



**PUBLIC NOTICE** is hereby given that pursuant to the Governor’s Executive Order 2020-1, the Cache County Planning Commission will hold an **ELECTRONIC PUBLIC MEETING on THURSDAY, FEBRUARY 4, 2021**, via **ZOOM** Webinar at the following link:

<https://us02web.zoom.us/j/84025810790?pwd=b2gxUmQrMEY5VERNd0pTdExkT0tFQT09>

Instructions for downloading and using **ZOOM** can be found at <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting> If you have downloaded ZOOM, you may join the meeting by using Webinar ID: 840 2581 0790

**5:30 p.m.**

Call to order

Opening remarks/Pledge – Brady Christensen

Review and approval of agenda

Review and approval of the minutes of the 7 January 2021 meeting

**5:35 p.m.**

**Consent Items**

1. **Spring Creek Acres Subdivision** – A request to create a new 2-lot subdivision with an agricultural remainder on 40 acres located at ~1544 South 3200 West, near Logan, in the Agricultural (A10) Zone.

**Regular Action Items**

2. **Public Hearing (5:35 PM): Cache Valley Compost Facility** – A request to add the Public Infrastructure (PI) Overlay Zone to a 47-acre parcel located at ~1400 North 3200 West, near Logan, in the Agricultural (A10) Zone.
3. **Public Hearing (5:45 PM): Fritz Tower Rezone** – A request to add the Public Infrastructure (PI) Overlay Zone to a portion of a 5-acre property located at 1478 West 6710 South, near Hyrum, in the Agricultural (A10) Zone.
4. **Public Hearing (5:55 PM): Dry Canyon Estates Rezone** – A request to rezone 20 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at ~300 South 1400 East, adjacent to Smithfield. The requested RU2 Zone would allow a maximum of 10 building lots whereas the current A10 Zone would allow a maximum of 2 building lots.
5. **Public Hearing (6:10 PM): Mountain View Subdivision Rezone** – A request to rezone 6.69 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 700 South 5400 W, near Mendon. The requested RU2 Zone would allow a maximum of 3 building lots whereas the current A10 Zone would allow a maximum of 1 building lots.
6. **Discussion:** Amendments to Title 17 regarding a new use type for a small-scale slaughter facility. *Continued from 7 January 2021*

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.



**Planning Commission Minutes**

**7 January 2020**

**Item**

**Page**

**Regular Action Items**

- 1. Public Hearing (5:35 PM): A Proposed Ordinance to Repeal Resolution 2015-20, Amend the County Manual of Roadway Design & Construction Standards, and to Amend Related Provisions of the County Code ..... 2**
- 2. Discussion – Amendments to Title 17 regarding a small-scale slaughter facility ..... 3**

DRAFT

1 **Present:** Chris Harrild, Angie Zetterquist, Brandon Spackman, Jason Watterson, Brady Christensen,  
2 Phillip Olsen, Chris Sands, Matt Phillips, John Luthy, Joel Merritt, Megan Izatt

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

4 **Spackman** called the meeting to order and gave the opening remarks.

5 **05:35:00**

6 **Agenda**

7 Approved with no changes.

8 **05:35:00**

9 **Minutes**

10 *Christensen* motioned to approve the minutes from December 3, 2020; *Watterson* seconded; **Passed 5, 0.**

11 **05:35:00**

12 **Regular Action Items**

13 **#1 Public Hearing (5:35 PM): A Proposed Ordinance to Repeal Resolution 2015-20, Amend the**  
14 **County Manual of Roadway Design & Construction Standards, and to Amend Related Provisions**  
15 **of the County Code**

16 **Luthy** reviewed the proposed ordinance.

17 **Staff** and **Commission** discussed road development for single homes on large parcels.

18 **5:46:00**

19 *Watterson* motioned to open the public hearing; *Olsen* seconded; **Passed 5, 0.**

20 **Brent Lawyer** asked about paving frontage.

21 **Luthy** responded that the full frontage would be required to be improved.

22 **5:48:00**

23 *Watterson* motioned to close the public hearing; *Sands* seconded; **Passed 5, 0.**

24 **Staff** and **Commission** discussed the timeline for payment and paving, length of time the county can  
25 keep the payment (up to 12 years), structure of fees, and paving in phases. The reason for passing the  
26 ordinance and some of the consequences and impacts of the new ordinance were discussed.

27 *Sands* motioned to recommend approval of the ordinance to repeal Resolution 2015-20, amend the  
28 County Manual of Roadway Design & Construction Standards, and to amend related provisions of the  
29 County Code to the County Council; **Motion dies due to lack of a second.**

1 **Staff** and **Commission** discussed what percentage of the current County roads meet the road standards,  
2 what factors reduce road accidents in the County, and current maintenance costs for roads. How this  
3 change would affect private roads was discussed. Concerns regarding the pavement were raised.

4 **Watterson** motioned to recommend non-adoption for the proposed Ordinance to repeal Resolution 2015-  
5 20, amend the County Manual of Roadway Design & Construction Standards, and to amend Related  
6 provisions of the County Code; **Christensen** seconded; **Passed 4, 1 (Sands voted nay)**

7 **07:03:00**

8 **#2 Discussion: Amendments to Title 17 regarding a new use type for small-scale slaughter facility**

9 **Harrild** reviewed the information received from the State regarding requirements for a custom small-  
10 scale slaughter facility. State requirements are much stricter than anything Cache County would be able  
11 to require due to management of those requirements.

12 **Staff** and **Commission** discussed the number of people allowed to slaughter the animal, inspections, and  
13 how to keep the operation small scale.

14 **Harrild** reviewed other County's code and zoning requirements for custom small-scale slaughter facility.

15 **Staff** and **Commission** discussed if the selling of product could occur, the definition of slaughter, and  
16 how to maintain small scale.

17 **08:00**

18 **Christensen** motioned to extend the meeting to 8:15 pm; **Watterson** seconded; **Passed 5, 0.**

19 **Staff** and **Commission** discussed the applications that brought about the creation of this use type.

20 **08:10:00**

21 **Adjourned**



### Staff Report: Spring Creek Acres Subdivision

4 February 2021

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:** Patty Johnson

**Parcel ID#:** 11-028-0005

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

### Project Location

*Reviewed by Angie Zetterquist*

**Project Address:**

1544 South 3200 West  
near Logan

**Current Zoning:**

Agricultural (A10)

**Acres:** 39.67

**Surrounding Uses:**

North – Agricultural/Residential

South –Agricultural/Residential

East – Agricultural

West – Agricultural/Residential



### Findings of Fact (19)

**A. Request description**

1. The Spring Creek Acres Subdivision is a request to create a new 2-lot subdivision with an Agricultural Remainder on 39.67 acres in the Agricultural (A10) Zone.
  - a. Lot 1 will be 2.0 acres;
  - b. Lot 2 will be 1.0 acre; and
  - c. The Agricultural Remainder will be 36.67 acres.

**B. Parcel legality**

2. The subject property is legal as it is in the same size and configuration since August 8, 2006.

### 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 culinary water right is in process for Lot 2 (Water Right #25-11673/a46569). Lot 1 has an existing house and water right (#25-8562) Confirmation of an approved domestic water right for Lot 2 is required prior to recording the plat. *See condition #1*
5. §16.04.080 [B] Sewage Requirements – The applicant has provided a septic feasibility letter for the proposed lot from the Bear River Health Department. The subdivision plat shows that the septic drain field for Lot 2 will be located on the Agricultural Remainder with a perpetual easement recorded. Staff confirmed with the Health Department that off-site drain fields are allowed with perpetual easements.
6. §16.04.070 Storm Drainage Requirements – All stormwater control (ponds, culverts, etc.) must be maintained by the property owners. A Land Disturbance Permit is required for any future development. *See condition #2*

### E. Access

7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
9. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
  - a. The layout of proposed roads;
  - b. 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.
  - a. Table 2.2 Roadway Typical Sections: 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).
  - b. 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.
  - c. Section 5.2 of the Road Manual requires residential driveways to be a minimum of 80-feet from the intersection of a road (public or private).
11. A basic review of the access to the proposed subdivision identifies the following:
  - a. Access to the Spring Creek Acres Subdivision is from 3200 West, a county road, and a private road.
  - b. 3200 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.
- iii. Is classified as a Local Road.
- iv. Consists of a 20-foot wide paved surface with 2-foot wide shoulders (1-foot paved, 2-foot gravel).
- v. Will meet the requirement for a 66-foot wide ROW per the subdivision plat.
- vi. Is maintained year round.
- vii. No improvements to the road are required at this time.
- viii. The existing driveway access to Lot 1 is substandard and must be brought up to current standards per Table 5.2 of the Road Manual. *See condition #3*
- ix. A right-of-way dedication is required along the east boundary of the subdivision. *See condition #4*

c. Private road:

- i. The private road providing access to Lot 2 and the agricultural remainder must be constructed to meet current roadway standards. *See condition #5*
- ii. A temporary turnaround is required at the end of the private road. *See condition #5*

**F. Service Provision**

12. §16.04.080 [C] Fire Control – The County Fire District visited the subject property and found the access road meets fire code standards. A turnaround must be provided at the end of the private road for emergency vehicles and the private road must be a minimum of 20 feet wide finished with an all-weather surface. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development. Water supply for fire protection will be provided by the Logan Fire Department. *See condition #5*
13. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides collection service in this area. All residential carts will need to be placed on the west side of 3200 West for Monday collection. Sufficient shoulder space must be provided along the side of this narrow road for all refuse and recycling containers to be placed 3-to-4 feet apart and be far enough off the road so as not to interfere with passing traffic.

**G. Sensitive Areas**

14. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
- a. According to the GIS data, portions of the subject property are located within the FEMA floodplain and 100-foot buffer. Development in these areas may require an elevation certificate. *See condition #6*
  - b. Portions of the property may have wetlands located on it. Development is not permitted in confirmed wetland areas. *See condition #6*

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

15. Public notice was posted online to the Utah Public Notice Website on 22 January 2021.
16. Notice was published in the Herald Journal on 23 January 2021.
17. Notices were posted in three public places on 22 January 2021.
18. Notices were mailed to all property owners within 300 feet of the subject property on 22 January 2021.
19. At this time, staff has received no written public comment regarding this proposal, but a neighbor has expressed concern about the private road and any required improvements.

## **Conditions (5)**

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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 recording the plat, confirmation of an approved domestic water right for Lot 2 must be provided to the Department of Development Services. *(See D-4)*
2. A Land Disturbance Permit is required for any future development. *(See D-6)*
3. Prior to recording the plat, the access off of 3200 West for Lot 1 must be brought into compliance with current County Road Manual standards including spacing requirements. Section 5.2 of the road manual requires residential driveways to be 80 feet from the intersection of road (public or private). The applicant must work with the Department of Public Works to obtain the required encroachment permitting to bring it into compliance. A copy of any encroachment permits and approvals must be provided to the Department of Development Services. *(See E-11-b-viii)*
4. Prior to the recording the plat, the private road must be constructed to meet current road way standards, including, but not limited to: providing for a 33-foot wide easement on the plat, constructing a 20-foot wide all-weather surface for the length of the private road, constructing a temporary turnaround at the end of the private road with a 48-foot radius also with an all-weather or paved surface. Copies of all required approvals and permits from the Public Works Department and the Fire Department must be provided to the Development Services Office. Any additional engineering review fees must be borne by the applicant. *(See E-11-c-i, E-11-c-ii, F-12)*
5. Any future development located within sensitive areas may require further analysis and approvals per the County Code prior to the issuance of a Zoning Clearance. *(See G-14-a, G-14-b)*

## **Conclusions (1)**

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Based on the findings of fact and conditions noted herein, staff recommends approval of the Spring Creek Acres Subdivision 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.

# Spring Creek Acres

A Part of the Southwest Quarter of Section 12, Township 11 North, Range 1 West, Salt Lake Base & Meridian, Cache County, Utah  
November of 2020

## SURVEYOR'S CERTIFICATE

I, Clinton G. Hansen, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 7881387, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land hereafter to be known as Spring Creek Acres and the same has been correctly surveyed and all streets are the dimensions shown.



Clinton G. Hansen Date  
P.L.S. No. 7881387

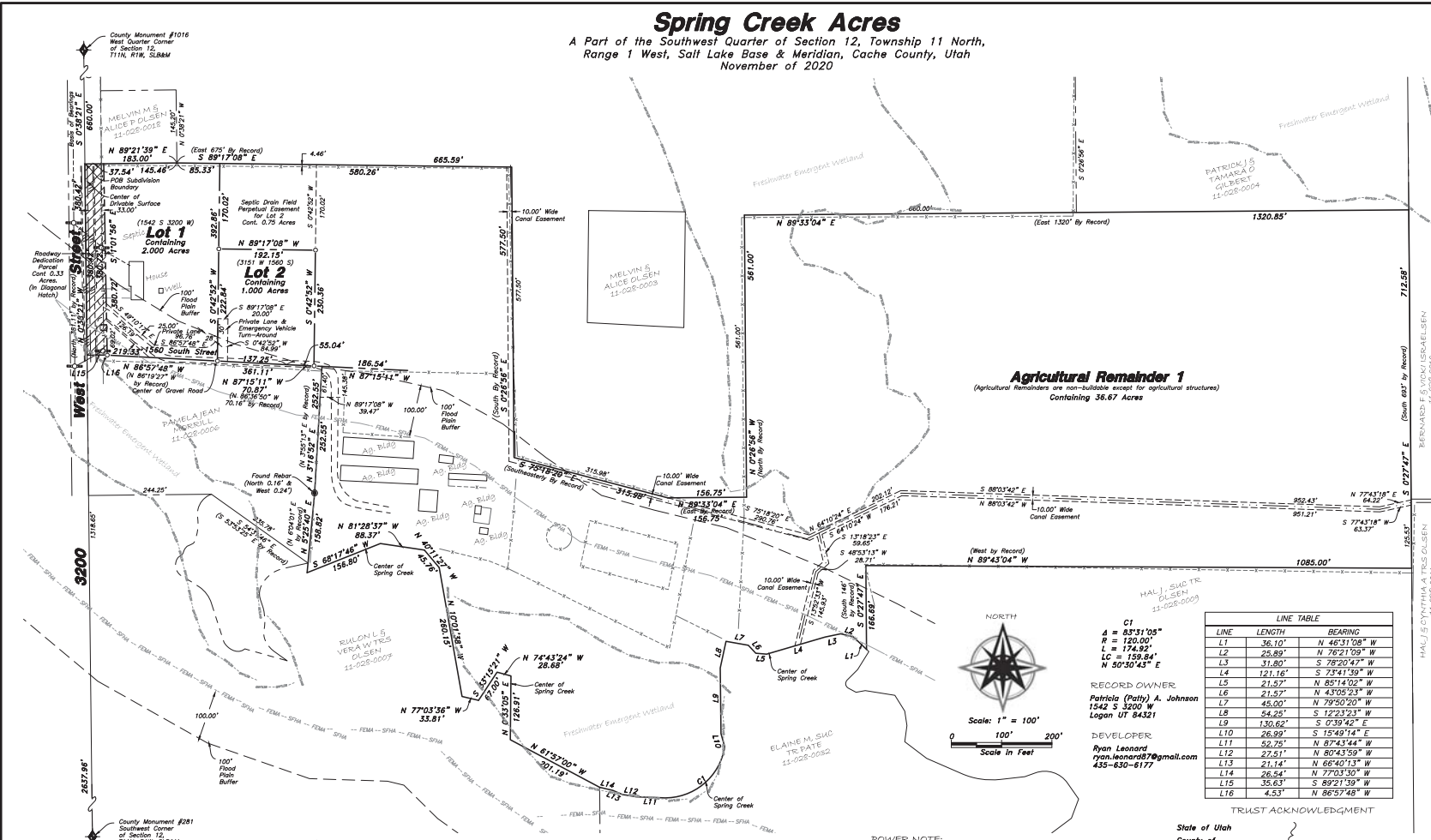
## SUBDIVISION BOUNDARIES

A Part of the Southwest Quarter of Section 12, Township 11 North, Range 1 West of the Salt Lake Base and Meridian.

Beginning on the West Line of said Southwest Quarter of a point Located 650.00 Feet South 00°38'21" East (South by Record) from the Northwest Corner of said Southwest Quarter and RUNNING THENCE North 89°21'39" East (East by Record) 183.00 Feet Thence South 89°17'08" East (East by Record) 665.59 Feet Thence South 00°26'56" East (South by Record) 577.50 Feet Thence South 75°18'20" East (Southeasterly by Record) 315.98 Feet Thence North 89°33'04" East (East by Record) 156.75 Feet Thence North 00°26'56" West (North by Record) 561.00 Feet Thence North 89°33'04" East (East by Record) 1320.85 Feet (East 1320' By Record) to the East Line of said Southwest Quarter Thence South 00°27'47" East 712.58 Feet (South 683 Feet by Record) to a Point 332.00 Feet South of the Southwest Corner of the North Half of said Southwest Quarter Thence North 89°43'04" West (West by Record) 1085.00 Feet Thence South 00°27'47" East 166.60 Feet (South 146 Feet by Record) to the Center of Spring Creek and the North Line of Tolman Subdivision, Entry Number 148 Along said Creek Center and Tolman Subdivision the Following Fifteen (15) Courses: (1) North 46°31'08" West 36.10 Feet; (2) North 78°21'09" West 28.68 Feet; (3) North 79°50'20" West 45.00 Feet; (4) South 75°41'39" West 121.16 Feet; (5) North 85°14'02" West 21.57 Feet; (6) North 43°05'23" West 108.82 Feet; (7) North 79°50'20" West 45.00 Feet; (8) South 72°25'23" West 54.25 Feet; (9) South 00°39'42" East 130.62 Feet; (10) South 15°40'14" East 28.99 Feet; (11) Westerly Along the Arc of a 120.00 Foot Radius Curve, the Right on Arc Length of 174.92 Feet, Long Chord Bears South 50°50'44" East 159.84 Feet; (12) North 87°43'44" West 52.75 Feet; (13) North 80°43'59" West 27.51 Feet; (14) North 66°40'13" West 21.14 Feet; (15) North 77°03'30" West 26.54 Feet Thence Continuing Along said Creek Center the Following Nine (9) Courses: (1) North 61°57'00" West 201.18 Feet; (2) North 00°33'05" East 126.91 Feet; (3) North 74°42'24" West 28.68 Feet; (4) South 33°15'21" West 67.00 Feet; (5) North 77°03'36" West 33.81 Feet; (6) North 10°01'38" West 260.15 Feet; (7) North 40°11'21" West 45.76 Feet; (8) North 81°28'37" West 88.37 Feet; (9) South 68°17'46" West 156.80 Feet Thence North 02°25'40" East (North 05°04'01" East by Record) 158.82 Feet Thence North 03°16'52" East 252.55 Feet (North 03°55'13" East by Record) to the Center of a Gravel Road Thence Along said Road Center the Following Two (2) Courses: (1) North 87°15'11" West 70.87 Feet (North 86°58'50" West 70.16 Feet by Record); (2) North 86°57'48" West (North 86°19'27" West by Record) 361.11 Feet Thence South 89°21'39" West 53.63 Feet to the Center of said Southwest Quarter Thence North 00°38'21" East (North 00°38'21" East by Record) Along said West Line to the Point of Beginning, Containing 46.00 Acres.

## Agricultural Remainder 1

(Agricultural Remainders are non-buildable except for agricultural structures) Containing 36.67 Acres



LINE	LENGTH	BEARING
L1	36.10'	N 46°31'08" W
L2	25.89'	N 78°21'09" W
L3	31.80'	S 78°20'42" W
L4	121.16'	S 23°41'39" W
L5	21.57'	N 85°14'02" W
L6	21.57'	N 43°05'23" W
L7	45.00'	N 79°50'20" W
L8	54.25'	S 72°25'23" W
L9	130.62'	S 03°42'00" E
L10	26.92'	S 15°49'14" E
L11	52.75'	N 87°43'44" W
L12	22.51'	N 80°43'59" W
L13	21.14'	N 66°40'13" W
L14	26.54'	N 77°03'30" W
L15	35.63'	S 89°21'39" W
L16	4.53'	N 66°57'48" W

RECORDED OWNER  
Patricia A. Johnson  
1542 S 3200 W  
Logan UT 84321

DEVELOPER  
Ryan Leonard  
ryan.leonard87@gmail.com  
435-630-6177

TRUST ACKNOWLEDGMENT  
State of Utah  
County of \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
Patricia A. Johnson, Trustee for the Patricia A. Johnson Revocable Trust, dated April 12, 2019, personally appeared before me, the undersigned notary public and for said County, in the State of Utah, the signer of the attached owner's dedication, who duly acknowledged to me she signed it freely and voluntarily and for the purpose therein mentioned on behalf of said trust.

POWER NOTE:  
I, Pursuant to Utah Code Ann. 54-3-27 this plat conveys to the owner(s) or operators of utility facilities a public utility easement along with all the rights and duties described therein.  
2. Pursuant to Utah Code Ann. 17-27a-603(4)(c)(ii) Rocky Mountain Power accepts delivery of the P.U.E. as described in this plat and approves this plat solely for the purpose of confirming that the plat contains public utility easements and approximates the location of the public utility easements, but does not warrant their precise location. Rocky Mountain Power may require other easements in order to serve this development. This approval does not affect any right that Rocky Mountain Power has under:  
(1) a recorded easement or right-of-way;  
(2) the law applicable to prescriptive rights;  
(3) Title 54, chapter 86, damage to underground utility facilities or  
(4) any other provision of law.

NARRATIVE  
The purpose of this survey was to divide the lots as shown and described hereon. The survey was ordered by Ryan Leonard. The control used to establish the property was the existing survey records and subdivisions within the Southwest Quarter of Section 12, Township 11 North, Range 1 West, Salt Lake Base & Meridian. The basis of bearing is the West line of said Southwest Quarter, which bears South 00°38'21" East, "Utah Coordinate System 1983 North Zone".

GENERAL NOTES:  
A. Cullinary Water Note:  
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.  
B. Storm Water Drainage Note:  
Storm Water Drainage: Compliance with the standards of the Cache County Manual of Roadway Design and Construction Standards and State of Utah storm water permitting are required. This includes, but is not limited to, any increased level of storm water drainage from any portion of any lot or remainder parcel of this subdivision to any adjacent properties, ditches, canals, or waterways, or the alteration of any existing, historic, or natural drainage without prior written authorization provided by the affected party or entity (may include but is not limited to: adjacent property owner(s), ditch or canal company, Cache County, or the State Water Engineer's Office).  
C. Setback Lines for Primary Buildings are:  
12.00' on Side Yard; 30.00' on Front Yard; 30.00' on Rear Yard  
D. 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.

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.

DEPUTY COUNTY SURVEYOR'S CERTIFICATE  
I certify that I have had this plat examined 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 county ordinance and state law.

ROCKY MOUNTAIN POWER  
Approved by the Rocky Mountain Power, this day of \_\_\_\_\_, A.D., 20\_\_\_\_

COUNTY PLANNING COMMISSION  
This plat recommended for approval by the Cache County Planning Commission this day of \_\_\_\_\_, A.D., 20\_\_\_\_

BEAR RIVER HEALTH DEPARTMENT APPROVAL  
This subdivision described in this plat has been approved by the Bear River Health Department on the day of \_\_\_\_\_, 20\_\_\_\_

OWNER'S DEDICATION  
Know all men by these presents that we the undersigned owners of the tract of land (Parcel 11-028-0005) depicted and described herein, having caused the same to be subdivided into lots and streets (as herein), the whole to be hereinafter known as the Spring Creek Acres, as depicted hereon and we hereby dedicate, grant, and convey to Cache County all easements as shown on this plat as public utility easements, the same to be used for installation, maintenance, and operation of public utility service lines and structures as may be authorized by Cache County, and hereby grant a special easement to the Logan River Bioscience Center Company, the depicted hereon, for maintenance and access to their interests, we hereby set our signatures  
Patricia A. Johnson Date  
Notary Public  
COUNTY RECORDER  
State of Utah  
County of Cache  
This plat has been duly acknowledged, certified, and approved and may lawfully be recorded in Cache County, Utah.  
Filed and Recorded:  
Filing No.: \_\_\_\_\_  
Date: \_\_\_\_\_  
Book: \_\_\_\_\_  
Page: \_\_\_\_\_  
Request of: \_\_\_\_\_  
Cache County Recorder

**ADVANCED LAND SURVEYING**  
1770 Research Park Way #11  
Logan Utah 84341  
(p) 435-779-9585 (f) 435-514-5883  
www.advancedland.com



### Staff Report: Cache Valley Compost Facility Rezone

4 February 2021

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:** Paul Willardson

**Parcel ID#:** 12-028-0008

**Staff Recommendation:** Continue for up to 90 days

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**  
~1400 North 3200 West  
Logan

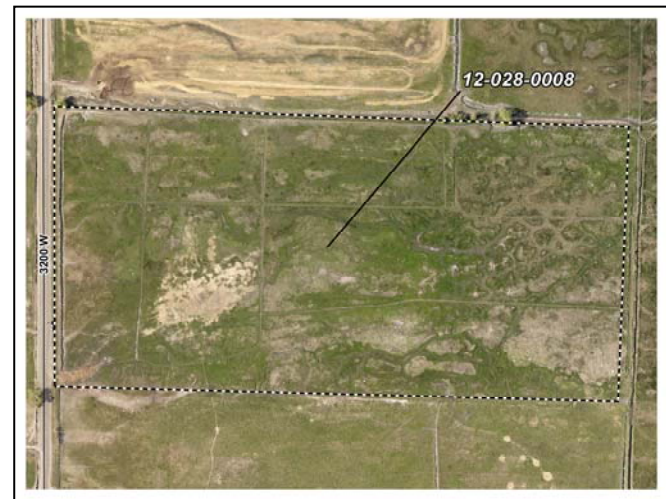
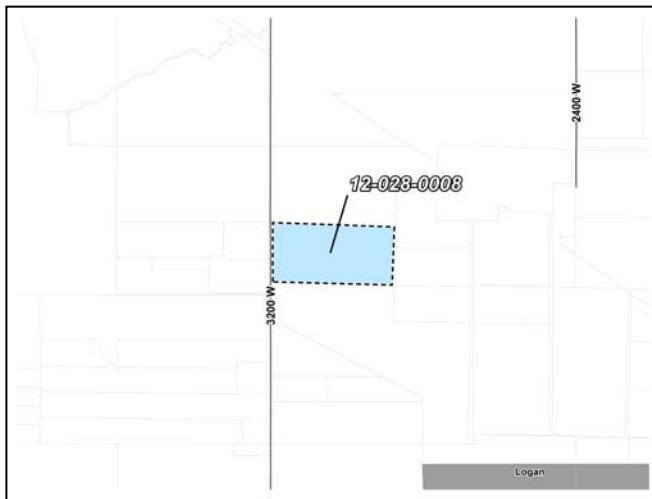
**Acres:** 47.12

**Surrounding Uses:**

North – Agricultural  
South – Agricultural  
East – Agricultural  
West – Agricultural

**Current Zoning:**  
Agricultural (A10)

**Proposed Zoning:**  
Public Infrastructure  
Overlay (PI)



### FINDINGS OF FACT (17)

#### A. Request description

1. A request to add the Public Infrastructure (PI) overlay zone to a 47.12 acre property located in the Agricultural (A10) Zone.
2. This rezone may allow the property, owned by the City of Logan, 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 (Attachment A) and in the following text:

**a. Land Use Context:**

- i.** Parcel status: The subject property is legal as it is in the same size and configuration as August 8, 2006. Research from the County’s GIS Department indicates that, according to the legal description and plat, it is lot and block based and there are road right-of-way gaps that likely should appear on the property, but currently do not. Further research is required to determine if any road rights-of-way are present prior to any possible rezone of the property.
- 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 purposes. Within a ½ mile of the subject property there are 32 parcels and no residential development. (Attachment A)
- 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.
- v.** Sensitive Areas: The subject property contains sensitive areas that may require additional analysis and review under §17.18.040 including potential wetland 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.
- vi.** Annexation Areas: The subject property is located within the Logan City future annexation area.

**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 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.”
    - a.** 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.

- b. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
- 6. Consideration of impacts related to uses allowed within the PI Overlay 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. The Road Manual specifies the following:
  - a. §2.1-A-2 Collector Road, Table 2.2 Roadway Typical Sections: Roads with approximately 1600 to 5000 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds (generally to a speed range of 40 mph or less) and moderate to high traffic volumes. While this category provides service to through traffic movements, it allows more direct access to occur. These facilities move traffic across multiple communities or jurisdictions, typically connecting facilities of system importance.
  - b. Commuter Roads must meet the minimum standard of two, 11-foot wide paved travel lanes with a 12-foot wide median/turning lane, and 6-foot wide shoulders: 3-foot paved, 3-foot gravel, 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 80-foot wide right-of-way (ROW).
- 8. A basic review of the access to the subject property identifies the following:
- 9. Primary access to the subject property is from 3200 West, a County road.
- 10. 3200 West:
  - a. Is an existing county facility that provides scattered access to agricultural fields and generally provides through access from the northwest part of the valley to SR-30.
  - b. Is classified as a Collector Road.
  - c. Consists of an average width of 22 feet paved surface with a 4.5-foot paved shoulder and 8+ feet of gravel shoulders.
  - d. Has a dedicated right-of-way of 66 feet, less than the 80 feet required for Collector Roads.
  - e. Is maintained year round by the County.

**D. Service Provisions:**

- 11. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.
- 12. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area, but had no comments on the rezone request.

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

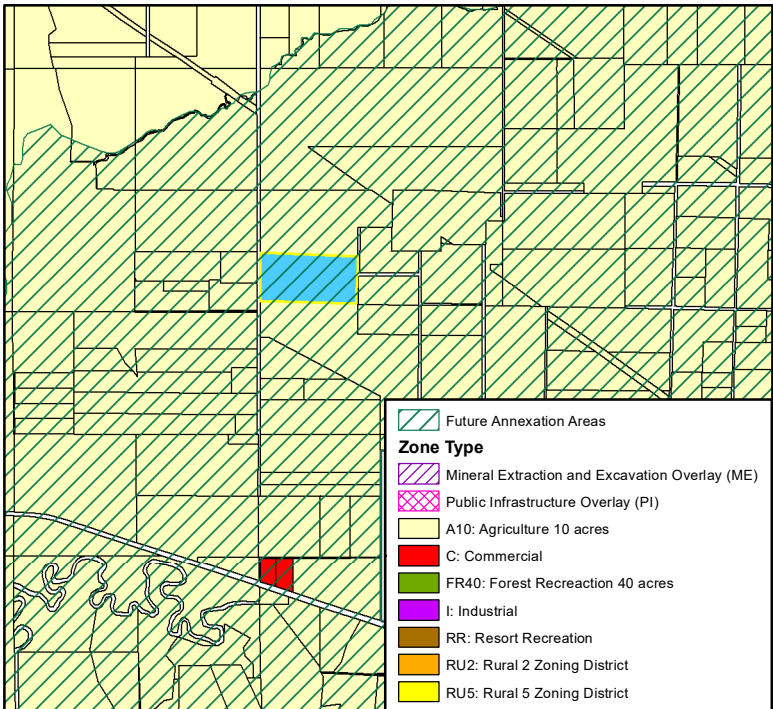
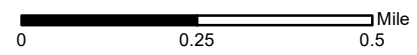
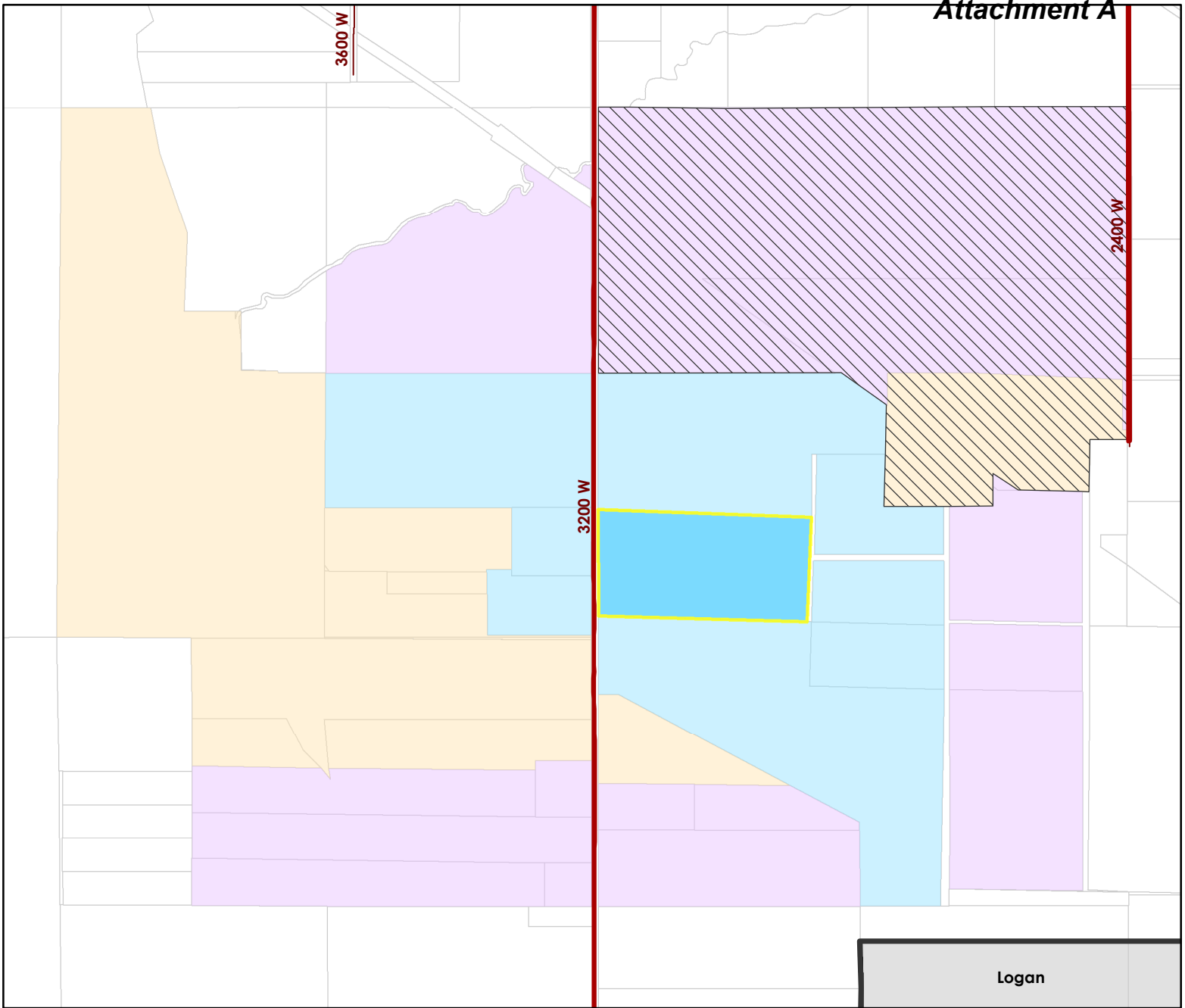
- 13. Public notice was posted online to the Utah Public Notice Website on 22 January 2021.
- 14. Notice was published in the Herald Journal on 23 January 2021.
- 15. Notices were posted in three public places on 22 January 2021.
- 16. Notices were mailed to all property owners within 300 feet and Mendon City on 22 January 2021.
- 17. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion and Recommendation**

The Cache Valley Compost Facility Rezone, a request to add the Public Infrastructure (PI) Overlay Zone to a 47.12 acre property in the Agricultural (A10) Zone, has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards.

Staff recommends that the request is continued for up to 90 days and that the applicant establish the location of the property boundaries and any platted road rights-of-way prior to further consideration of the rezone request.





- Zone Type**
- Future Annexation Areas
  - 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

**Legend**

- Proposed Rezone
- Winter Maintenance
- Municipal Boundaries
- County Roads
- Subdivisions
- Highways
- Parcels

**Average Parcel Size**

<b>Adjacent Parcels</b>	Without a Home: 46.13 Acres (9 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 53 Acres (17 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home: 51 (32 Parcels)





### Staff Report: Fritz Tower Rezone

4 February 2021

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:** Larry Soule

**Parcel ID#:** portion of 01-081-0031

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**  
1478 West 6710 South  
near Hyrum

**Acres:** part of 5.03

**Surrounding Uses:**

North – Agricultural/Residential

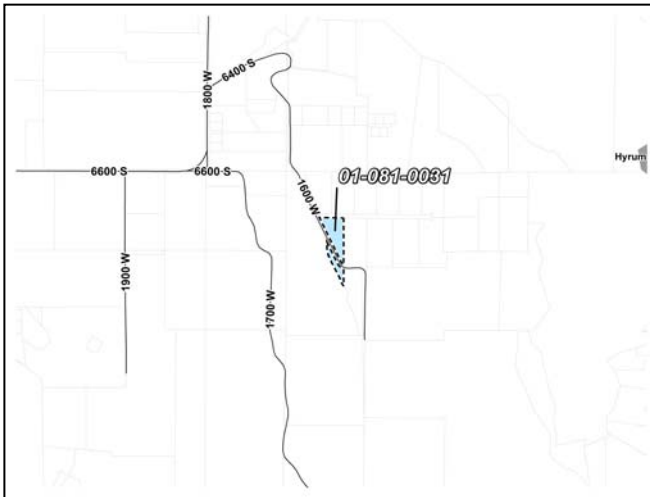
South – Agricultural

East – Agricultural/Residential

West – Agricultural

**Current Zoning:**  
Agricultural (A10)

**Proposed Zoning:**  
Public Infrastructure  
Overlay (PI)



### FINDINGS OF FACT (17)

#### A. Request description

1. A request to add the Public Infrastructure (PI) overlay zone to a 1,600-square-foot (40' x 40') portion of a 5.03 acre property located in the Agricultural (A10) Zone.
2. This rezone may allow the construction of 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 (Attachment A) and in the following text:

**a. Land Use Context:**

- i.** Parcel status: The subject property is legal as it is a lot in the Nautica Subdivision that approved in June 2016 and recorded in October 2017. The property is split by a 66-foot right-of-way that was dedicated as part of the subdivision approval. The proposed overlay area will be located on the south side of the dedicated right-of-way.
- 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 primarily for agricultural purposes with scattered residential to the north and east. Within a ½ mile of the subject property there are 22 parcels with a home and 47 parcels without a home.
- 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.
- v.** Annexation Areas: The subject property is located within the Hyrum City future annexation area.

**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 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.”
    - a.** 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.
    - b.** This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
- 6.** Consideration of impacts related to uses allowed within the PI Overlay 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. The Road Manual specifies the following:
  - a. §2.1-A-6 Mountain Road, Table 2.2 Roadway Typical Sections: Roads with up to 30 Average Daily Traffic (ADT). This category is appropriate for use on forest access roads, mountain roads, back roads, and other special use facilities. Gravel roads are most typical, but some roads have limited improvements or are “two-track” in nature.
  - b. Mountain Roads must meet the minimum a single 12-foot wide travel lane and does not require shoulders. Mountain roads can be gravel with 14-inches depth of granular borrow, and a 6-inches depth of road base, and a 66-foot wide right-of-way (ROW).
8. A basic review of the access to the subject property identifies the following:
9. Primary access to the subject property is from 1600 West, a County road.
10. 1600 West:
  - a. Is an unimproved existing county facility that provides access to agricultural land.
  - b. Is classified as a Mountain Road.
  - c. Consists of an average width of 14 feet gravel surface with no shoulders.
  - d. Has a dedicated right-of-way of 66 feet.
  - e. Maintenance provided by the County in the summer, but there is no winter maintenance.

**D. Service Provisions:**

11. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.
12. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area, but had no comments on the rezone request.

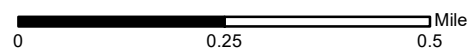
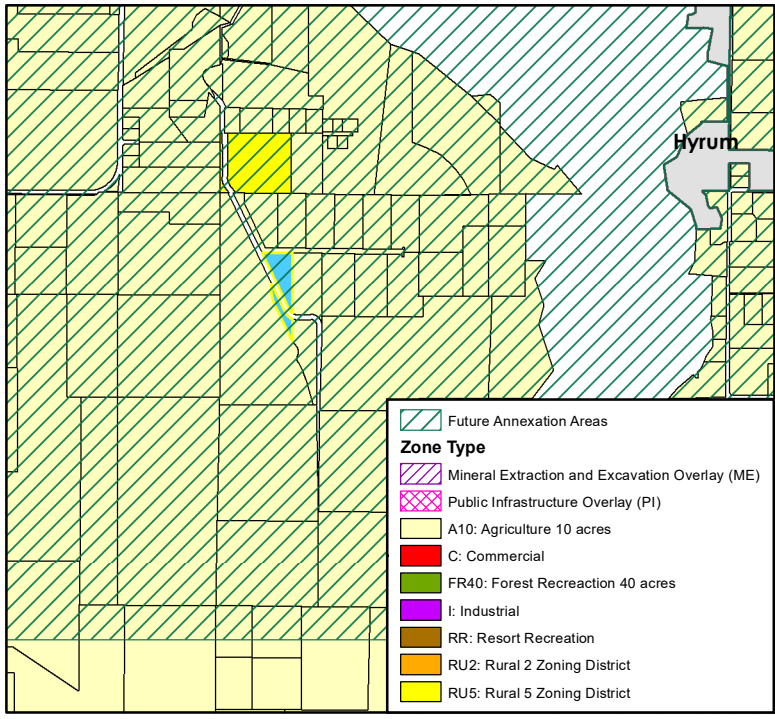
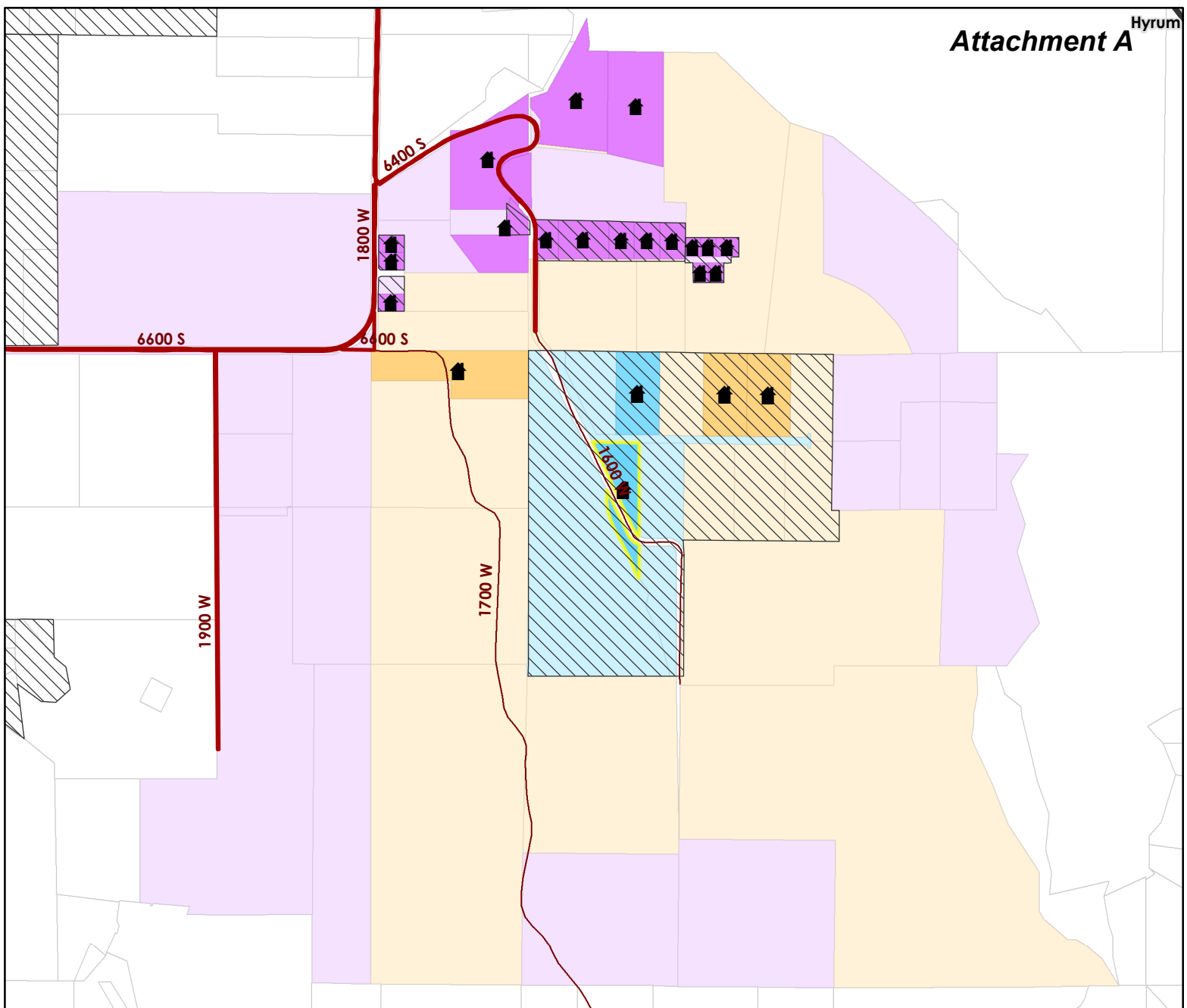
**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

13. Public notice was posted online to the Utah Public Notice Website on 22 January 2021.
14. Notice was published in the Herald Journal on 23 January 2021.
15. Notices were posted in three public places on 22 January 2021.
16. Notices were mailed to all property owners within 300 feet and Mendon City on 22 January 2021.
17. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**Conclusion**

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The Fritz Tower Rezone, a request to add the Public Infrastructure (PI) Overlay Zone to a portion of a 5.03 acre property in the Agricultural (A10) Zone, has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation based on the findings of fact identified above and any others identified at the public hearing.



**Legend**

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

**Average Parcel Size**

<b>Adjacent Parcels</b>	With a Home: 5.5 Acres (2 Parcels)
	Without a Home: 16.3 Acres (4 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 6.6 Acres (5 Parcels)
	Without a Home: 27.4 Acres (22 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 3.9 Acres (22 Parcels)
	Without a Home: 22.4 (47 Parcels)

- Future Annexation Areas
- 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



## **Fritz Tower Rezone**

### **Option 1 – Recommend Approval**

#### **Planning Commission Conclusion**

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

1. The location of the subject property is compatible with the purpose of the Public Infrastructure (PI) Overlay Zone as identified under §17.08.050[B] of the Cache County Code.
2. As per §2.4-A-1-c-iii, unmanned utility facilities are exempt from meeting roadway standards.

### **Option 2 – Recommend Denial**

#### **Planning Commission Conclusion**

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

1. The PI Overlay Zone is incompatible with the surrounding properties and pattern of development.





### Staff Report: Dry Canyon Estates Rezone

4 February 2021

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:** Brent Lawyer

**Parcel ID#:** 08-124-0001

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**  
~300 South 1400 East  
Smithfield

**Acres:** 20.0

**Surrounding Uses:**

North – Agricultural/Residential

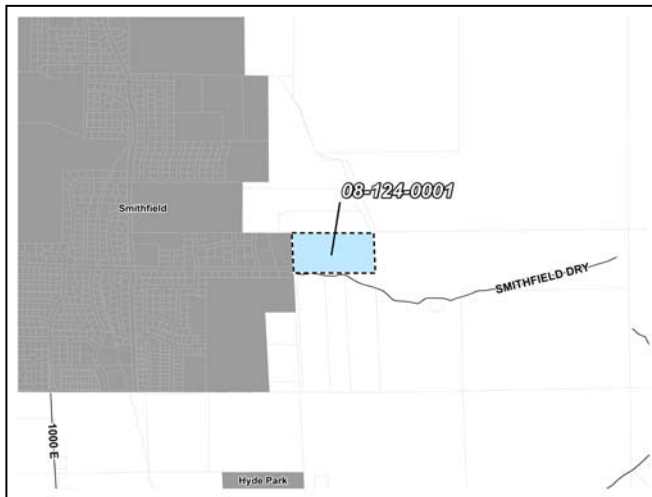
South – Agricultural

East – Agricultural

West – Smithfield City/Residential

**Current Zoning:**  
Agricultural (A10)

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



### FINDINGS OF FACT (18)

#### A. Request description

1. A request to rezone 20.0 acres 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 10 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 map (Attachment A) and in the following text:

**a. Land Use Context:**

- i.** Parcel status: The subject property is legal as it is in the same size and configuration as of August 8, 2006. Under the current density requirements of the Agricultural (A10) Zone, the subject property may potentially be divided into a maximum of 2 lots.
- ii.** Average Lot Size: There are 12 parcels immediately adjacent to the subject property; one with a home in unincorporated County and an average lot size of 11.7 acres and 11 without a home, 8 in the unincorporated County, and 3 in Smithfield, with an average lot size of 65.6 acres and 19.8 acres, respectively.  
Within a ¼ mile buffer of the proposed rezone, there is still just one parcel in unincorporated County with a home and an average size of 11.7 acres. In the ¼ mile buffer area, there are 12 parcels in Smithfield City with a home and an average size of 0.5 acres. Parcels without a home in the ¼ buffer area have an average size of 45.5 acres (13 parcels) in unincorporated County and 5.5 acres in Smithfield (19 parcels).  
When the buffer is expanded to ½ mile of the proposed rezone: parcels with a home in the County average 11.7 acres (1 parcel) and 0.3 acres in Smithfield (172 parcels). There are 22 parcels without a home in the County within ½ mile of the proposed rezone averaging 61.4 acres and 50 parcels in Smithfield without a home with an average size of 4.0 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. With approximately 20.0 acres of property, the subject property may have the potential to be divided into a maximum of 2 lots under the current A10 Zone standards. A rezone to RU2 may allow up to 10 buildable lots.
- iii.** Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
  - Agricultural Manufacturing
  - Recreational Facility
  - Cemetery
  - Private Airport
  - Concentrated Animal Feed Operation
  - Livestock Auction Facility
  - Topsoil Extraction
- iv.** Adjacent uses: The properties adjacent to the subject rezone are primarily used for agriculture and single family dwellings and the boundary of Smithfield City lies along the western boundary of the proposed rezone.
- v.** Annexation Areas: The subject property is located within the Smithfield City future annexation area. The future land use map for Smithfield identifies this area as agricultural/greenbelt. Smithfield City has provided a statement that they are opposed to rezones within their future annexation area. (Attachment B)
- vi.** 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

Smithfield City boundary, at its closest point, is immediately adjacent to the subject rezone boundary on the west.

The nearest RU2 zone is located on the west side of Smithfield along 800 West more than 3 miles away from the subject property by the most direct road route. This RU2 zone was approved as the Birch Hollow South Rezone in June 2018. The rezone was for a 10.15-acre parcel located on 800 West, a Smithfield City road.

**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 possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
  - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
  - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

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

7. The Road Manual specifies the following:
  - a. §2.1-A-4 Rural Road, Table 2.2 Roadway Typical Sections: Roads with up to 30 ADT. This includes roadways that have the capacity for moderate to low speeds and low volumes. This category provides access to farms, other agricultural uses, and dispersed rural residences. Gravel or chip & seal road surfacing is typically acceptable and must meet the minimum standard of two, 10’ wide gravel travel lanes with 2’ wide gravel shoulders (24’ total width), 14” depth of granular borrow, a 6” depth of road base, and chip-seal requirements as applicable
  - b. §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.
  - c. 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).
8. A basic review of the access to the subject property identifies the following:
9. Primary access to the subject properties is from Dry Canyon Road, a County road, and 300 South, a Smithfield City road.

**10. 300 South:**

- a. Is an existing Smithfield City facility that provides access to multiple dwellings, agricultural uses, and vacant lots.
- b. It is a fully constructed 42 feet wide street with curb, gutter, and sidewalk.
- c. It abruptly ends and becomes Smithfield Dry Canyon Road, an unimproved County road.
- d. Is maintained year round by Smithfield City.

**11. Smithfield Dry Canyon Road:**

- a. Is an existing County facility that provides access to the Forest Service, a shooting range, and the Smithfield City water tanks.
- b. Is closed seasonally during winter.
- c. Is classified as a Mountain Road.
- d. Is an unimproved, single lane, gravel road that does not provide an adequate level of service for development. If development were permitted on the road, it would be required to meet a minimum Rural road standard or greater and would need to be fully improved.

**D. Service Provisions:**

12. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.

13. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area, but had no comments on the rezone request.

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

14. Public notice was posted online to the Utah Public Notice Website on 22 January 2021.

15. Notice was published in the Herald Journal on 23 January 2021.

16. Notices were posted in three public places on 22 January 2021.

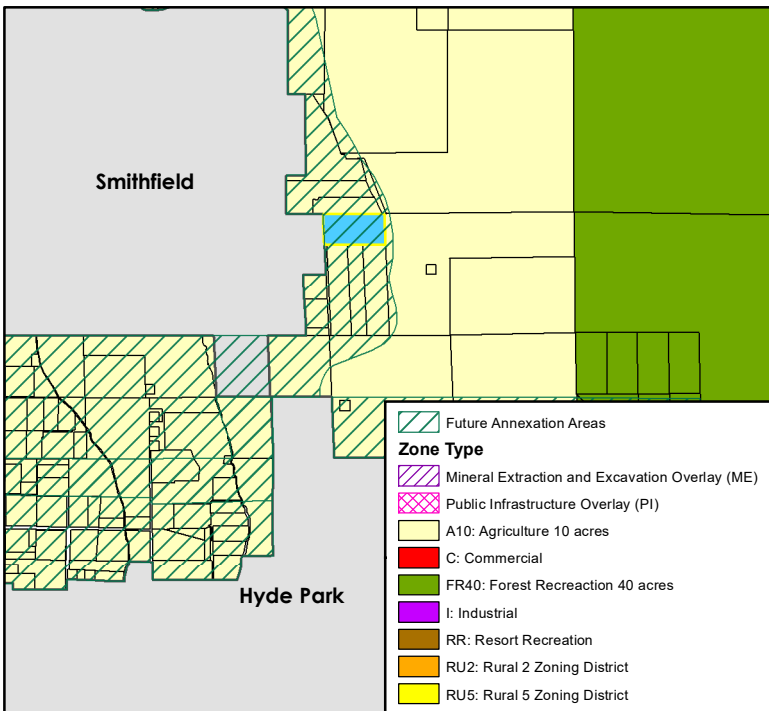
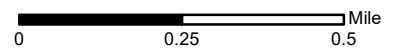
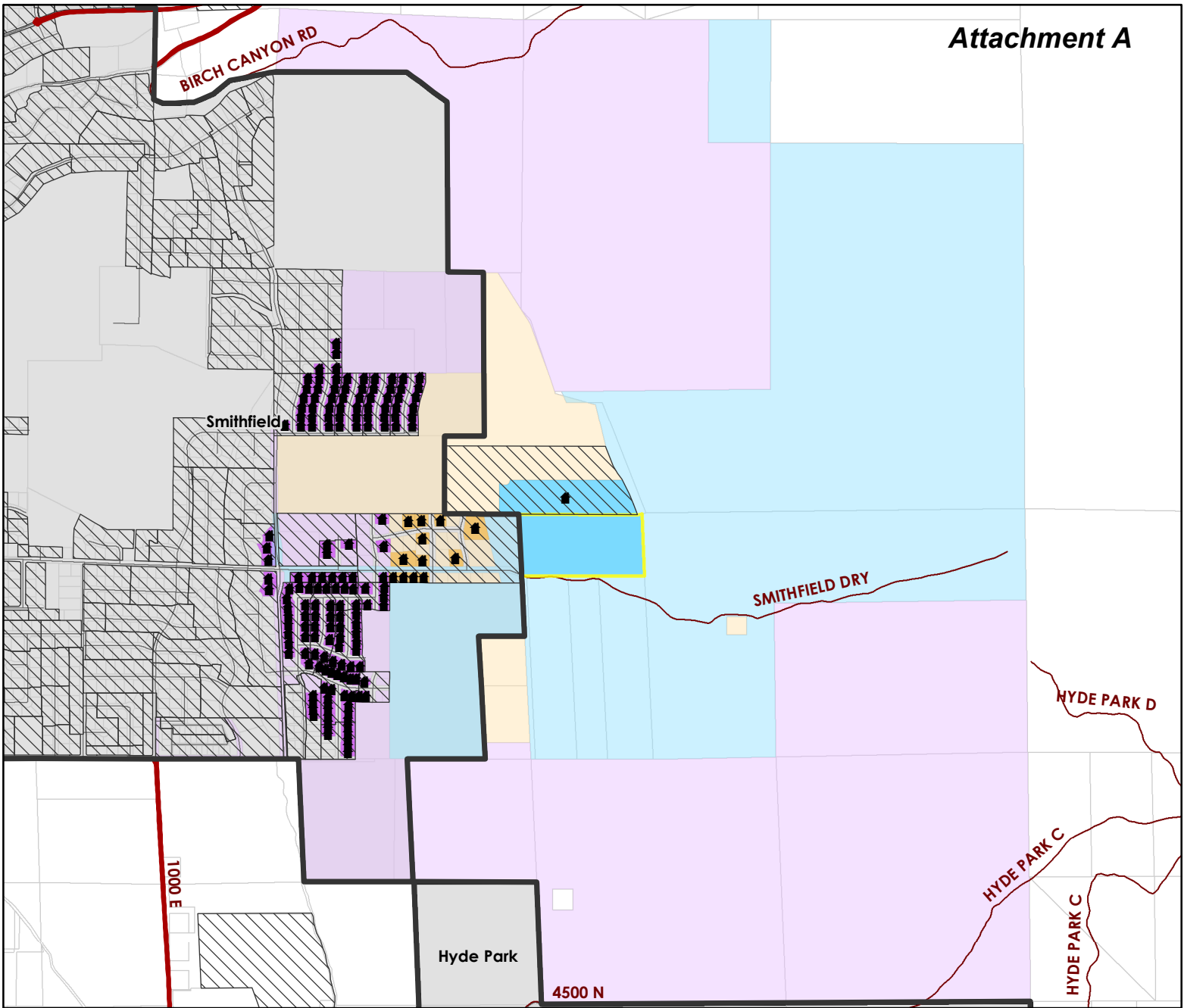
17. Notices were mailed to all property owners within 300 feet and Smithfield City on 22 January 2021.

18. At this time, no written public comment regarding this proposal has been received by the Development Services Office, with the exception of the statement from Smithfield City opposing a rezone in their future annexation area (Attachment B).

**Conclusion**

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The Dry Canyon Estates Rezone, a request to rezone 20.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation based on the findings of fact identified above and any others identified at the public hearing.



**Legend**

- Proposed Rezone (Yellow box)
- Municipal Boundaries (Grey outline)
- Subdivisions (Hatched box)
- Parcels (White box)
- Winter Maintenance (Red line)
- County Roads (Brown line)
- Highways (Blue line)

Average Parcel Size	
<b>Adjacent Parcels</b>	With a Home: 11.7 Acres (1 Parcel)
	Without a Home: 65.6 Acres (8 Parcels)
	Without a Home in Smithfield: 19.8 Acres (3 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 11.7 Acres (1 Parcel)
	With a Home in Smithfield: 0.5 Acres (12 Parcels)
	Without a Home: 45.5 Acres (13 Parcels)
<b>1/2 Mile Buffer</b>	Without a Home in Smithfield City: 5.5 Acres (19 Parcels)
	With a Home: 11.7 Acres (1 Parcel)
	With a Home in Smithfield City: 0.3 Acres (172 Parcels)
	Without a Home: 61.4 Acres (22 Parcels)
	Without a Home in Smithfield City: 4 Acres (50 Parcels)



# Dry Canyon Estates Rezone

## Option 1 – Recommend Approval

### **Planning Commission Conclusion**

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Based on the findings of fact noted herein, the Dry Canyon Estates Rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. Is in close proximity to the Smithfield City boundary.
  - b. Allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.

## Option 2 – Recommend Denial

### **Planning Commission Conclusion**

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

1. The RU2 Zone is incompatible with the surrounding properties and pattern of development.
2. Services to public utilities is not sufficient to support a higher density development at this location adjacent to Smithfield City.
3. Issues with infrastructure would be better addressed as part of a Smithfield City development through annexation.
4. Smithfield City has expressed their opposition to rezones within their future annexation area and their future land use map indicates this area will be agricultural/greenbelt, not residential development.

### Staff Report: Mountain View Subdivision Rezone

4 February 2021

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:** Steve Krumbule

**Parcel ID#:** 11-009-0009

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

### Location

*Reviewed by Angie Zetterquist*

**Project Address:**  
700 South 5400 West  
Mendon

**Acres:** 6.69

**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural

West – Railroad/Residential/Mendon City

**Current Zoning:**  
Agricultural (A10)

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



### FINDINGS OF FACT (16)

#### A. Request description

1. A request to rezone 6.69 acres 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 3 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 map (Attachment A) and in the following text:

**a. Land Use Context:**

- i.** Parcel status: The subject property is legal as it is in the same size and configuration as August 8, 2006. Under the current density requirements of the Agricultural (A10) Zone, the subject property cannot be further divided.
- ii.** Average Lot Size: There are 13 parcels immediately adjacent to the subject property in unincorporated County; six with a home and an average lot size of 5.6 acres and 7 without a home and an average lot size of 1.5 acres. The properties to the north and south of the subject property are two existing subdivisions (i.e., Mendon Shadow and Mendon Shadow Phase 2 Subdivisions) each with 5 lots.  
Within a ¼ mile buffer of the proposed rezone, there are 7 parcels in unincorporated County with a home and an average size of 1.5 acres. In the ¼ mile buffer area, there are 25 parcels in Mendon City with a home and an average size of 0.8 acres. Parcels without a home in the ¼ buffer area have an average size of 22 acres (21 parcels) in unincorporated County and 6.5 acres in Mendon (7 parcels).  
When the buffer is expanded to ½ mile of the proposed rezone: parcels with a home in the County average 4.5 acres (10 parcels) and 0.9 acres in Mendon (144 parcels). There are 48 parcels without a home in the County within ½ mile of the proposed rezone averaging 15.6 acres and 20 parcels in Mendon without a home with an average size of 3.3 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. With approximately 6.69 acres of property, the subject property cannot be further divided under the current A10 Zone standards. A rezone to RU2 may allow up to 3 buildable lots.
- iii.** Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
  - Agricultural Manufacturing
  - Recreational Facility
  - Cemetery
  - Private Airport
  - Concentrated Animal Feed Operation
  - Livestock Auction Facility
  - Topsoil Extraction
- iv.** Adjacent uses: The properties adjacent to the subject rezone are primarily used for agriculture and single family dwellings and the boundary of Mendon City is just west of the subject property divided by a railroad right of way.
- v.** Annexation Areas: The subject property is located within the Mendon City future annexation area.
- vi.** 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 Mendon City boundary, at its closest point, is to the west of the subject property separated only by a railroad right of way.



The nearest RU2 zone is approximately 1.4 miles south of the subject property by the most direct road route. This RU2 zone was approved as the Mountain View Meadow Rezone in November 2018. The rezone was for a 6.29 acre parcel located on 2000 South, a maintained County road that required minimal improvements when the 3-lot subdivision was approved in February 2019. The next closest RU2 Zone is the 29-lot High Country Estates Subdivision that was approved in 2012 off of Highway 30 and along the Box Elder County boundary.

**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 possible guidelines for its implementation. County Land Use Ordinance §17.08.030 [B] [1] identifies the purpose of the RU2 Zone and includes the following:
  - a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
  - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
  - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.”
6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.

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

7. The Road Manual specifies the following:
  - a. §2.1-A-4 Rural Road, Table 2.2 Roadway Typical Sections: Roads with up to 30 ADT. This includes roadways that have the capacity for moderate to low speeds and low volumes. This category provides access to farms, other agricultural uses, and dispersed rural residences. Gravel or chip & seal road surfacing is typically acceptable and must meet the minimum standard of two, 10’ wide gravel travel lanes with 2’ wide gravel shoulders (24’ total width), 14” depth of granular borrow, a 6” depth of road base, and chip-seal requirements as applicable
  - b. §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.
  - c. 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).

8. A basic review of the access to the subject property identifies the following:
9. Primary access to the subject properties is from 5400 West, a County road.
10. 5400 West:
  - a. Is an existing county facility that provides access to multiple dwellings, agricultural uses, vacant lots, and generally serves to provide through access from Mendon City to 600 South.
  - b. Is classified as a Local Road.
  - c. The Road Manual requires a 300-foot access spacing between private driveways. The current spacing between the private access drives for the subdivisions to the north and south of the subject property is 570 feet. A new access drive to the subject property will not meet current access spacing.
  - d. Consists of an average width of 20 feet with a paved surface with a 1.5-foot paved shoulder and 2-foot wide gravel shoulders.
  - e. Is maintained year round by the County.

**D. Service Provisions:**

11. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process.
12. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area, but had no comments on the rezone request.

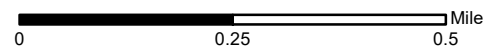
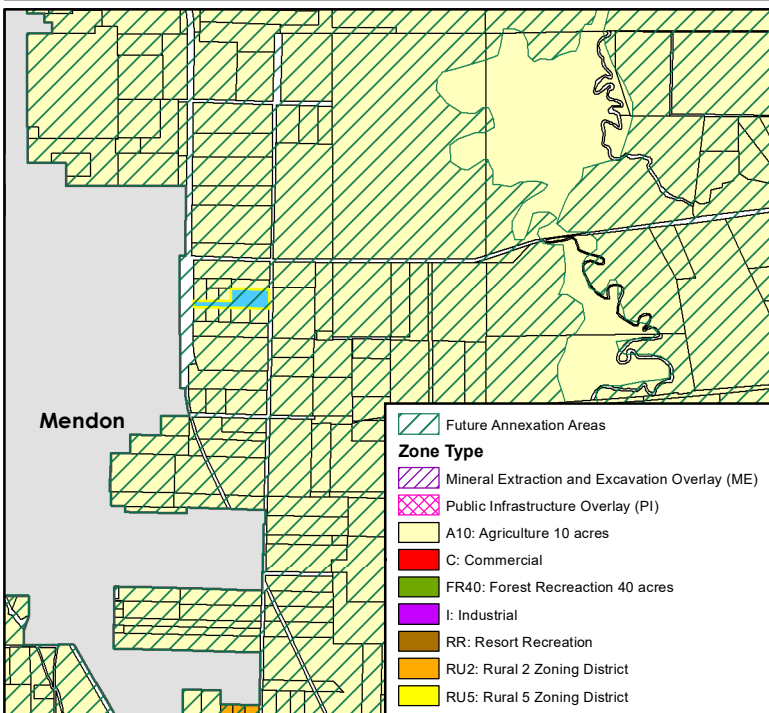
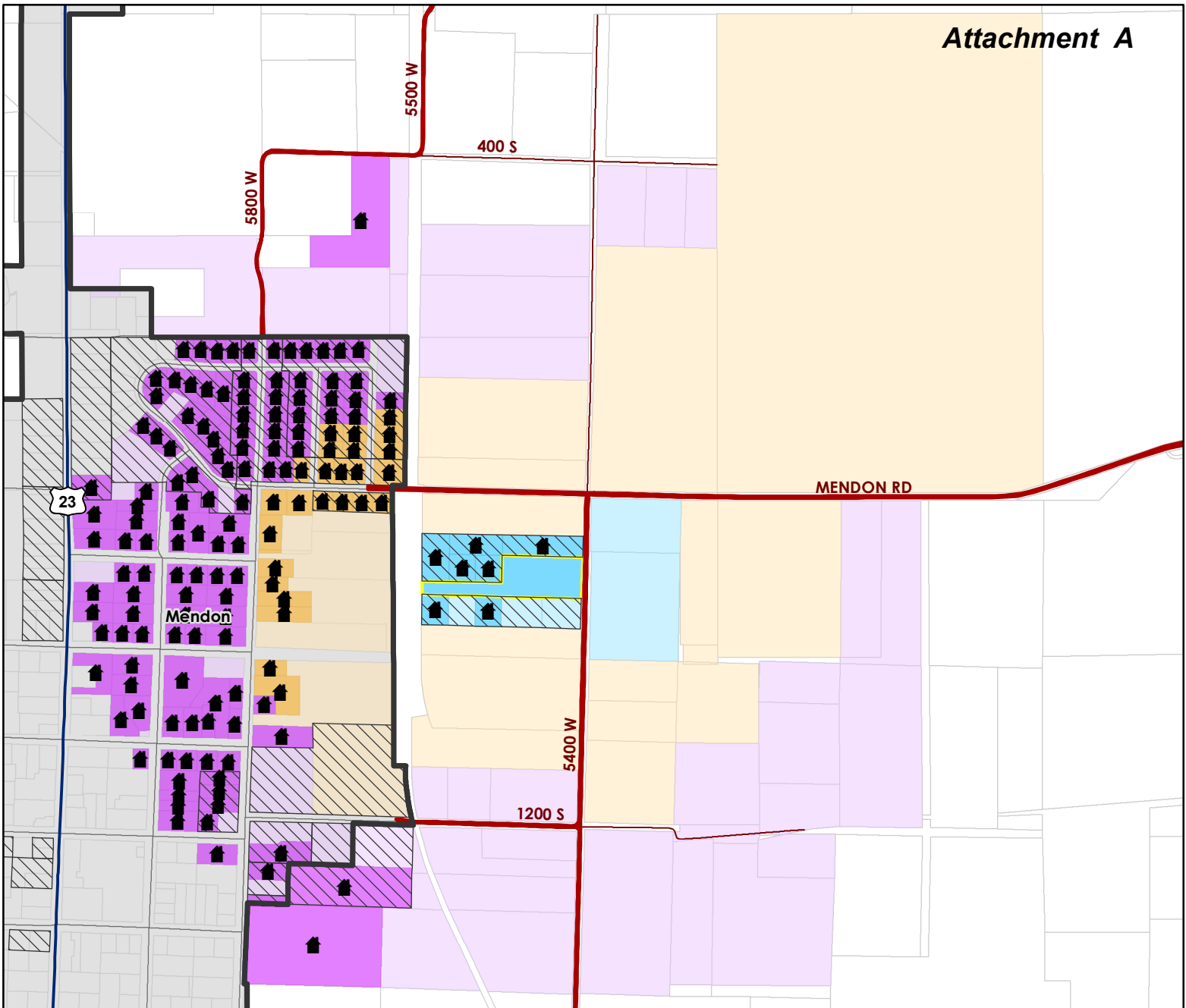
**E. Public Notice and Comment—§17.02.040 Notice of Meetings**

13. Public notice was posted online to the Utah Public Notice Website on 22 January 2021.
14. Notice was published in the Herald Journal on 23 January 2021.
15. Notices were posted in three public places on 22 January 2021.
16. Notices were mailed to all property owners within 300 feet and Mendon City on 22 January 2021.
17. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**Conclusion**

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The Mountain View Subdivision Rezone, a request to rezone 6.69 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation based on the findings of fact identified above and any others identified at the public hearing.



**Legend**

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

**Average Parcel Size**

<b>Adjacent Parcels</b>	With a Home: 5.6 Acres (6 Parcels)
	Without a Home: 1.5 Acres (7 Parcels)
<b>1/4 Mile Buffer</b>	With a Home in Mendon: 0.8 Acres (25 Parcels)
	Without a Home in Mendon City: 6.5 Acres (7 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 4.5 Acres (10 Parcels)
	Without a Home in Mendon City: 3.3 Acres (20 Parcels)



# Mountain View Subdivision Rezone

## Option 1 – Recommend Approval

### **Planning Commission Conclusion**

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Based on the findings of fact noted herein, the Mountain View Subdivision Rezone is hereby recommended for approval to the County Council as follows:

1. The location of the subject property is compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
  - a. Is in close proximity to the Mendon City boundary.
  - b. Allows for residential development in a moderately dense pattern that can allow for rural subdivisions without impeding adjacent agricultural uses.

## Option 2 – Recommend Denial

### **Planning Commission Conclusion**

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

1. The RU2 Zone is incompatible with the surrounding properties and pattern of development.
2. The addition of an additional private drive access will not meet the Road Manual requirement for a minimum spacing of 300 feet between private drives.
3. Services to public utilities is not sufficient to support a higher density development at this location adjacent to Mendon City.
4. Issues with infrastructure would be better addressed as part of a Mendon City development through annexation.