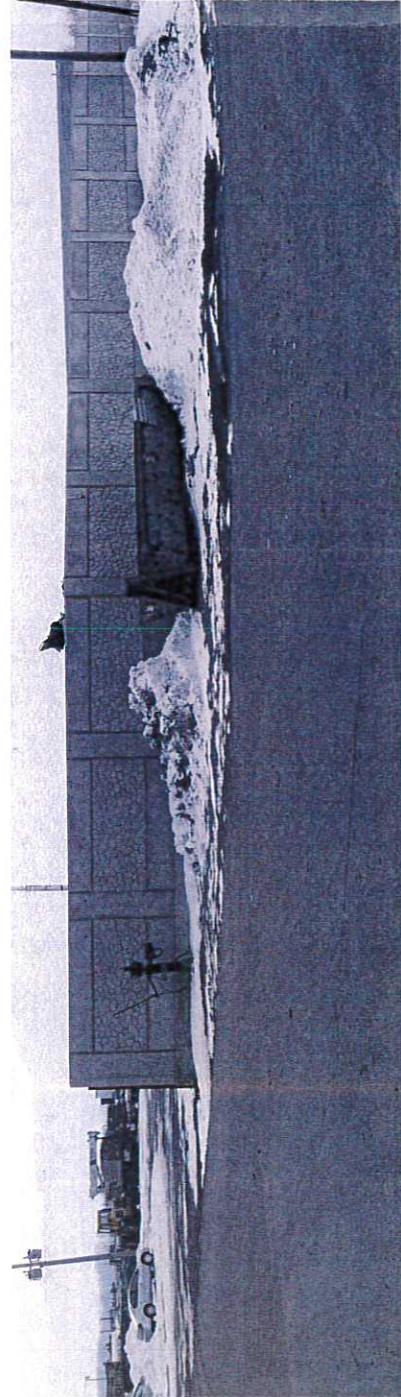
1. Typical cone of vision can range from 35° to 55° with the focal area being concentrated toward the center of the cone.
2. Driver speed and length of time project is in view are important considerations for this project.



View of Screen #1



View of Screen #2



CACHIE LANDMARK

C

**APPENDIX – C: UDOT ACCESS APPROVAL LETTER**



State of Utah

GARY R. HERBERT  
Governor

GREG BELL  
Lieutenant Governor

DEPARTMENT OF TRANSPORTATION

JOHN R. NJORD, P.E.  
Executive Director

CARLOS M. BRACERAS, P.E.  
Deputy Director

September 29, 2011

Joseph Perrin, PhD, P.E., PTOE  
A-Trans Engineering  
P.O. Box 521651  
Salt Lake City, UT 84152

RE: **SR-30, D&D Auto and Salvage in Logan**  
**ID# 11-059**

Dear Mr. Perrin:

The UDOT Region One Engineering staff has reviewed and **approved the variance request only** for an access of **SR-30, D&D Auto and Salvage in Logan**. Before final approval can be granted the following items must be addressed in writing and resubmitted to the UDOT Region One Permits Office for review and approval:

- The site plan shows that the access between 1900 West and the shared access will be closed.
- The closure should be shown on the buildable plan set, and the variance approval is based on the closure of the access.
- Provide a buildable plan set and copy of access application which must be signed by the property owner.

If you have any further questions or concerns, please contact me at 801-620-1604.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tommy H. Vigil", with a horizontal line extending to the right.

Tommy H. Vigil,  
Region Right of Way Control Coordinator

THV/rjg

cc: Kris Peterson, P.E.  
Darin Duersch, P.E.  
Darin K. Frstrup, P.E.  
Kelly Barrett, P.E.  
Val Stoker

To: Angie Zetterquist, Cache County Development Services

From: Steve Larsen, Logan City Environmental Department (Solid Waste Collection)

Date: February 14, 2019

Re: February 12, 2019 Development Project Review Comments

1. High Creek Properties Subdivision 1<sup>st</sup> Amendment, 8125 South Hwy 165, Paradise (Tax ID 01-148-0004, 0005): No comments on lots 4 and 5 boundary adjustment. All residential carts will need to be placed on Hwy 165 for Wednesday collection. Provide sufficient shoulder space along the side of the road for all refuse and recycle containers to be placed 3 to 4 feet apart and be far enough off the road so they don't interfere with passing traffic.
2. DD Auto & Salvage Conditional Use Permit 2<sup>nd</sup> Amendment, 1976 West 200 North, Logan (Tax ID 05-060-0021): A) There are wetlands and irrigation/drainage ditches running through this property that will need to be protected to prevent any contamination, etc., from DD activities. B) A storm water management permit with a robust pollution prevention plan must be a condition of approval. C) In my option the risk to the delicate environment on this property is very high for this type of business. D) We therefore recommend denial of this permit.





## **Option 2: Specific Criteria for RU2 and RU5 Rezone Requests**

As requested by the County Planning Commission and Council, the Development Services staff has prepared specific criteria to assist when considering rezone requests to the RU2 and RU5 Zones as follows:

At a minimum, each answer to the following five questions must be affirmative for a rezone to be considered for approval:

1. Is the property within the annexation area of a contiguous or adjacent municipality, and if so has the property owner considered annexation of the property and discussed the same with the municipality?
2. Is there an inability (due to a lack of services, etc.) or unwillingness by the contiguous municipality to annex the property?
3. Will the proposed zone result in the potential of three (3) or fewer additional building lots on the affected property?
4. Is the existing road network to the property maintained by the county, state, or municipality; and if access is from a municipal or state road, has the municipality or state given express written approval for the access?
5. Is the property that is proposed for rezone contiguous to a property in the same zone as proposed, or is the property that is proposed for rezone contiguous to an incorporated or unincorporated zone that is equal to or greater than the density prescribed by the proposed zone?

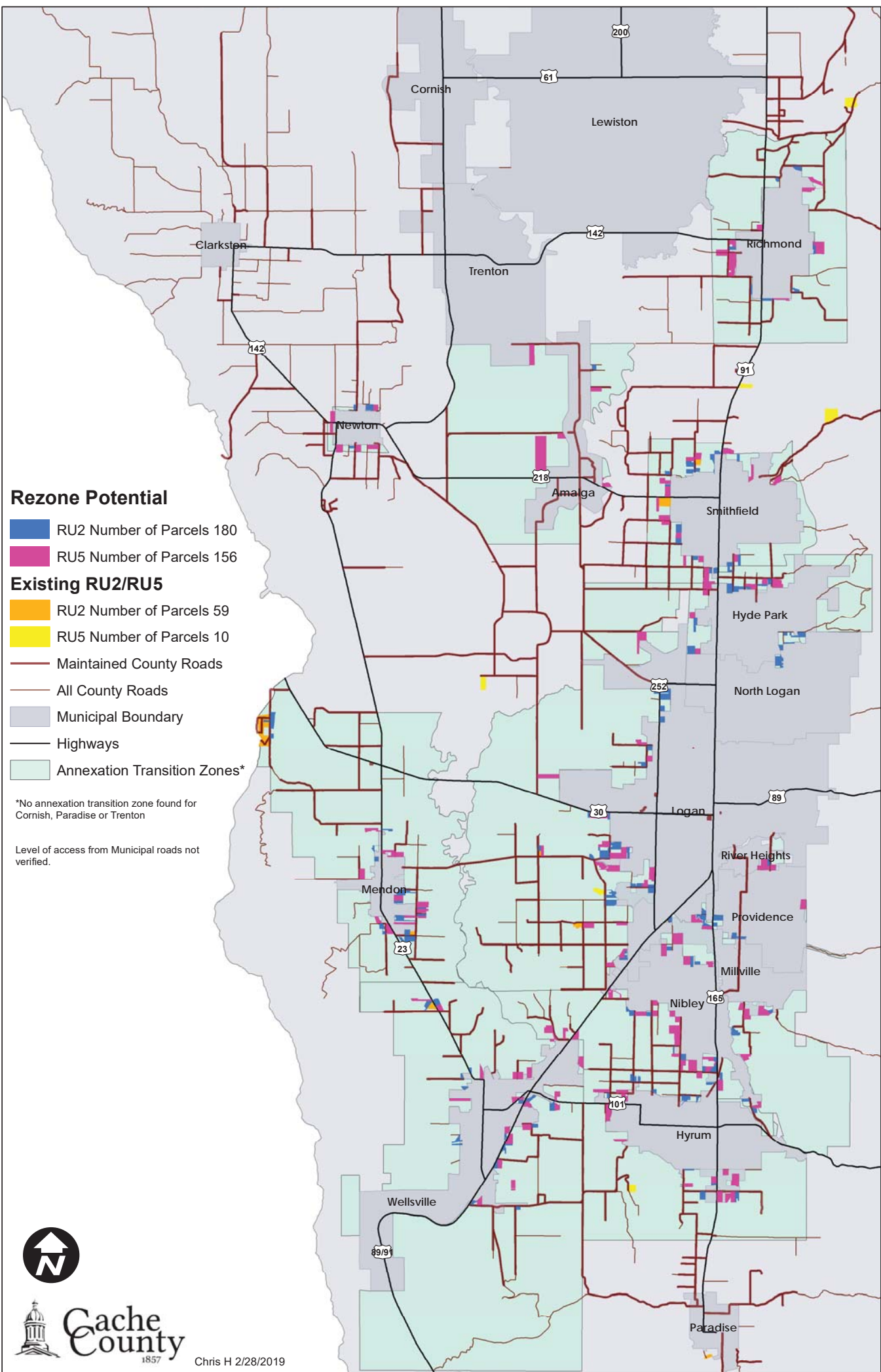
The attached map indicates where RU2 and RU5 Zones may be considered and the map has been inferred from above as follows:

### **RU2 Rezone Potential**

- 1) Property must be within annexation area of municipality.
- 2) Property must be greater than 4 acres and less than 8 acres in size, excluding acreage with steep slopes, wetlands, open water, zones 1 and 2 of source water protection areas, and public rights-of-way.
- 3) Property access must be maintained by Cache County, or have access to a state or municipal road.
- 4) Property must be contiguous to the same zone in the county, or must be contiguous to a municipal boundary, or both.

### **RU5 Rezone Potential**

- 1) Property must be within annexation area of municipality.
- 2) Property must be greater than 10 acres and less than 20 acres in size, excluding acreage with steep slopes, wetlands, open water, zones 1 and 2 of source water protection areas, and public rights-of-way.
- 3) Property access must be maintained by Cache County, or have access to a state or municipal road.
- 4) Property must be contiguous to the same, or contiguous to a higher density zone in the county, or must be contiguous to a municipal boundary, or both.  
Ex: In unincorporated areas RU5 can be justified if contiguous to RU2 but not vice versa.



**Rezone Potential**

- RU2 Number of Parcels 180
- RU5 Number of Parcels 156

**Existing RU2/RU5**

- RU2 Number of Parcels 59
- RU5 Number of Parcels 10

- Maintained County Roads
- All County Roads
- Municipal Boundary
- Highways
- Annexation Transition Zones\*

\*No annexation transition zone found for Cornish, Paradise or Trenton

Level of access from Municipal roads not verified.

