



4:45 p.m.

Workshop & Light Refreshments in the County Council Conference Room

5:30 p.m.

Call to order

Opening remarks/Pledge – Chris Sands

Review and approval of agenda

Review and approval of the minutes of the 9 January 2020 meeting

5:35 p.m.

Regular Action Item

- 1. Windmill Farms Golden Retrievers Conditional Use Permit** – A request to operate a rural kennel (Use Type 3210) on 22.2 acres of agricultural land located at approximately 9400 North 2400 West, near Trenton, in the Agricultural (A10) Zone
- 2. Public Hearing (5:45 p.m.):** Amendments to Title 16.01, 16.02, and 17.02 regarding Land Use Authority and 17.07 regarding Recreational Facility
- 3. Whisper Ridge Conditional Use Permit Revocation Review Update** – An update on the revocation review of the Whisper Ridge Conditional Use Permit (CUP) to determine if sufficient progress has been made to bring the existing CUP into compliance or if conditions exist to revoke the permit.

Board Member Reports

Staff reports

Adjourn

PUBLIC PARTICIPATION GUIDE: PLANNING COMMISSION

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

WHEN SPEAKING ON AN AGENDA ITEM

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

When it is your turn to speak:

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

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

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

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

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

LIMITS OF JURISDICTION

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



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Present: Angie Zetterquist, Chris Harrild, Phillip Olsen, Brady Christensen, Nolan Gunnell, Jason Watterson, Chris Sands, Lane Parkinson, Brandon Spackman, John Luthy

1 **Start Time: 05:30:00**

2 **Gunnell** called the meeting to order and gave the opening remarks.

3 **05:32:00**

4 **Agenda**

5 Approved with no changes.

6 **05:32:00**

7 **Minutes**

8 *Watterson* motioned to approve the minutes from December 9, 2019; *Olsen* seconded; **Passed 7, 0.**

9 **05:32:00**

10 **Consent Items**

11 **#1 Lutz 2-lot Subdivision 1st Amendment**

12 **Christensen** asked about a possible property dispute.

13 **Zetterquist** responded that County Surveyor is following up on that concern and the only lot being
14 amended is lot 1.

15 *Sands* motioned to adopt the consent agenda; *Watterson* seconded; **Passed 7, 0.**

16 **05:34:00**

17 **Regular Action Items**

18 **#2 The Farm in Old Paradise Conditional Use Permit**

19 **Zetterquist** reviewed the staff report for The Farm in Old Paradise Conditional Use Permit (CUP).

20 **Casey Snider** commented on settling the jurisdictional dispute between UDOT and the County and
21 concerns regarding improvements to the public access for a u-pick opportunity that would come first
22 followed by building structures for the full agritourism operation.

23 **Harrild** responded that the road is being worked out with UDOT. Currently the problem lies in paying
24 for the survey that would be required, but staff is continuing to work on a resolution.

25 **Mr. Snider** responded that he plans to continue to move forward with the application.

1 **Sands** asked if Mr. Snider understood that there could be some road improvements such as a turning or
2 egress lane required.

3 **Mr. Snider** responded he had talked with staff and is comfortable proceeding based on the conversations
4 with staff.

5 **Olsen** asked if Mr. Snider is sure he has enough secondary water for what he would like to do.

6 **Mr. Snider** responded yes.

7 **Olsen** asked about crossing from one piece of property to another over the canal.

8 **Mr. Snider** responded that he does have a right-of-way through the Avon cemetery to access the
9 property. He has also talked with the canal company about installing a culvert and has received an
10 affirmative answer.

11 **Olsen** asked if Mr. Snider understands the type of culvert the canal company would want installed.

12 **Mr. Snider** responded he did.

13 **Christensen** stated it is better for the applicant to come in and ask for everything the applicant would like
14 to do at one time.

15 **Zetterquist** stated there have been phased CUPs in the past and conditions can be changed to have
16 phases so the u-pick opportunity could go forward in the spring.

17 **Mr. Snider** asked how long he has to record the CUP.

18 **Zetterquist** responded one year from the land use authority's decision.

19 **Parker** responded all conditions of the CUP must need to be done within a year.

20 **Sands** stated that a six month extension can be granted if applied for in time.

21 **Harrild** stated there can be some flexibility with a conceptual CUP like this.

22 **Mr. Snider** responded he had no problem with any conditions – just concerns relative to timing.

23 **Harrild** responded conditions 3, 4, and 7 would have to be done prior to recordation for sure.

24 **Mr. Snider** asked if he could use the existing farm right-of-way or would it need to be modified.

25 **Harrild** stated it would need to be looked at for safety issues.

26 **Mr. Snider** responded that is the road the milk truck used.

27 **Harrild** stated it would need to be looked at.

28 **Gunnell** asked about parking.

1 **Mr. Snider** responded he would be fine moving forward with the parking study. The hang up right now
2 is UDOT and Cache County regarding the road.

3 **Harrild** stated condition 2 needs to be updated to state prior to construction instead of recordation.

4 **Gunnell** asked about the sale of beef.

5 **Mr. Snider** stated everything would be raised on site and a local company would do the slaughter,
6 cutting, and packing of the meat.

7 **Sands** asked about a temporary permit for something like a u-pick event.

8 **Harrild** stated they are trying to get away from things like that, but a special event permit could be
9 pursued.

10 **Gunnell** asked about the condition regarding Highway 165.

11 **Harrild** stated more information is needed which should be available after the parking study to make the
12 determination if that needs to be prior to recordation or prior to construction.

13 **Sands** asked if the CUP applied to one parcel or both parcels.

14 **Mr. Snider** responded there are some things planted on the upper piece that would be sold down on the
15 lower piece.

16 *Christensen* motioned to approve with the change to condition #2 and the other conditions and
17 conclusions as written; **Sands** seconded; **Passed 7, 0.**

18 **05:53:00**

19 **#3 JRB Holdings LLC Conditional Use Permit Amended (formerly the Intermountain Hydraulics**
20 **Conditional Use Permit)**

21 **Zetterquist** reviewed the staff report for the JRB Holdings LLC Conditional Use Permit (CUP).

22 **Commissioners** and **Staff** discussed building permits and if they are needed.

23 *Olsen* motioned to approve the JRB Holdings LLC Conditional Use Permit Amended with the stated
24 conditions and conclusions; **Watterson** seconded; **Passed 7, 0.**

25 **06:02:00**

26 **#4 Allen Larsen Gravel Pit Conditional Use Permit 1st Amendment**

27 **Zetterquist** reviewed the staff report for the Allen Larsen Gravel Pit Conditional Use Permit 1st
28 Amendment.

29 **Commissioners** and **Staff** discussed the amount of the pit not reclaimed and where the gravel permit is
30 out of compliance, and the screen.

1 **Troy Allen** spoke on the master plan, problems with water and the drainage required to counter that and
2 running into clay and dealing with that problem. There is approximately 10,000 tons left in the pit and
3 then the next step is reclamation.

4 **Gunnell** asked what type of screen will be used.

5 **Mr. Allen** stated a standard screen for the top soil.

6 **Gunnell** asked if once screened the top soil there will be adequate for reclamation.

7 **Mr. Allen** stated there should be.

8 **Olsen** motioned to approve the *Allen Larsen Gravel Pit Conditional Use Permit 1st Amendment with the*
9 *stated conditions and conclusions; Watterson seconded; Passed 7, 0.*

10 **06:14:00**

11 **#5 Whisper Ridge Conditional Use Permit Revocation Review Update**

12 **Harrild** updated the Commission on the Whisper Ridge Conditional Use Permit Revocation Review.

13 **Commission** and **Staff** discussed the yurts being removed and reviewed the current conditions. A Storm
14 Water Permit (SWPP) and NOI has been applied for and approved.

15 **Dayson Johnson** commented on what steps has been completed since the last meeting.

16 **Watterson** asked about the cabin use.

17 **Mr. Johnson** stated a CUP application and an NOI have been submitted requesting heli-biking be added
18 to the recreational facility, taking out use of the Paradise road, and no use of the cabin.

19 **Zetterquist** informed the Commission that the CUP amendment due to expire in February will expire
20 because the conditions cannot be met in time. A new CUP has been applied for and is being processed at
21 this time.

22 **Watterson** asked if that included biking and the other items discussed at the last meeting.

23 **Mr. Johnson** stated yes.

24 **Zetterquist** responded it depends on what happens. If the permit is not revoked it could be an
25 amendment.

26 **Mr. Johnson** commented they are hoping this is not revoked and that the new CUP being applied for
27 replace the second amendment.

28 **Christensen** asked how an agricultural extension for the pond was being sought.

29 **Mr. Johnson** commented that BioWest stated an agricultural extension is an option but they don't know
30 if that will be possible until a wetlands delineation is completed in the spring.

- 1 **Olsen** asked about the yurts and how they are being stored.
- 2 **Mr. Johnson** stated they are stored off-site.
- 3 **Olsen** asked about the CAT and Heli-skiing.
- 4 **Mr. Johnson** stated if that use can continue, they are still planning to make all the other areas right.
- 5 **Parker** stated they would continue skiing without the cabins and the access by the cabin.
- 6 **Mr. Johnson** said that is right.
- 7 **Gunnell** asked about the helicopter and the pilot.
- 8 **Mr. Johnson** responded he is contracted.
- 9 **Gunnell** asked about the sage grouse area and if it is being flown over.
- 10 **Mr. Johnson** stated that area has been relayed to the helicopter and it is being avoided.
- 11 **Olsen** asked where the helicopter is flying out of.
- 12 **Mr. Johnson** stated Powder Mountain.
- 13 **Gunnell** asked how many drop points are being used for skiing.
- 14 **Mr. Johnson** stated that sites are dependent on snow.
- 15 **Harrild** stated amendment 2 is going to expire and that if current ski operations are functioning through
16 La Plata, they shouldn't be because it is not permitted and that needs to cease.
- 17 **Christensen** stated that has been the hardest part of this process.
- 18 **Luthy** stated that he was on a trip through there in the fall and has pictures of the pond area.
- 19 **Gunnell** stated the new information came too late for the Commission to really review and the
20 overstepping of the CUP is so blatant and it's a difficult situation.
- 21 **Mr. Johnson** responded that there has been a lot of work down in the last 30 days to try and rectify the
22 situation and there has been a show of good faith to come back into compliance and run the business
23 within the CUP.
- 24 **Gunnell** stated the pictures show a big scar that cannot be overlooked.
- 25 **Mr. Johnson** responded they are not asking it to be overlooked.
- 26 **Gunnell** responded he feels like not revoking the permit is overlooking that.
- 27 **Mr. Johnson** commented that by coming back and reporting to the planning commission that shows that
28 they are willing to fix the problem and to come back into compliance.

1 **Sands** stated BioWest, his company, has been retained to help with the pond issue. That can't be done
2 during winter, but when the snow melts it will be worked on and identify ways to bring it back into
3 compliance. He will recuse himself from voting but doesn't feel like it negates him being able to provide
4 comment. The commission does have the right and ability to revoke the permit if that is what the
5 commission would like to do. It would be pretty demanding to bring this item back every 30 days.

6 **Staff** and **Commission** discussed revoking the permit because it allows the process to be started over and
7 be done right from the beginning again. There is a history of noncompliance and currently it seems like
8 there are operations happening where they should not be happening.

9 **Spackman** asked about the bike trail.

10 **Mr. Johnson** responded they are single-wide bike trail. In review of the Google Earth review Hansen,
11 the applicant's surveyor, stated there did not seem to be a big impact.

12 **Gunnell** asked if soil had been disturbed and equipment used up there.

13 **Mr. Johnson** responded there had been and they are not trying to negate the situation.

14 **Staff** and **Commission** discussed what needed to be addressed from the 1st amendment and the
15 conditions that need to be met to record the second amendment. The business may continue to ski on the
16 first CUP but not without bringing the 1st amendment into the compliance.

17 **Mr. Johnson** stated the heli-skiing out of Coldwater is in the first amendment.

18 **Staff** and **Commission** discussed what was allowed by the 1st amendment which was CAT skiing and
19 heli-skiing on Coldwater. Skiing La Plata is not allowed because that was under the second amendment.

20 The **Commission** discussed if significant progress has been made since the last meeting to make not
21 revoking the permit feasible.

22 **Mr. Johnson** stated that the new CUP is a way to bring everything into compliance.

23 **Watterson** commented that if additional time is granted, a reasonable time frame for staff to review the
24 information that would be good to include.

25 **Staff** and **Commission** discussed the noncompliance and no consequence being imposed for the
26 noncompliance. That does set a precedence of no consequence for noncompliance. If the permit is
27 revoked no use of the Coldwater and La Plata could continue/happen until a new CUP is approved.

28 **Staff** and **Commission** discussed enforcement and revocation. There is an enforcement ordinance
29 currently being worked on that would provide staff more options for enforcement.

30 **Mr. Johnson** stated he thinks requiring the helicopter log is a fair recommendation and a deadline for
31 having information into staff.

32 **Zetterquist** stated information that goes out to the Commission in their packet has to be in 10 days
33 before the planning commission meeting.

- 1 **Staff** and **Commission** discussed what kind of information they would like to see in 30 days.
- 2 **Christensen** asked what measuring devices besides the helicopter log can be put in place.
- 3 **Mr. Johnson** stated a waiver has been filed with the Division of Water Quality because the stream
4 cannot be inspected right now. A system called Compliance Go is what the applicant is planning to use
5 and explained what kind of inspections are required to be in compliance with the SWPPP. A water
6 delineation is going to be required, but cannot happen at this point.
- 7 **Gunnell** asked about skiing outside of the bounds.
- 8 **Mr. Johnson** stated the skiing outside of the bounds was done in ignorance and those operations will
9 cease. He has no problem coming back before the Commission in 30 days.
- 10 **Gunnell** asked if Mr. Lockwood was over the operations before.
- 11 **Mr. Johnson** stated Mr. Lockwood is still over the entire operation.
- 12 **Harrild** stated Mr. Lockwood is still the acting agent and Mr. Johnson is under him.
- 13 **Jason Rickards** asked if the owners using La Plata as personal use and not through the business is a
14 violation of the CUP.
- 15 **Christensen** responded that his opinion would be no skiing outside of the area that is in compliance.
- 16 **Gunnell** commented that he agreed with Christensen's opinion
- 17 **Mr. Rickard** stated that was his question.
- 18 **Harrild** stated that it is difficult for staff to differentiate between personal use and business use. There is
19 no way to truly distinguish between business and personal use.
- 20 **Mr. Rickards** stated he understands what is being said.
- 21 **Staff** and **Commission** discussed how to differentiate between personal and business use.
- 22 **Dan Lockwood** commented that the owners are known and with the helicopter manifest, legally, the
23 owners have to be listed on that manifest.
- 24 **Commissioners** commented on their personal feelings regarding the owners using the land personally.
- 25 **Mr. Lockwood** stated the landowners bought La Plata with the purpose for skiing and no commercial use
26 of the La Plata will be used until the CUP is done. That can be proved through the manifest and
27 compliance is the ultimate goal.
- 28 **Olsen** commented that this is a stretch and great leeway is being given.
- 29 **Mr. Lockwood** stated that while the business has come a long way in four years the relationship with the
30 county has not been as fully developed and he takes responsibility for that deficit.

1 **Parker** motioned to continue the Whisper Ridge CUP Revocation Review for 30 days and activity proving
2 coming into compliance be brought at that time; **Watterson** seconded the motion; **Passed 5, 0 (Sands**
3 **Abstained, Gunnell voted nay).**

4 **07:38:00**

5 **#6 Discussion: Title 16.01, 16.02 and 17.02**

6 **Zetterquist** reviewed the code amendments for Titles 16 and 17. The main changes to Title 16 are to
7 update language regarding land use authority and removing 1970 parcel language.

8 **Staff** and **Commission** discussed the reason for the changes.

9 **Zetterquist** reviewed the suggested amendments for Title 17. The biggest change comes in 17.07 which
10 deal with transient housing and recreational facilities.

11 **Staff** and **Commission** discussed if a number limit for campgrounds is necessary or if that can be
12 controlled in the CUP.

13 **08:00:00**

14 **Sands** motioned to continue the meeting up to 15 minutes; **Watterson** seconded; **Passed 6, 1 (Olsen voted**
15 **nay).**

16 **Staff** and **Commission** discussed the length of time allowed for transient housing.

17 **Jason Rickards** reviewed a conceptual plan for Whisper Ridge that would include a lodge with 10 rooms
18 and 15 detached cabins. If the proposed change were to happen, this type of concept would not be
19 allowed.

20 **Sands** asked why they are not looking at a resort.

21 **Mr. Rickards** stated that would require a rezone and more work that they would like to avoid if possible.

22 **Commissioners** expressed that the concept handed out by Mr. Rickards is more a resort than a
23 recreational facility.

24 **08:10:00**

25 **Staff Reports**

26 **Staff** and **Commissioners** discussed appreciation luncheon dates.

27 **08:13:00**

28 **Adjourned**

STAFF REPORT: WINDMILL FARMS GOLDEN RETRIEVERS CUP 2020

6 February 2020

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: Jed Packer

Parcel ID#: 14-053-0037

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Planning Commission

PROJECT LOCATION

Reviewed by Angie Zetterquist

Project Address:

~9400 North 2400 West
east of Trenton

Current Zoning:

Agricultural (A10)

Acres: 22.2

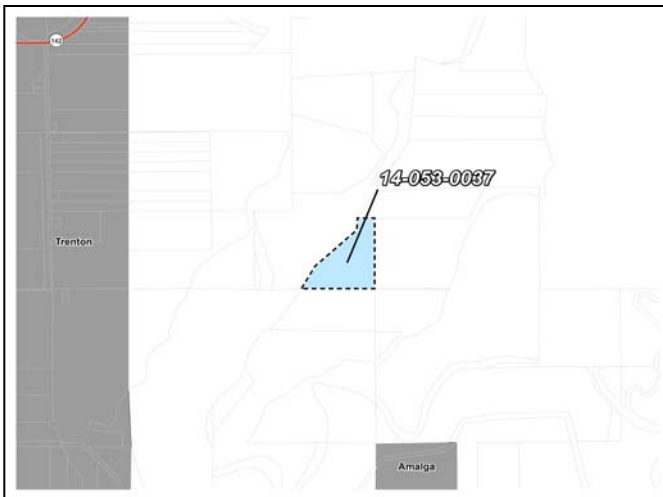
Surrounding Uses:

North – Agricultural

South – Agricultural

East – Agricultural

West – Bear River/UP&L property



FINDINGS OF FACT (30)

A. Request description

1. The Windmill Farms Golden Retrievers Conditional Use Permit (CUP) is a request to operate a rural kennel, Use Type 3210, on a 22.2 acre property located in the Agricultural (A10) Zone.
2. The requested use type, 3210 Rural Kennel, is a new addition to the code and was adopted by the County Council on November 26, 2019, and became effective on December 10, 2019.
3. The applicant previously submitted a request for a Home-Based Kennel, Use Type 3200, to operate a home-based kennel without a home. That request was withdrawn after the new use type for rural kennels was adopted.
4. Per the Letter of Intent (Attachment A), the applicant has been breeding, raising, and training golden retrievers for a variety of uses including search and rescue, impaired service dogs, therapy dogs, hunting dogs, and the like. The applicant currently operates a similar type of

facility in Smithfield City where they are licensed for a kennel with five (5) dogs. The applicant has stated they are seeking an expanded training location that will provide the environment and topography needed for their facility. In this request, the applicant is proposing to operate a rural kennel with up to 12 adult dogs on an agricultural property with no single-family dwelling or caretaker unit. **See condition #1**

a. Construction

- i.** The applicant has provided a site plan that shows a general layout of the subject property and plans for the proposed improvements (Attachment B).
- ii.** The subject property is currently used for agricultural use and under this request, the applicant states that would remain the primary use. The only structure currently on the property is a barn located along the north property line.
- iii.** In the Letter of Intent, the applicant states that a new concrete pad, approximately 1,300 square feet, will be poured to accommodate the rural kennel operation as well as a 700-square-foot metal building to house the dogs. **See condition #2 & #3**
- iv.** Per the Letter of Intent, the kennel will consist of indoor-outdoor, climb-resistant modular steel kennels with a retreat access to the enclosed structure, which will be a wood-framed, insulated building with metal roof and siding. A 6-foot high fence will surround the facility.
- v.** The applicant states in the Letter of Intent that no water or septic will be provided as part of the facility and estimates the construction timeline to be 60-90 days.

b. Operation

- i.** The applicant states that the proposed kennel facility will operate as a private training area for their dogs. The applicant has a website that provides information as to their current operation in Smithfield (www.windmillfarmsgoldens.com).
- ii.** The website is active and provides information about the current operation including: available litters, prices, breeding pairs, expected litters, and training methods.
- iii.** In the letter of intent, the applicant states there will be no employees other than the family who manages and operates the current facility in Smithfield. Customers will not visit the property and there will be no deliveries or signage on-site.
- iv.** No additional equipment is required for the facility beyond the farm equipment already on site, per the letter of intent.
- v.** Kennel waste will be collected and recycled as fertilizer. **See condition #4**

B. Parcel Legality

- 5.** The subject property has not changed size or configuration since August 8, 2006 and is a legal parcel.

C. Conditional Uses See conclusion #1

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

D. Compliance with law See conclusion #1

- 7.** The County Land Use Ordinance stipulates that:
 - a.** The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.

- b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
- 8. §17.02.060, Establishment of Land Use Authority, authorizes the Planning Commission to act as a Land Use Authority for a CUP. *See conclusion #2*
- 9. The parcel that is the subject of the conditional use permit request is a legal parcel zoned Agricultural (A10).
- 10. §17.07.030, Use Related Definitions defines this use as:
 - 3210 RURAL KENNEL:** Any establishment not accessory to a Dwelling Unit at which seven (7) to twelve (12) adult dogs are boarded, groomed, bred, raised, and/or otherwise kept. A Rural Kennel must comply with the following requirements:
 - 1. A Rural Kennel shall consist of no more than twelve (12) adult dogs (i.e., six (6) months of age or older).
 - 2. The kennel is accessory to a Use Type 6100 Agricultural Production Use, as defined in the County Code.
 - 3. The kennel must be located on a Legal Parcel, five (5) acres or larger in size that qualifies as land under agricultural use that is actively devoted to agriculture as defined by the Farmland Assessment Act, UCA 59-2-5
 - 4. The kennel must include a structure and fenced area to confine the dogs to the subject property. Dogs are prohibited from crossing onto adjacent properties unsupervised. The structure and fenced area must be of a sufficient size and height to accommodate and contain the particular breed(s) of dogs at the rural kennel. At the time of application, the applicant must provide detailed information and elevations for the structure and fenced area as part of their submittal.
 - 5. A sign, two feet by three feet (2' x 3') or six (6) square feet, must be posted on the private property along the property line and immediately adjacent to a recognized access point that legibly provides the contact name and phone number for the person(s) responsible for the kennel. Multiple signs may be required depending on the size of the parcel and number of recognized access points.
 - 6. All kennel facilities must be a minimum of fifty feet (50') from the property boundary.
 - 7. Noise levels from the kennel shall not exceed ten (10) decibels (dBA, Leq) above the existing ambient noise levels at the property line at any time of day or night. A sound level impact and assessment report prepared and signed by a qualified professional must be provided prior to recordation establish the existing ambient noise levels.
- 11. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Agricultural (A10) Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.

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

12. The County Land Use Ordinance stipulates that:

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

13. The primary activity of the proposed kennel is to train and house up to 12 adult dogs in a 700--square-foot structure located on the same property as an operating farm adjacent to neighboring properties under the same ownership. There are no employees and customers do not visit the property.

14. The proposed kennel facility will be located on a 22.2-acre property and is surrounded by agricultural properties to the east and south and Utah Power & Light properties and the Bear River to the north and west. The closest residences are located to the west in Trenton approximately 1.0 mile away as the crow flies.

F. Adequate service provision *See conclusion #1*

15. 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.

16. Access: The subject property does has frontage along a private farm access road.

- a.** §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- b.** §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- c.** The Road Manual specifies the following:
 - i.** Private Road: Allowed for a maximum of 30 average daily trips (ADT), which is equivalent to 3 houses with a minimum 20-foot wide gravel surface.
 - ii.** §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.
 - iii.** §2.4-A-4-a-ii: Requires requests for Conditional Use Permits to meet the road standards.
 - iv.** 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.
- d.** §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - i.** The layout of proposed roads;
 - ii.** An analysis of existing roadway compliance with the Road Manual requirements;
 - iii.** Existing maintenance;
 - iv.** And any additional impacts to the proposed development access roads.
- e.** §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
- f.** §1.8 Authority and Design Exception: Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or

construction method can meet the intent of the roadway standards, and including any other relevant information

17. A basic review of the access to the subject property identifies the following:

- a. The proposed kennel facility will gain access from the portion of 2400 West, that is a private farm access road.
 - i. The private access road crosses multiple properties before connecting to a section of county road that connects to SR 142 to the north at the southern boundary of Lewiston. **See condition #5**
 - ii. Is a 14-foot gravel road with an unknown depth and type of material.
 - iii. Is substandard and does not meet the County Road Standards.
 - iv. Is not maintained by the County.
 - v. As the proposed use requires a CUP to operate, the private access road must meet the requirements of a private road as per the Road Manual. Alternatively, the applicant may apply for a design exception from the County Council to determine if the proposed use warrants the required road improvements. **See condition #6**

18. Parking:

- a. §17.22 Off Street Parking Standards – All uses included under Use Index 3000, Sales and Services, require either one parking space per 250 square feet or a Parking Analysis be conducted to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. Additionally, if the use requires more than 5 parking stalls, a Parking Analysis that conforms to §17.07.040 General Definitions and §17.22 Off Street Parking Standards must be completed and include evidence of licensure from the State of Utah for the licensed professional who prepares the document.
 - i. Based on the square footage of the proposed kennel structure (700 square feet), 3 parking spaces will be required.
 - ii. The applicant has stated in his letter of intent that no customers at the property and they are closed to visitors at all times.
 - iii. Given that the proposed use, both based on the square footage of the kennel structure and the letter of intent, will require less than 5 parking spaces, a parking analysis prepared by a licensed professional is not required. In lieu of a parking analysis, the applicant must submit a site plan that demonstrates a parking area for three vehicles is available on-site adjacent to the kennel facility. **See condition #7**
- 19. Solid Waste Disposal – Logan City Environmental does not provide collection services in this remote location. Applicant will be required to remove all refuse from the property generated from the proposed use. **See condition #8****
- 20. Fire Control – The County Fire District has reviewed the proposed use and stated the access road to the property meets code. Any future development, including the kennel structure, 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 Trenton Fire Department.**
- 21. Water Requirements – Kennel facilities do not require confirmation of water rights and the applicant has stated no water will be provided for the facility.**
- 22. Septic – A septic feasibility analysis is not required for kennel facilities.**

G. Impacts and mitigation *See conclusion #1*

- 23. 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.”

24. 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.
25. Known or reasonably anticipated detrimental effects of the use are as follows:
- a. Noise: Kennels have the potential to generate negative noise impacts. However, given the remote location it is not anticipated that the use will have an impact on the surrounding properties.
 - i. The applicant has stated in the letter of intent that the primary use of the land is agricultural and the adjacent property shares ownership
 - ii. The subject property is 22.2-acres in size and is surrounded by agricultural uses and major waterway areas owned by Utah Power & Light. The closest residences appear to be located in Trenton west approximately 1.0 mile from the subject property as the crow flies.
 - iii. The proposed kennel structure will be a separate building and is required to be located a minimum of fifty feet (50’) from the property line. *See condition #3*
 - iv. Per the Rural Kennel requirements, the applicant must post a sign, two feet by three feet (2’ x 3’) or six (6) square feet, must be posted on the private property along the property line and immediately adjacent to a recognized access point that legibly provides the contact name and phone number for the person(s) responsible for the kennel. Multiple signs may be required depending on the size of the parcel and number of recognized access points. Applicant must provide a detail of the proposed sign as well as a revised site plan to show the location(s) where the sign will be posted. *See condition #9*
 - v. A sound level impact and assessment report has been provided (Attachment C). This report identifies that measurement were taken to establish the ambient noise level and will be referenced if noise becomes an issue to determine if the noise levels at the site due to the presence of a dog kennel exceed 10 dBA (Leq) over ambient conditions at any time of the day or night. *See condition #10*

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

26. Public notice was posted online to the Utah Public Notice Website on 23 January 2020.
27. Notice was published in the Herald Journal on 25 January 2020.
28. Notices were posted in three public places on 23 January 2020.
29. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 23 January 2020.
30. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (10)

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

1. The applicant and operator(s) must abide by the information as provided in the application and the information as identified in this report and must comply with the conditions of approval.

Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *See A-4*

2. Based on the County GIS data, the parcel lines have been updated and show the existing barn is immediately on or just crossing over the parcel line. The applicant must confirm the location of the parcel lines with a licensed surveyor prior to approval of a Zoning Clearance for the kennel. *See A-4-a-ii*
3. The kennel must meet the required setback of 50-feet from the property and a minimum of 10-feet from another structure. Prior to recordation, the applicant must provide a revised site plan that confirms the proposed location of the kennel structure meets these requirements. *See A-4-a-ii, G-25-a-iii*
4. Prior to recordation, the applicant must submit a plan for the collection and recycling of the kennel waste into fertilizer including how it will be collected, where it will be stored, and how it will be recycled to confirm it will not negatively impact storm water runoff into the adjacent river/floodplain area. *See A-4-b-v*
5. A copy of the recorded easements across the parcels used to access the subject property must be provided to Development Services staff. *See F-17-a-i*
6. Prior to recordation, the private road, 2400 West, must be improved to meet the minimum road standards for a private drive. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer and County Fire District for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, base preparation and construction, and surfacing for the road. Fees for any engineering plan review shall be borne by the proponent. Alternatively, the applicant may apply for a design exception from County Council to determine if the required road improvements are warranted for the proposed use. If a design exception is not approved, the road improvements must be completed. *See F-16, F-17*
7. Prior to recordation, the applicant must submit a site plan that identifies a parking area for three vehicles. *See F-18*
8. Applicant is responsible for remove all refuse from the property generated from the proposed use and properly dispose of it. *See F-19*
9. Prior to recordation, the applicant must provide a detail of the signage required under Use Type 3210 Rural Kennel, including material type, and provide a revised site plan that identifies the location(s) where the sign will be posted. *See G-25-a-iv*
10. The kennel must not exceed the 10 dBA (Leq) over the ambient conditions at any time of the day or night as established by the June 26, 2019 Noise study by Western Technologies, Inc. submitted with the application. *See G-25-a-v*

CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, the Windmill Farms Golden Retrievers CUP 2020 is hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and; *See B, C, D, E, F, G*
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request. *See D-6*



Letter of Intent

To: Cache County Development Services Department
Date: December 10, 2019
RE: Application for Rural Kennel License

Company Information

Windmill Farms Golden Retrievers
Jed Packer Owner
325 South 700 East
Smithfield, UT 84335
435-770-1276
Jedpacker233@gmail.com

Website: <http://www.windmillfarmsgoldens.com/>

Facebook: https://www.facebook.com/pg/WindmillFarmsGoldenRetrievers/reviews/?ref=page_internal

We are a leader in providing, trained, healthy, titled, service animals to clients throughout the United States of America. We are 5 star service rated and have dogs in many usage applications. Golden Retrievers are easy to train and provide excellent temperaments.

We currently have a kennel license from Smithfield City for up to 5 dogs. No problems or issues have been reported. We are seeking a better training location. We are NOT looking to be a large kennel. We concentrate on quality and increased training time.

Over the last 15 years, we've been breeding, raising and training Golden Retrievers for a variety of usages such as: Search and Rescue, Impaired service dogs, Therapy dogs, Field trial, Hunt Test, Hunting dogs and like usages. Field bred Golden retrievers provide excellent prospects for these usages and are currently excelling. Our clients include Park City Ski resort, Alpine Meadows Ski Resort, Hearing impaired couples, veterinarians, other breeders and other like usages. We have a strong reputation for quality field Goldens bred with a purpose.

Proposal

Insulated metal building on a 36'x36' concrete pad east of an existing hay barn. (Existing barn size = 100' x 40') Indoor-outdoor modular kennels would be arranged with the metal building. The kennel would be located East of Trenton, Utah 9400 North 2400 West.

Primary use of the location is housing and training.

Six foot containment fence surrounding the facility.

Current zoning is A10 on a 22.2 acre piece. Entire acreage owned = ~100 acres.

Property Owners

H. Dennis & Kathy Gibbons
Power of Attorney Paul Gibbons
2410 N 870 E North Logan Utah 84341
435-757-5305
Gibbons.paul@gmail.com

Nearby businesses:

- Oak Dale Egg Farm
- Richmond City Sewer Plant
- Elk Ranch
- Dairy Farms & farm land

The kennel location is ideally located for its distance from residential homes or dairies. It's surrounded by none farmable river bottom land mainly owned by UP&L Rocky Mountain Power easement. . Access to the property by way of private gravel road. It's regularly used for farm implements. It is gated at the entry and posted. This ideal location provides an environment conducive to our training needs. Which are; search and rescue, therapy, hunting and other like functions.

The building would be used for both kennel needs and any farm storage needs. Using less than 1% of the 100 acre family owned farm land. The kennel would be built east of the existing barn structure. A 6 foot fence will surround the kennel. No more than 12 adult dogs older than 6 months will be trained at the facility

- Approximate Location: 41.906612 – 111.895500.
- Nearest dairy farm is approximately 1 mile.
- Main contribution of area noise is farm implements & bellowing cows . Idle tractor = 85 db.
- Dog waste would be recycled as farm fertilizer.

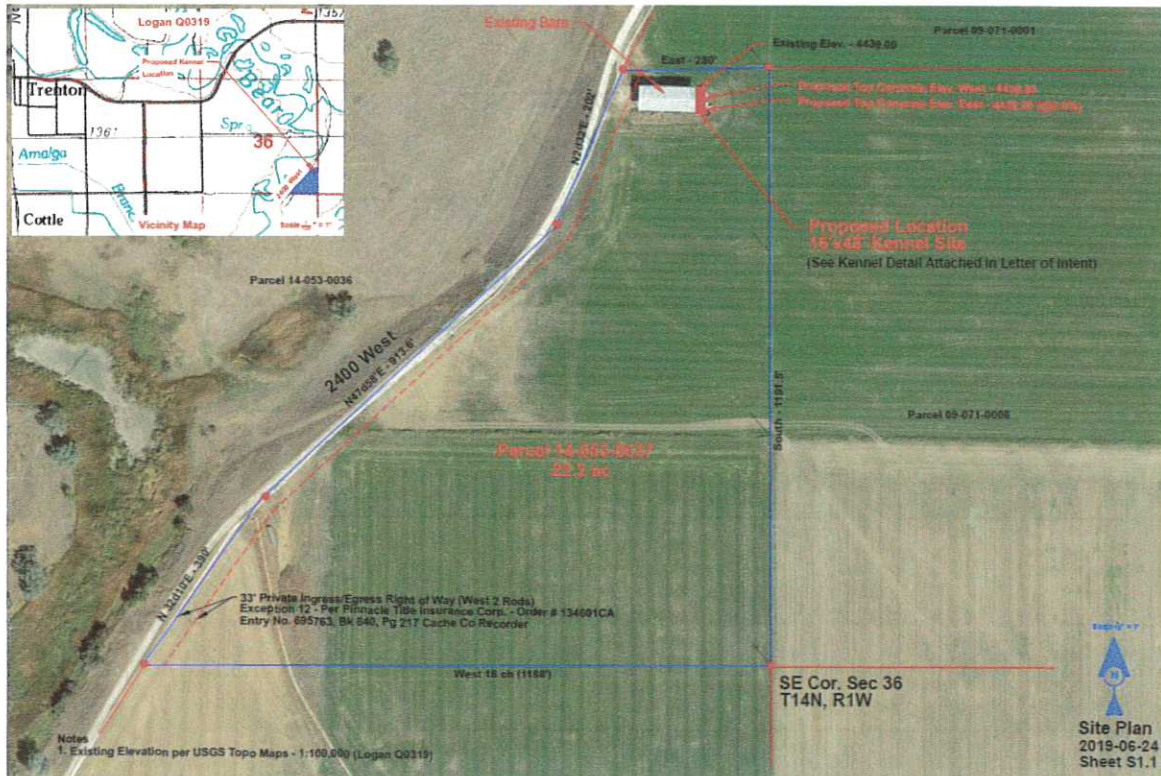
Base Zone: A10 – No change
Parcel Number: 14-053-0037
Primary Use: Farming

1. Use Type: Private training facility of our own dogs.
 - a. No retail
 - b. No wholesale

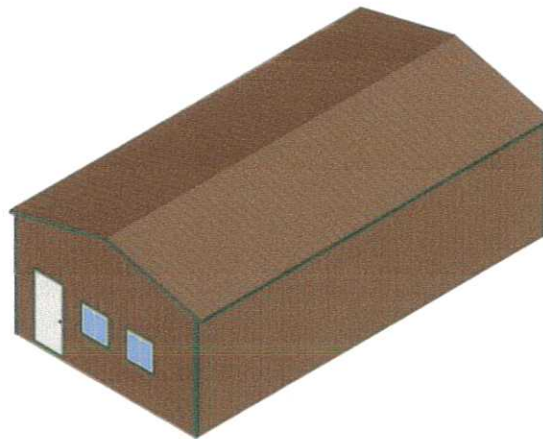
- c. No services
- d. No manufacturing
2. Employees:
 - a. No hired employees required.
 - b. It would be managed and run by our family.
3. Hours of Operation:
 - a. Not applicable as we are not providing sales or services at this location.
 - b. The dogs would be fed and trained at this location.
 - c. No deliveries at this location.
 - d. A sign with our name and contact number on the front gate
 - e. No garbage pick-up at this location.
 - f. Outside of the farming implements already used to farm the crops, there are no additional vehicle or machinery needs.
 - g. No additional parking needed. The existing farm truck will be used to drive to and from this location.
4. Unique Characteristics.
 - a. The area is surrounded by 100's of UPL easement land acreage. No one currently lives within about one mile of the location. Farming is the main usage of the land. The river and open fields provide adequate training and the working of field bred golden retrievers.

Building & Kennel Outline:

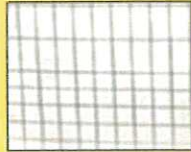
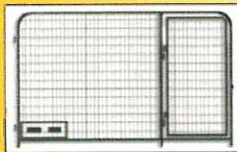
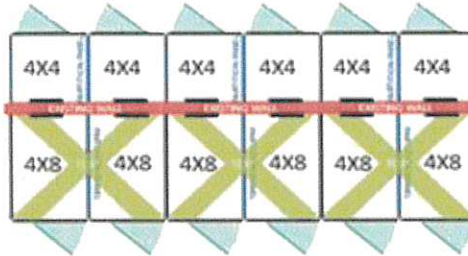
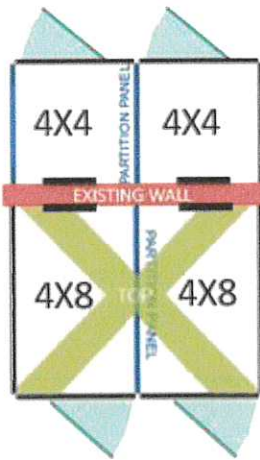
1. Concrete sloped pad 36'x 36'
2. Metal Building size 20'x35'x12'
3. Gravel road access.
4. Park in existing hay barn.
5. Modular kennels with building retreat access. Metal building size approximately 20'x35'x12'. We will put a 6' fence around the facility.
6. Climb resistant diamond kennels.
7. Estimated completion time is 60-90 days.
8. No water or sewer needed.
9. No septic needed.
10. No additional parking needed.
11. No additional heavy equipment needed or operating.
12. No retail or hours of operation required. Only for training and working the dogs.



Metal Building
20'x35'x12'



Indoor-Outdoor Modular Kennels



- 100% MODULAR
CHANGE SHAPE AND SIZE WITH EASE
- 5-MINUTE SET-UP
WITH NO TOOLS REQUIRED
- GALVANIZED STEEL (NOT POWDERCOATED)
- PETS CAN'T PUSH, CHEW OR CLIMB OUT
- COMPATIBLE W/ CURRENT ACCESSORIES & PARTS

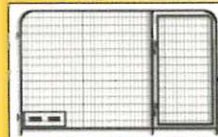
[Learn more ▶](#)

Kennel Pro SPECIFICATIONS

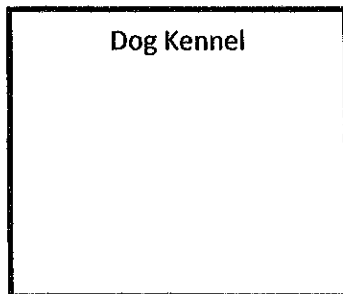
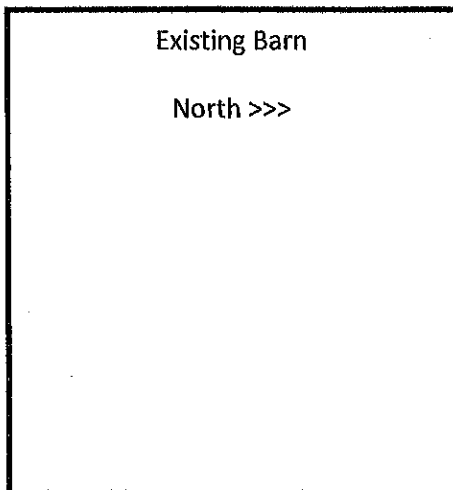
WIRE THICKNESS: 3/16"
 WIRE SPACING: Progressive
 DOOR SIZE: 3'
 PANEL HEIGHT: 6'
PANEL WEIGHT

4"30LBS.	6"37LBS.	8"50LBS.
47LBS.	55LBS.	80LBS.
w/door	w/door	w/door

- Galvanized for long life
- Built In Swivel Bowl Bracket
- Built In Door Panel
- Welded Wire Full Six Feet
- Works with raised flooring



Aerial View



See attached maps and topo's



June 26, 2019

Windmill Farms Golden Retrievers Co.
325 South 700 East
Smithfield, Utah 84335

Attn: Mr. Jed Packer

Re: Limited Sound Monitoring
Windmill Farms Golden Dog Kennels
Highway 142
Trenton, Utah 84664

WT Job No. 6129JA109

Western Technologies Inc. has completed a limited sound monitoring survey of the above Property at the request of Jed Packer with Windmill Farms Golden Dog Kennels. WT visited the site on June 25, 2019 and monitored for 4 hours between approximately 10:00 AM and 2:00 PM with a Larson Davis Sound Track LxT1 Environmental & Occupational Noise Meter. The average decibel levels (Laeq A-weighted) during the time measured were found to be:

- Measurement 001 – Average Level – 44.3 dB
- Measurement 002 – Average Level – 40.9 dB
- Measurement 003 – Average Level – 36.7 dB

Measurement 001 was taken at the center western Property line, measurement 002 at the northwestern Property corner, and measurement 003 near the northeastern Property corner. The average readings from the three measurements provide the ambient noise level of the Property, which is a baseline reference for the maximum allowable level. Readings between 50 to 70 dB would be equivalent to a quiet office or conversational speech. Readings near 80 dB would be equivalent to garbage disposal (US Department of Transportation).

According to the Home Kennels definition (3200) in Title 17.07.030 of Cache County Codes, the noise levels from the kennel must not exceed 10 decibels above the ambient noise levels at the Property line; therefore, the site-specific maximum is **50.6 dB**, as allowed by the county code.

This report completes the agreed scope of services. If you have any questions or if we may be of further assistance to you, please do not hesitate to contact us. Thank you for allowing us to provide these services.

Sincerely,
WESTERN TECHNOLOGIES INC.

Reviewed by:

Sarah Reddinger
Environmental Scientist

Vicki Aullman
Environmental Project Manager

Attachments: Figure 1, Noise Level Measurement Locations
Sound Level Measurement Reports (001-003)

Limited Noise Monitoring
Windmill Farms Golden Dog Kennels
Highway 142, Trenton, Utah 84664
Photographic Log

WESTERN TECHNOLOGIES INC.

WT Job No.: 6129JA109

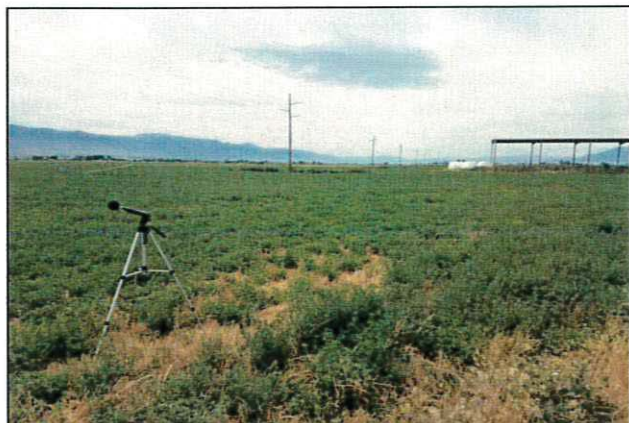
Date: June 25, 2019



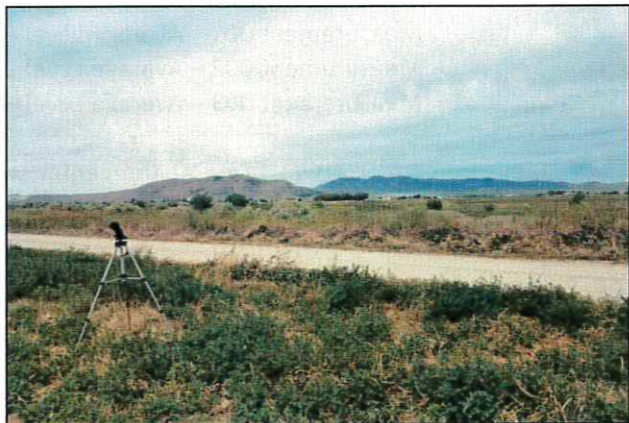
Picture 1 – View of Measurement 001 near the existing structure.



Picture 2 – View of Measurement 001 near the existing structure.



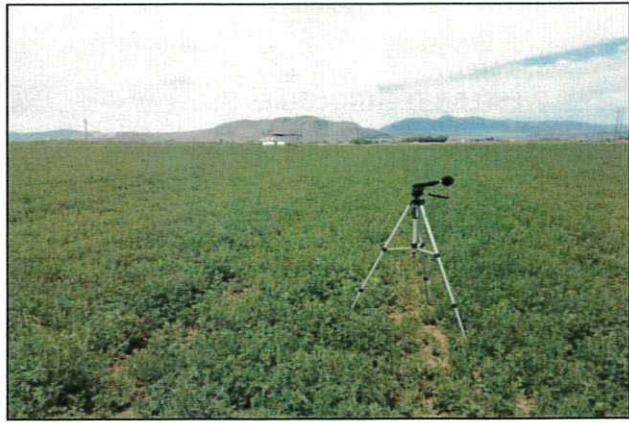
Picture 3 – View of Measurement 002 near the northwestern Property corner.



Picture 4 – View of Measurement 002 near the northwestern Property corner.



Picture 5 – View of Measurement 003 at the eastern Property edge.



Picture 6 – View of Measurement 003 at the eastern Property edge.



PROJECT: Windmill Farms Golden Dog Kennels, Highway 142, Trenton, Utah 84664

JOB NO.: 6129JA109

Figure 1: Limited Sound Monitoring

Western Technologies Inc.
The Quality People
Since 1955



wt-us.com

Measurement Report

Report Summary

Meter's File Name	LxT_Data.008	Computer's File Name	SLM_0005532_LxT_Data_008.01.ldbin
Meter	LxT1 0005532		
Firmware	2.302		
User		Location	
Description			
Note			
Start Time	2019-06-25 12:46:32	Duration	0:58:22.1
End Time	2019-06-25 13:44:54	Run Time	0:58:21.0
		Pause Time	0:00:01.1

Results

Overall Metrics

LA _{eq}	36.7 dB		
LAE	72.1 dB	SEA	--- dB
EA	1.8 μPa²h		
EA8	14.9 μPa²h		
EA40	74.6 μPa²h		
LZ _{peak}	90.8 dB	2019-06-25 13:12:43	
LAF _{max}	60.9 dB	2019-06-25 13:44:52	
LAF _{min}	28.5 dB	2019-06-25 13:34:47	
LA _{eq}	36.7 dB		
LC _{eq}	55.7 dB	LC _{eq} - LA _{eq}	19.0 dB
LAI _{eq}	40.9 dB	LAI _{eq} - LA _{eq}	4.2 dB

Exceedances

	Count	Duration
LAF > 85.0 dB	0	0:00:00.0
LAF > 115.0 dB	0	0:00:00.0
LZ _{peak} > 135.0 dB	0	0:00:00.0
LZ _{peak} > 137.0 dB	0	0:00:00.0
LZ _{peak} > 140.0 dB	0	0:00:00.0

Community Noise

LDN	LDay	LNight	
--- dB	--- dB	0.0 dB	
LDEN	LDay	LEve	LNight
--- dB	--- dB	--- dB	--- dB

Any Data

	A		C		Z	
	Level	Time Stamp	Level	Time Stamp	Level	Time Stamp
L _{eq}	36.7 dB		55.7 dB		--- dB	
LF _(max)	60.9 dB	2019-06-25 13:44:52	--- dB		--- dB	
LF _(min)	28.5 dB	2019-06-25 13:34:47	--- dB		--- dB	
L _{Peak(max)}	--- dB		--- dB		90.8 dB	2019-06-25 13:12:43

Overloads

Count	Duration
0	0:00:00.0

Statistics

LAF 5.0	41.7 dB
LAF 10.0	40.0 dB
LAF 33.3	32.8 dB
LAF 50.0	30.9 dB
LAF 66.6	30.0 dB
LAF 90.0	29.2 dB

Measurement Report

Report Summary

Meter's File Name	LxT_Data.007	Computer's File Name	SLM_0005532_LxT_Data_007.01.ldbin
Meter	LxT1 0005532		
Firmware	2.302		
User		Location	
Description			
Note			
Start Time	2019-06-25 11:35:56	Duration	1:06:52.2
End Time	2019-06-25 12:42:48	Run Time	1:06:50.1
		Pause Time	0:00:02.1

Results

Overall Metrics

LA _{eq}	40.9 dB		
LAE	76.9 dB	SEA	--- dB
EA	5.4 $\mu\text{Pa}^2\text{h}$		
EA8	38.9 $\mu\text{Pa}^2\text{h}$		
EA40	194.6 $\mu\text{Pa}^2\text{h}$		
LZ _{peak}	87.6 dB	2019-06-25 11:55:57	
LAF _{max}	71.9 dB	2019-06-25 11:55:57	
LAF _{min}	29.2 dB	2019-06-25 12:38:48	
LA _{eq}	40.9 dB		
LC _{eq}	45.5 dB	LC _{eq} - LA _{eq}	4.6 dB
LAI _{eq}	45.7 dB	LAI _{eq} - LA _{eq}	4.8 dB

Exceedances

	Count	Duration
LAF > 85.0 dB	0	0:00:00.0
LAF > 115.0 dB	0	0:00:00.0
LZ _{peak} > 135.0 dB	0	0:00:00.0
LZ _{peak} > 137.0 dB	0	0:00:00.0
LZ _{peak} > 140.0 dB	0	0:00:00.0

Community Noise

LDN	LDay	LNight	
--- dB	--- dB	0.0 dB	
LDEN	LDay	LEve	LNight
--- dB	--- dB	--- dB	--- dB

Any Data

	A		C		Z	
	Level	Time Stamp	Level	Time Stamp	Level	Time Stamp
L _{eq}	40.9 dB		45.5 dB		--- dB	
LF _(max)	71.9 dB	2019-06-25 11:55:57	--- dB		--- dB	
LF _(min)	29.2 dB	2019-06-25 12:38:48	--- dB		--- dB	
L _{Peak(max)}	--- dB		--- dB		87.6 dB	2019-06-25 11:55:57

Overloads

Count	Duration
0	0:00:00.0

Statistics

LAF 5.0	40.6 dB
LAF 10.0	37.3 dB
LAF 33.3	33.2 dB
LAF 50.0	32.2 dB
LAF 66.6	31.5 dB
LAF 90.0	30.5 dB

Measurement Report

Report Summary

Meter's File Name	LxT_Data.006	Computer's File Name	SLM_0005532_LxT_Data_006.01.ldbin
Meter	LxT1 0005532		
Firmware	2.302		
User		Location	
Description			
Note			
Start Time	2019-06-25 10:24:16	Duration	1:09:40.3
End Time	2019-06-25 11:33:56	Run Time	1:09:39.1
		Pause Time	0:00:01.2

Results

Overall Metrics

LA _{eq}	44.3 dB		
LAE	80.5 dB	SEA	--- dB
EA	12.6 μPa²h		
EA3	86.8 μPa²h		
EA40	434.0 μPa²h		
LZ _{peak}	88.1 dB	2019-06-25 10:24:36	
LAF _{max}	68.1 dB	2019-06-25 10:37:35	
LAF _{min}	31.6 dB	2019-06-25 11:33:09	
LA _{eq}	44.3 dB		
LC _{eq}	46.4 dB	LC _{eq} - LA _{eq}	2.1 dB
LAI _{eq}	47.3 dB	LAI _{eq} - LA _{eq}	2.9 dB

Exceedances

	Count	Duration
LAF > 85.0 dB	0	0:00:00.0
LAF > 115.0 dB	0	0:00:00.0
LZ _{peak} > 135.0 dB	0	0:00:00.0
LZ _{peak} > 137.0 dB	0	0:00:00.0
LZ _{peak} > 140.0 dB	0	0:00:00.0

Community Noise

LDN	LDay	LNight	
--- dB	--- dB	0.0 dB	
LDEN	LDay	LEve	LNight
--- dB	--- dB	--- dB	--- dB

Any Data

	A		C		Z	
	Level	Time Stamp	Level	Time Stamp	Level	Time Stamp
L _{eq}	44.3 dB		46.4 dB		--- dB	
LF _(max)	68.1 dB	2019-06-25 10:37:35	--- dB		--- dB	
LF _(min)	31.6 dB	2019-06-25 11:33:09	--- dB		--- dB	
L _{Peak(max)}	--- dB		--- dB		88.1 dB	2019-06-25 10:24:36

Overloads

Count	Duration
0	0:00:00.0

Statistics

LAF 5.0	46.9 dB
LAF 10.0	46.4 dB
LAF 33.3	44.4 dB
LAF 50.0	41.5 dB
LAF 66.6	40.3 dB
LAF 90.0	38.4 dB



MEMORANDUM – CODE AMENDMENTS

6 FEBRUARY 2020

The Development Services staff has prepared code amendments (attached) for the review and recommendation of the Planning Commission to the County Council. The proposed amendments will add consistency and clarity to the code.

Specifically, the proposed changes to Title 16 Subdivisions are related to changes made last year regarding parcel legality and Land Use Authority. Suggested amendments include removing references to “1970 parcels”, which no longer exist under the Code, and making the Land Use Authority designations consistent with changes made to Chapter 17.02 Administration in 2019.

A proposed amendment to Chapter 17.02 will allow the Development Services Department to prepare application forms, which reflect the requirements of the County Code, for required permits and approvals and place those applications into effect immediately without having to obtain approval of the County Council for each revision. Due to the current language in the Chapter 17.02, any change to an application must go to the County Council for approval, which is a time-consuming process and rarely results in any changes to the application as presented by staff.

Finally, the Development Services Department has fielded questions from different developers regarding Use Type 4100 Recreational Facility. Staff feels the intent of the definition is best clarified by the Planning Commission and County Council. Specifically, the question is how “room” is defined for the incidental transient lodging allowed as part of a Recreational Facility. Staff has drafted a proposed definition for “room” that would only apply to Recreational Facilities, since it is a unique use type that allows for incidental lodging up to a maximum of 15 rooms, but can be interpreted differently depending on the point-of-view. For instance, developers typically equate a “room” in a transient lodging setting as a “key”, which may allow for multiple sleeping quarters in a single, rentable area. The developer understanding of room/key likely differs from what the intent of the Planning Commission and County Council was when the original definition was adopted. Staff is anticipating that there will be new applications for recreational facilities submitted in the next few months, subsequently, staff is seeking a clarification of this term and has proposed a definition of “room” that they believe reflects the original intent of the Code.

**Amendments to 16.01
General Provisions and Administration**

Existing language with proposed changes:

16.01.060: General Responsibilities:

~~E. The Planning Commission shall act as an advisory agency to the County Council. It is charged with making investigations, reports and recommendations on proposed subdivisions as to their conformance to the Cache Countywide Comprehensive Plan and Cache County Zoning Ordinance, and other pertinent documents. The Planning Commission shall recommend approval, approval with conditions, or denial of the preliminary and final plats to the County Council.~~

~~FE.~~ The Development Services Department shall approve the form of the final plat, that the developer dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report.

~~GF.~~ The County Council Planning Commission has final jurisdiction in the approval of subdivision plats; the establishment of requirements for and design standards of public improvements; and the acceptance of lands and public improvements that may be proposed for dedication.

16.01.070: Site Preparation Work Prohibited:

No excavation, grading or regrading, or removal of vegetation for a proposed subdivision shall take place and no building permits shall be issued until a proposed subdivision has received approval from the ~~Cache County Council~~ Planning Commission and the subdivision has been recorded in the office of the Cache County Recorder, as required herein.

Existing language with proposed changes:

16.02.020: Natural Barrier:

- B. An application may be made for any lot that is clearly separated by a natural or manmade barrier within the Agricultural Zone. ~~Natural barrier determinations do not create new 1970 parcels.~~
3. The ~~Director of Development Services~~Planning Commission is the land use authority for natural barrier determinations. In the event that the ~~Director~~Planning Commission or applicant requires further review of a proposed natural barrier, the County Council shall be the land use authority. Any appeal of the ~~Director's~~Planning Commission's decision ~~shall~~ must be reviewed by the Board of Adjustments.
- C. Each parcel created by a natural barrier determination ~~made prior to October 11, 2005,~~ may be allowed to be further divided in compliance with this ~~¶~~Title and Title 17 of this code. ~~Each parcel created prior to October 11, 2005, by the natural barrier determination shall be allowed to develop as if it were a 1970 parcel.~~

16.02.040: Approval Process:

- B. Preliminary Plat: Applicants ~~shall~~ must submit to the Director a completed subdivision application, a preliminary plat, and any other associated materials deemed necessary by this code or by the Director. This information shall be reviewed by the Planning Commission ~~and a recommendation for action shall be forwarded to the County Council.~~
- C. Final Plat: The ~~County Council~~Planning Commission ~~must~~ shall review the application, proposed plat, and any recommendations by staff ~~and/or the Planning Commission.~~ The Planning Commission ~~Council~~ may approve, approve with stipulations or alterations, or deny any subdivision plat.

16.02.060: Cluster Subdivision Option:

- G. All areas to be preserved for farm use and/or open space areas as a result of a cluster subdivision approval shall be preserved. These areas shall only be used, and shall be maintained in accordance with the conditions of the cluster subdivision approval as approved by the ~~county council~~Planning Commission. Such area(s) shall be noted on the subdivision plat as an agricultural or open space area with future residential and commercial development prohibited.
- H. The maximum density, or number of lots allowed, is based on the total amount of developable land. "Developable land" is defined as land that is not restricted by hill slopes (grades greater than 20 percent), wetlands, floodplains, natural water features, or other lands that may be deemed undevelopable in conformance with title 17, chapter 17.18 of this code or as determined by the ~~p~~Planning ~~e~~Commission ~~or county council.~~

Existing language with proposed changes:

16.03.030: Preliminary Subdivision Plat Requirements:

H. The preliminary subdivision plat shall show the following:

4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the ~~county council chair attested to by the county clerk~~, planning commission chair, deputy county surveyor, county attorney, county recorder and Bear River board of health director;

16.03.040: Final Subdivision Plat Requirements:

The final subdivision plat is required for the recordation of a subdivision plat as approved by the planning commission ~~and county council~~. The final plat shall reflect any changes to the preliminary plat as required by the ~~county council~~, Planning Commission, and ~~must shall~~ be reviewed by the director of development services for completeness prior to recordation.

A. A final subdivision plat shall be prepared by a licensed land surveyor, and conforming to current surveying practice and in a form acceptable to the Cache County recorder for recordation. The final subdivision plat shall contain all of the information required in the preliminary subdivision plat, with the exception of setbacks, and shall be presented to the director in the following form: One twenty four by thirty six inch (24 x 36") copy of the final subdivision plat, in ink, on reproducible mylar along with one digital copy (type to be specified by the director) at the same scale and containing the same information. All sheets shall be numbered and referenced to an index map and all required certificates shall appear on a single sheet (along with the index and vicinity maps). All revision dates must be shown as well as the following:

1. Notation of any self-imposed restrictions, or other restrictions, if required by the planning commission ~~or county council~~ in accordance with this title or title 17 of this code;
2. Other final subdivision plat notes, as required by the planning commission ~~or county council~~.

B. All of the required signature blocks shall be signed prior to the recordation of the final plat.

C. All other requirements of this title, title 17 of this code, or of the ~~county council~~ Planning Commission shall be met prior to the recordation of the final plat.

**Amendments to 16.04
General Requirements For All Subdivisions**

Existing language with proposed changes:

16.04.060: Utilities and Easements:

Utility easements shall be provided within the subdivision as required for public utility purposes. Easements shall be dedicated along all front, rear, and side setbacks as deemed necessary by the ~~county council~~Planning Commission and/or utility providers.

16.04.080: Suitability Requirements for Subdivisions:

F. Solid Waste Disposal: If the proposed subdivision is located outside of the boundaries of service area no. 1, a garbage or refuse plan shall be provided for review by the ~~county council~~Planning Commission.

16.04.090: Redesign:

The ~~county council~~Planning Commission may require that a subdivision be redesigned based on a recommendation from either staff or the planning commission. The redesign may be required based on either site constraints that may include, but are not limited to: topography, floodplain or waterways, historic or culturally significant elements, access issues, or other natural features. A redesign of a subdivision may also be required based on land use planning external to the site.

16.04.100: Completion of Development Improvements

A. Improvements: The ~~county council~~Planning Commission may require on site and off site improvements as outlined within this code or as otherwise determined necessary by the land use authority based on the record as required to protect the public health, safety, and welfare

Existing language with proposed changes:

17.02.020: Rules of Procedure:

A. The Development Services Department shall adopt rules of procedure establishing the application and decision making process for required permits and approvals. These policies and procedures, including preparation of applications, must reflect the requirements of the County Code, but not limited to, applications and Permitting fees, must be approved by resolution by the County Council. The collected fees must be used to defray the costs of administering land use requests or appeals.

17.02.030: Establishing Land Use Authority Duties, Authorities, and Powers:

A. Director:

4. The Director must:

a. Adopt procedures for land use application processes. ~~These procedures must be approved by the County Council~~; and

Existing definitions with proposed changes:

4100 RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that are operated as a business and/or open to the general public. These facilities are typically operated for a period of greater than 30 days per year and may also include incidental transient lodging accommodations for up to 15 rooms. Room: For the purposes of a Recreational Facility only, "room" is defined as a self-contained area within a structure that has a maximum of two sleeping areas, one bathroom, and no provision for cooking. The room provides sleeping accommodations for the general public utilizing the associated recreational facility. All rooms associated with the recreational facility must be contained within a single structure and access to rooms is primarily from interior lobbies or halls. A central kitchen and dining room catering to guests and the general public can be provided within the same structure. This use type definition also includes, but is not limited to, the following examples of specific recreational facilities:

1. Ski Facility: A recreational use, with associated facilities and improvements, for downhill or cross country skiing, snowboarding, snowshoeing, snowmobiling, or other snow related activities. Associated facilities and improvements include, but are not limited to: ~~transient lodging~~; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a ~~resort~~ recreational facility.
2. Golf Course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.
3. Campground: Any area with more than three (3) ~~sites~~ and a maximum of fifteen (15) sites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a maximum duration of stay of two (2) weeks.

Existing definitions with proposed changes:

4100 RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that are operated as a business and/or open to the general public. These facilities are typically operated for a period of greater than 30 days per year and may also include incidental transient lodging accommodations for up to 15 rooms. Room: For the purposes of a Recreational Facility only, "room" is defined as a self-contained area within a structure that has a maximum of two sleeping areas, one bathroom, and no provision for cooking. The room provides sleeping accommodations for the general public utilizing the associated recreational facility. All rooms associated with the recreational facility must be contained within a single structure and access to rooms is primarily from interior lobbies or halls. A central kitchen and dining room catering to guests and the general public can be provided within the same structure. This term recreational facilities also includes, but is not limited to, the following examples: specific uses:

1. Ski Facility: A recreational use, with associated facilities and improvements, for downhill or cross country skiing, snowboarding, snowshoeing, snowmobiling, or other snow related activities. Associated facilities and improvements include, but are not limited to: ~~transient lodging~~; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a ~~resort~~ recreational facility.
2. Golf Course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.
3. Campground: Any area with more than three (3) ~~sites~~ that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a ~~maximum~~ duration of stay for a period of thirty (30) days or less of two (2) weeks.

Proposed definitions

17.07.040: General Definitions

CAMPSITE: an area within a campground designed or used to accommodate one party in a single travel trailer, recreational vehicle, or tent.

Existing definitions with proposed changes:

4100 RECREATIONAL FACILITY: A place, either indoor or outdoor, designed and equipped for the conduct of sports and leisure time activities that are operated as a business and/or open to the general public. These facilities are typically operated for a period of greater than 30 days per year and may also include incidental transient lodging accommodations for up to 15 rooms. Room: For the purposes of a Recreational Facility only, "room" is defined as a self-contained area within a structure that has a maximum of two sleeping areas, one bathroom, and no provision for cooking. The room provides sleeping accommodations for the general public utilizing the associated recreational facility. All rooms associated with the recreational facility must be contained within a single structure and access to rooms is primarily from interior lobbies or halls. A central kitchen and dining room catering to guests and the general public can be provided within the same structure. The term recreational facilities is also includes, but is not limited to, the following examples: specific uses: Ski Facility, Golf Course, and Campground.

- ~~1. Ski Facility: A recreational use, with associated facilities and improvements, for downhill or cross-country skiing, snowboarding, snowshoeing, snowmobiling, or other snow-related activities. Associated facilities and improvements include, but are not limited to: transient lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a resort.~~
- ~~2. Golf Course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.~~
- ~~3. Campground: Any area with more than three (3) sites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a maximum duration of stay of two (2) weeks.~~

Proposed definitions

17.07.040: General Definitions

CAMPGROUND: Any area with more than three (3) campsites that are improved for occupancy by transients using recreational vehicles, motor homes, mobile trailers, or tents for dwelling, lodging, or sleeping purposes with a duration of stay for a period of thirty (30) days or less.

CAMPSITE: an area within a campground designed or used to accommodate one party in a single travel trailer, recreational vehicle, or tent.

GOLF COURSE: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.

SKI FACILITY: A recreational use, with associated facilities and improvements, for downhill or cross country skiing, snowboarding, snowshoeing, snowmobiling, or other snow related activities. Associated facilities and improvements include, but are not limited to: food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of the facilities as a recreational facility.

SUMMARY

A. Purpose

1. The purpose of this report is to review the proponent’s progress in complying with the existing Whisper Ridge Conditional Use Permit (CUP), and to assist the Planning Commission (Commission) in their decision to either revoke the existing Whisper Ridge Conditional Use Permit (CUP) or allow it to continue. This review does not provide the Commission the opportunity to amend the approved, recorded 1st Amendment CUP and associated conditions, or the approved 2nd amendment to the CUP that has not been recorded. For clarity, sections from the previous staff report including Ordinance, Background, Findings, and Conclusions have been included, and an updated Recommendation has been provided.

B. Ordinance

2. Section 17.06.050, item E, of the Cache County Land Use Ordinance (Ordinance) states, “If there is cause to believe that grounds exist for revocation of an approved Conditional Use Permit, the Land Use Authority shall schedule the item for consideration at a public meeting. A minimum notice of thirty (30) days prior to the meeting shall be provided to the property owner at the location of the approved Conditional Use Permit.
 1. A Conditional Use Permit may be revoked by the Land Use Authority if the Land Use Authority finds that one or more of the following conditions exist:
 - a. The Conditional Use Permit was obtained in a fraudulent manner.
 - b. The use for which the Conditional Use Permit was granted has ceased for a minimum of twelve (12) consecutive calendar months.
 - c. The nature of the use for which the Conditional Use Permit was granted has changed or the intensity of use has increased beyond that originally approved.
 - d. The use constitutes a nuisance as defined by County Code.
 - e. One or more of the conditions of the Conditional Use Permit have not been met.”

C. Background

3. Staff has reviewed the existing CUP based on the conditions of the approved, recorded CUP, and the Land Use Code.
4. The original CUP was approved by the Commission on January 7, 2016 and recorded on January 8, 2016. The first amendment to that permit was approved by the Commission on October 6, 2016 and recorded on November 4, 2016. The second amendment to the permit was approved by the Commission on February 7, 2019, but has not been recorded. The applicant is working to meet the conditions of the approved February 7th CUP prior to recording it. The CUP 1st Amendment is the current and active permit.
5. The county has received complaints regarding activities occurring on the site such as helicopter landing and lift off associated with heli-biking and heli-fishing, the creation of a pond with water routed from an existing stream, the use of existing cabins within the CUP boundary as part of the CUP, and that the yurts have not been removed from the site following the ski season.

6. It also appears that land disturbance requiring storm water permitting may have occurred in the creation of mountain biking facilities.
7. The operator of the CUP, Mr. Lockwood, has previously confirmed in discussion with staff and with the Commission that the condition(s) of the existing permit have not been met, and that the noted activities have, or are occurring.
8. Staff's initial review identified that the operator appeared to be out of compliance with conditions 1, 2, 3, and 8 of the CUP. Those conditions are listed below. Since staff's initial review, the proponent has provided additional information and made efforts to come in to compliance with the noted requirements. A current compliance review is also included:
 - a. Condition #1 specifies that the proponent and property owner(s) must abide by the information provided in the application and the information as provided in the staff report, and condition #2 specifies that any expansion or modification of the proposed use must obtain the approval of the Land Use Authority.
 - b. Current compliance review of Conditions #1, #2: Based on the proponent provided flight records, the activity appears to be restricted to the properties identified in the CUP 1st Amendment. While physical expansion of the site has occurred, activity at the site has now been restricted to the existing CUP 1st Amendment conditions and site. If the proponent records the CUP 2nd Amendment, and a new amendment for the additional activity has been approved, and if the proponent continues to restrict activity on the bike trails (Heli-biking) and pond until an amended CUP has been approved and recorded, the use as approved under the CUP 1st Amendment may be considered compliant with Conditions #1 and #2 of the CUP 1st Amendment.
 - c. Initial Review Condition #3: Condition #3 specifies that the existing cabins within the CUP boundary must not be used to accommodate the proposed use.
 - d. Current compliance review of Condition #3: The use now appears to be compliant with Condition #3 of the CUP 1st Amendment. The proponent has stated on the record that the use of the existing cabins to accommodate the CUP has ceased and will no longer occur under the requirements of the CUP 1st Amendment.
 - e. Condition #8 specifies that if future use disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention plan (SWPPP) are required.
 - f. Current compliance review of Condition #8: If the use is confined to the property as identified in the CUP 1st Amendment, the use then appears to be compliant with Condition #8 of the CUP 1st Amendment. The NOI and SWPPP that have been obtained for areas disturbed for the bike trails are not part of the current permit or the approved CUP 2nd Amendment. It does not appear that the NOI and SWPPP address the area that was disturbed in the creation of a pond.
9. Staff's initial review identified that the operator may also be out of compliance with conditions #9, #11, and #12 of the CUP.
 - a. Condition #9 reflects the parameters for helicopter operations.
 - b. Current compliance review of Condition #9: Based on the proponent provided flight record, the use appears to be compliant with Condition #9 of the CUP 1st Amendment.
 - c. Condition #11 reflects the requirements for development in the Greater Sage Grouse habitat area.
 - d. Current compliance review of Condition #11: At the writing of this report this had not yet been satisfactorily addressed by the proponent. It is anticipated that a letter from

the DWR that addresses this issue will be provided prior to the February Commission meeting. Staff will provide any new documentation to the Commission as it is submitted.

- e. Condition #12 reflects requirements for compliance with the County Fire and Building codes.
- f. Current compliance review of Condition #12: The use appears to be compliant with Condition #12 of the CUP 1st Amendment now that the cabins are not in use and the yurts have been removed.

D. Findings

- 10. Based on staff's additional review of the known activities against the requirements of the CUP, the additional information as provided by the proponent, and under the conditions of revocation review from the County Code:
 - a. Was the CUP obtained in a fraudulent manner?
 - i. No.
 - b. Has the use for which the CUP was granted ceased for a minimum of twelve (12) consecutive calendar months?
 - i. No.
 - c. Has the nature of the use for which the CUP was granted changed, or has the intensity of use increased beyond that originally approved?
 - i. Yes. While the proponent has become compliant with the most of the conditions of the CUP 1st Amendment, the use was physically expanded, promoted, and operated with the creation of mountain bike tracks and a fishing pond to accommodate what the proponent has labeled as Heli-biking and Heli-fishing. These expansions require additional permitting and an amendment to the CUP. While Heli-fishing was included as part of CUP 2nd Amendment, the creation of the pond was not. At present, the proponent is still working to meet the requirements of the CUP 2nd Amendment in order to record that permit. The proponent has also prepared materials to submit for a 3rd amendment to the CUP that will address Heli-biking and other additional amendments.
 - d. Does the use constitute a nuisance as defined by County Code?
 - i. No. Staff has no evidence to substantiate that the use is a nuisance.
 - ii. Within the purview of the Planning Commission, the County Land Use Ordinance defines nuisance as:
"Any use or activity which emits noise, smoke, dust, odor, or vibration in amounts sufficient to substantially depreciate values of surrounding buildings or lands, or a use or activity which substantially deprives the owners of adjoining property of a property right."
Chapter 8.24 Nuisances from the County Code also addresses nuisances. Any complaint made under this chapter must be addressed to the County Fire Chief and is outside the purview of the Planning Commission.
 - e. Have all the conditions of the Conditional Use Permit been met?
 - i. No, but may be considered compliant if progress continues. While the activity at the site has been restricted to the existing CUP 1st Amendment conditions and site, physical expansion has occurred and the proponent has not recorded the CUP 2nd Amendment, and a new amendment application for the additional activity has not been approved. However, if the proponent records the CUP 2nd

Amendment, and a new amendment for the additional activity has been approved, and if the proponent continues to restrict activity on the bike trails (Heli-biking) and pond until an amended CUP has been approved and recorded, the use as approved under the CUP 1st Amendment may be considered compliant with Conditions of the CUP 1st Amendment.

CONCLUSIONS

The CUP may be revoked by the Land Use Authority as conditions that justify revocation exist as follows:

1. The nature of the use for which the CUP was granted has changed; and
2. Multiple activities occurring on the site are not in compliance with the conditions of the CUP.

RECOMMENDATION

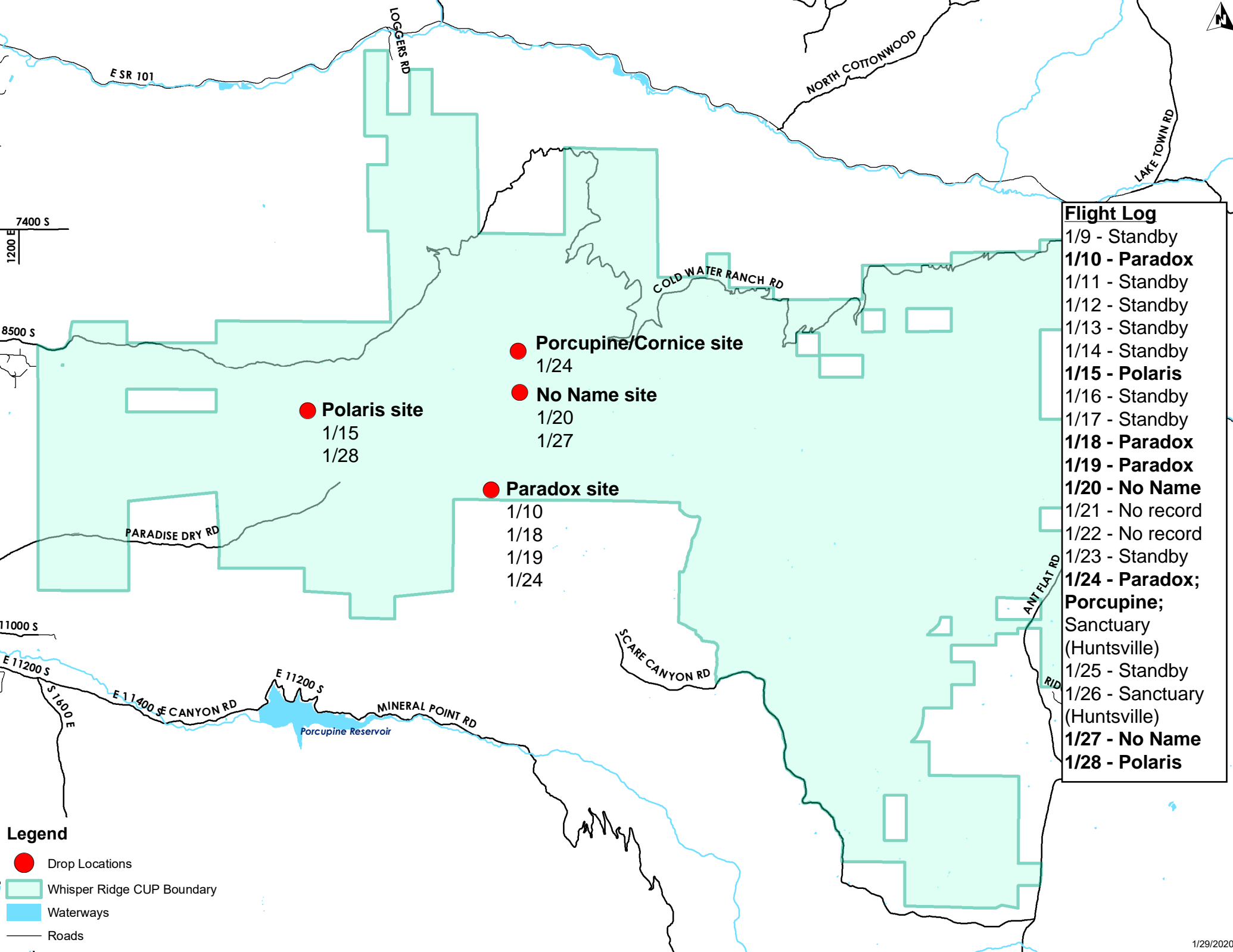
Based on the information, findings, and conclusion noted in this staff report, staff has found that the proponent continues to make positive efforts to come into compliance with the requirements of the CUP 1st Amendment. Staff has identified two possible approaches/motions for the Commission to consider:

1. Continued review

In consideration of the information, findings, and conclusions in this staff report, I move that if the proponent shows continued progress in working to meet these requirements, and restricts unapproved activity related to the CUP until an amended CUP has been approved and recorded, that the Commission continues to receive and review monthly status updates from the proponent at the Commission's regularly scheduled meetings until all violations have been addressed; and if the proponent fails to show continued progress, or come into compliance, that the CUP be revoked; or

2. Revoke

In consideration of the information, findings, and conclusions in this staff report, I move that the most current recorded amendment of the Whisper Ridge Conditional Use Permit and any related Commission approval be revoked.



Flight Log	
1/9	- Standby
1/10	- Paradox
1/11	- Standby
1/12	- Standby
1/13	- Standby
1/14	- Standby
1/15	- Polaris
1/16	- Standby
1/17	- Standby
1/18	- Paradox
1/19	- Paradox
1/20	- No Name
1/21	- No record
1/22	- No record
1/23	- Standby
1/24	- Paradox; Porcupine; Sanctuary (Huntsville)
1/25	- Standby
1/26	- Sanctuary (Huntsville)
1/27	- No Name
1/28	- Polaris

- Legend**
- Drop Locations
 - Whisper Ridge CUP Boundary
 - Waterways
 - Roads

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/9/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/09/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133

ROUTE OF FLIGHT: _____
No Flights - Standby

SPECIAL INSTRUCTIONS: _____

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____	CUSTOMER P.O.#: _____
VISA/MASTERCARD: _____	EXPIRES: _____
FLIGHT RATE: <u>\$1,500.00</u>	FLIGHT HOURS: <u>1</u> TOTAL: <u>\$1500</u>
STANDBY RATE: _____	FLIGHT HOURS: _____ TOTAL: _____
TRUCK DAILY RATE: _____	# DAYS: _____ TOTAL: _____
PILOT RATE <u>\$225.00</u>	# DAYS: <u>1</u> TOTAL: <u>\$225</u>
PER DIEM RATE: <u>\$50.00</u>	# OF PEOPLE: <u>1</u> TOTAL: <u>\$50</u>
OTHER CHARGES: _____	TOTAL: _____
	SUBTOTAL: <u>\$1,775.00</u>

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

PILOT REMARKS: _____

COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/10/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
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 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/10/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: Dan and Lonnie Ranch tour
Cory Adams group 1 skiers, Ryan Whitter group 2 skiers
Cory Adams group 3 Skiers **All skiing in Paradox**
 SPECIAL INSTRUCTIONS: _____

Ending Hobbs 4502.5
 Starting Hobbs 4500.0
 TOTAL: 2.5

FREQUENCY: _____
 LATITUDE: 41°33'19.77"N
 LONGITUDE: 111°41'48.04"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 2.5 TOTAL: \$3750
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$4025.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/11/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/11/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133

ROUTE OF FLIGHT: _____
No Flights - Standby

SPECIAL INSTRUCTIONS: _____

Ending Hobbs _____	FREQUENCY: _____	<table border="1"> <tr> <td><input type="checkbox"/></td> <td>LONG LINE</td> </tr> <tr> <td><input type="checkbox"/></td> <td>CARGO NET</td> </tr> <tr> <td><input type="checkbox"/></td> <td> </td> </tr> <tr> <td><input type="checkbox"/></td> <td> </td> </tr> </table>	<input type="checkbox"/>	LONG LINE	<input type="checkbox"/>	CARGO NET	<input type="checkbox"/>		<input type="checkbox"/>	
<input type="checkbox"/>	LONG LINE									
<input type="checkbox"/>	CARGO NET									
<input type="checkbox"/>										
<input type="checkbox"/>										
Starting Hobbs _____	LATITUDE: _____									
TOTAL: _____	LONGITUDE: _____									

BILLING INFORMATION

PAYMENT TERMS: _____	CUSTOMER P.O.#: _____
VISA/MASTERCARD: _____	EXPIRES: _____
FLIGHT RATE: <u>\$1,500.00</u>	FLIGHT HOURS: <u>1</u> TOTAL: <u>\$1500</u>
STANDBY RATE: _____	FLIGHT HOURS: _____ TOTAL: _____
TRUCK DAILY RATE: _____	# DAYS: _____ TOTAL: _____
PILOT RATE <u>\$225.00</u>	# DAYS: <u>1</u> TOTAL: <u>\$225</u>
PER DIEM RATE: <u>\$50.00</u>	# OF PEOPLE: <u>1</u> TOTAL: <u>\$50</u>
OTHER CHARGES: _____	TOTAL: _____
	SUBTOTAL: <u>\$1,775.00</u>

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

PILOT REMARKS: _____

COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/12/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/12/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133

ROUTE OF FLIGHT: _____
No Flights - Standby

SPECIAL INSTRUCTIONS: _____

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____	CUSTOMER P.O.#: _____
VISA/MASTERCARD: _____	EXPIRES: _____
FLIGHT RATE: <u>\$1,500.00</u>	FLIGHT HOURS: <u>1</u> TOTAL: <u>\$1500</u>
STANDBY RATE: _____	FLIGHT HOURS: _____ TOTAL: _____
TRUCK DAILY RATE: _____	# DAYS: _____ TOTAL: _____
PILOT RATE <u>\$225.00</u>	# DAYS: <u>1</u> TOTAL: <u>\$225</u>
PER DIEM RATE: <u>\$50.00</u>	# OF PEOPLE: <u>1</u> TOTAL: <u>\$50</u>
OTHER CHARGES: _____	TOTAL: _____
	SUBTOTAL: <u>\$1,775.00</u>

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

PILOT REMARKS: _____

COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/13/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/13/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1 TOTAL: \$1,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,775.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/14/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/14/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1 TOTAL: \$1,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE: \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,775.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/15/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/15/2020 TIME OF FLIGHT: _____ PASSENGERS: 5
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: Afternoon call out to pick up Phil + 4 at Powder Mtn. Landed at Polaris (see lat/long).

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: 41°34'5.58"N
 LONGITUDE: 111°44'10.26"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1.2 TOTAL: \$1,800
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$2,075.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/16/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/16/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____	FREQUENCY: _____	LONG LINE CARGO NET _____ _____
Starting Hobbs _____	LATITUDE: _____	
TOTAL: _____	LONGITUDE: _____	

BILLING INFORMATION

PAYMENT TERMS: _____	CUSTOMER P.O.#: _____
VISA/MASTERCARD: _____	EXPIRES: _____
FLIGHT RATE: <u>\$1,500.00</u>	FLIGHT HOURS: <u>1</u> TOTAL: <u>\$1,500</u>
STANDBY RATE: _____	FLIGHT HOURS: _____ TOTAL: _____
TRUCK DAILY RATE: _____	# DAYS: _____ TOTAL: _____
PILOT RATE <u>\$225.00</u>	# DAYS: <u>1</u> TOTAL: <u>\$225</u>
PER DIEM RATE: <u>\$50.00</u>	# OF PEOPLE: <u>1</u> TOTAL: <u>\$50</u>
OTHER CHARGES: _____	TOTAL: _____
	SUBTOTAL: <u>\$1,775.00</u>

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/17/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/17/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1 TOTAL: \$1,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,775.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/18/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/18/2020 TIME OF FLIGHT: _____ PASSENGERS: 10 guests 3 crew
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: Cory, Ryan, Jared. 3 groups heliski Paradox

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: 41°33'19.77"N
 LONGITUDE: 111°41'48.04"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____	CUSTOMER P.O.#: _____
VISA/MASTERCARD: _____	EXPIRES: _____
FLIGHT RATE: <u>\$1,500.00</u>	FLIGHT HOURS: <u>3.2</u> TOTAL: <u>\$4,800</u>
STANDBY RATE: _____	FLIGHT HOURS: _____ TOTAL: _____
TRUCK DAILY RATE: _____	# DAYS: _____ TOTAL: _____
PILOT RATE <u>\$225.00</u>	# DAYS: <u>1</u> TOTAL: <u>\$225</u>
PER DIEM RATE: <u>\$50.00</u>	# OF PEOPLE: <u>1</u> TOTAL: <u>\$50</u>
OTHER CHARGES: _____	TOTAL: _____
	SUBTOTAL: <u>\$5,075.00</u>

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/19/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/19/2020 TIME OF FLIGHT: _____ PASSENGERS: 28
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: 6 groups from Powder Mtn to Paradox for Cat Skiing.
Guides, Witter, JT, Morgan, Charlie,

 SPECIAL INSTRUCTIONS:

Ending Hobbs 4511.2
 Starting Hobbs 4506.9
 TOTAL: 4.3

FREQUENCY: _____
 LATITUDE: 41°33'19.77"N
 LONGITUDE: 111°41'48.04"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 4.3 TOTAL: \$6,450
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$6,725

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/20/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/20/2020 TIME OF FLIGHT: _____ PASSENGERS: 4 guests
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: 1 group from Powder Mtn Heli Ski with Cory Adams at No Name.

 SPECIAL INSTRUCTIONS:

Ending Hobbs	<u>4513.4</u>	FREQUENCY: _____	<input type="checkbox"/>	LONG LINE
Starting Hobbs	<u>4511.2</u>	LATITUDE: <u>41°34'16.51"N</u>	<input type="checkbox"/>	CARGO NET
TOTAL:	<u>2.2</u>	LONGITUDE: <u>111°41'26.08"W</u>	<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 2.2 TOTAL: \$3,300
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$3,575

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/23/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/23/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1 TOTAL: \$1,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,775.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/24/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/24/2020 TIME OF FLIGHT: _____ PASSENGERS: 8 guests
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: Ogden to Powder Mtn. 1 group to paradox then diverted to Mill Creek to move Dan back to PM
second group to porcupine then both groups out to PM due to weather
Powder Mtn. back to Ogden, weather issues on return flight had to land at Sanctuary
 SPECIAL INSTRUCTIONS: Cort picked up at Sanctuary for a ride back to Ogden to retrieve pickup, covers and heaters to
tie down at Sanctuary until weather clears. .9 on 2/24

Ending Hobbs 4514.3
 Starting Hobbs 4513.4
 TOTAL: 0.9

FREQUENCY: _____
 LATITUDE: 41°33'19.77"N
 LONGITUDE: 111°41'48.04"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: .09 TOTAL: \$1,350
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,625

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/25/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/25/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: No Flights - Standby

 SPECIAL INSTRUCTIONS:

Ending Hobbs _____
 Starting Hobbs _____
 TOTAL: _____

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 1 TOTAL: \$1,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$1,775.00

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/26/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/26/2020 TIME OF FLIGHT: _____ PASSENGERS: _____
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: return flight from getting shutdown for weather on 1/24/20 sanctuary to ogden

 SPECIAL INSTRUCTIONS:

Ending Hobbs 4514.5
 Starting Hobbs 4514.3
 TOTAL: 0.2

FREQUENCY: _____
 LATITUDE: _____
 LONGITUDE: _____

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 0.2 TOTAL: \$,300
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$575

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Kimber

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/27/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/27/2020 TIME OF FLIGHT: _____ PASSENGERS: 5 guests
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: 2 goups with Wes Light and JT guiding. Both groups skied No Name

 SPECIAL INSTRUCTIONS:

Ending Hobbs 4517.3
 Starting Hobbs 4514.5
 TOTAL: 2.8

FREQUENCY: _____
 LATITUDE: 41°34'16.51"N
 LONGITUDE: 111°41'26.08"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 2.8 TOTAL: \$4,200
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$4,475

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Cody

South Coast Helicopters, LLC
 230 N. Dale Place, Suite 100
 Fullerton, CA 92833
 info@schelicopters.com / www.schelicopters.com

Flight Number:	
A/C N-Number:	N352SC
Truck Number:	
Date:	1/28/2020

CUSTOMER DATA

CUSTOMER NAME: Whisper Ridge PHONE #: 801-876-4664
 ADDRESS: 4776 E 2600 N
 CITY: Eden STATE: UT ZIP CODE: 84301
 POINT OF CONTACT: Ryan Witter/Adrienne Allred CELL #: _____ PHONE #: _____
 CONTRACT ryan@whisperridgeutah.com adrienne@whisperridgeutah.com

FLIGHT DATA

DATE(S) OF FLIGHT: 01/28/2020 TIME OF FLIGHT: _____ PASSENGERS: 5 guests
 TYPE OF FLIGHT: 135 Charter Out-of-state Government Tribal Sightseeing(tax) Aerial Survey
 Power line/Pipeline Photo/Part91 Seeding/Spraying State of _____ / Agency _____ Part 133
 ROUTE OF FLIGHT: 2 groups with Wes Light and JT guiding. Both groups skied **Polaris**.

 SPECIAL INSTRUCTIONS:

Ending Hobbs 4520.3
 Starting Hobbs 4517.3
 TOTAL: 3.0

FREQUENCY: _____
 LATITUDE: 41°34'5.58"N
 LONGITUDE: 111°44'10.26"W

<input type="checkbox"/>	LONG LINE
<input type="checkbox"/>	CARGO NET
<input type="checkbox"/>	
<input type="checkbox"/>	

BILLING INFORMATION

PAYMENT TERMS: _____ CUSTOMER P.O.#: _____
 VISA/MASTERCARD: _____ EXPIRES: _____
 FLIGHT RATE: \$1,500.00 FLIGHT HOURS: 3.0 TOTAL: \$4,500
 STANDBY RATE: _____ FLIGHT HOURS: _____ TOTAL: _____
 TRUCK DAILY RATE: _____ # DAYS: _____ TOTAL: _____
 PILOT RATE \$225.00 # DAYS: 1 TOTAL: \$225
 PER DIEM RATE: \$50.00 # OF PEOPLE: 1 TOTAL: \$50
 OTHER CHARGES: _____ TOTAL: _____
 SUBTOTAL: \$4,775

PILOT COMMENTS

ADDITIONAL/SPECIAL INSTRUCTIONS: _____

 PILOT REMARKS: _____

 COMPANY PILOT: Cody