



*Cache County is operating at a low risk threat level in response to the Covid-19 pandemic. In conformance with low risk guidelines, no more than 50 people will be allowed in the Council Chambers at one time and social distancing practices will be implemented. Face coverings are recommended.*

**5:30 p.m.**

Call to order

Opening remarks/Pledge – Phillip Olsen

Review and approval of agenda

Review and approval of the minutes of the 7 May 2020 meeting

**5:35 p.m.**

**Consent Items**

1. **Kurtis E. Falslev Conditional Use Permit – Request for Extension** -- A request for a 6-month extension of the effective period of approval of a conditional use permit to operate an agricultural manufacturing facility located at 4490 North 3880 West, Benson, in the Agricultural (A10) Zone.

**Regular Action Items**

2. **West Canyon Ranch Processing Conditional Use Permit – *continued*** – A request to operate an agritourism facility on 3,372 acres located at approximately 215 West Canyon Road, Avon, in the Forest Recreation (FR40) and Agricultural (A10) Zones.
3. **Swift Beef Company Conditional Use Permit Amendment** – A request to amend an existing Conditional Use Permit to allow an expansion of a general manufacturing use on 4.4 acres located at 4690 South 1200 West, near Hyrum, in the Industrial (I) Zone.
4. **Gibbons Green Gate Farm Conditional Use Permit** – A request to operate an agritourism facility on 10.5 acres located at 4680 North 800 West, near Smithfield, in the Agricultural (A10) Zone.
5. **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.
6. **Jay R’s Auto and Salvage Conditional Use Permit Revocation Review Update** -- An update on the revocation review of the Jay R’s Auto and Salvage 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.



<u>Item</u>	<u>Page</u>
<b><u>Consent Items</u></b>	
1. Electronic Board Meeting Policies and Procedures .....	2
<b><u>Regular Action Items</u></b>	
2. Cache County North Facility Conditional Use Permit .....	2
3. West Canyon Ranch Processing Conditional Use Permit .....	3
4. Trout of Paradise Conditional Use Permit 3 <sup>rd</sup> Amendment.....	3
5. Advanced Shoring LLC Conditional Use Permit 1 <sup>st</sup> Amendment.....	3
6. Public Hearing (6:00 PM) – North Pine Canyon Ranch Rezone .....	4
7. Public Hearing (6:10 PM) – Pinnacle Estates LLC Rezone .....	5
8. Jay R’s Auto and Salvage Conditional Use Permit Revocation Review.....	6

**Present (via Zoom meeting):** Chris Harrild, Lane Parker, Brady Christensen, Chris Sands, Brandon Spackman, Nolan Gunnell, Jason Watterson, John Luthy, Megan Izatt

**Start Time: 05:31:00**

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

2 **05:33:00**

3 **Agenda**

4 Approved with no changes.

5 **05:34:00**

6 **Minutes**

7 *Spackman* motioned to approve the minutes from March 5, 2020; **Parker** seconded; **Passed 6, 0.**

8 **05:34:00**

9 **Items of Special Interest**

10 **#1 Electronic Board Meeting Policies and Procedures**

11 **Harrild** reviewed the electronic board meeting policies and procedures.

12 *Watterson* motioned to adopt the electronic board meeting policies and procedures; **Christensen**  
13 *seconded; Passed 6, 0.*

14 **05:37:00**

15 **Regular Action Items**

16 **#2 Cache County North Facility Conditional Use Permit**

17 **Harrild** reviewed the staff report for the Cache County North Facility Conditional Use Permit.

18 **Commission** and **Staff** discussed salt storage, provision of services for sewer, water, and fire  
19 requirements, and fuel storage.

20 **Matt Phillips** commented on the necessity of the facility, storm water, spills, fuel containment, and salt  
21 storage. Each area is inspected weekly with quarterly reports submitted to the state.

22 *Sands* motioned to approved the Cache County North Facility Conditional Use Permit based on the  
23 *findings of fact, 13 conditions, and 2 conclusions; Watterson* seconded; **Passed 6, 0.**

24 **05:59:00**

1 **#3 West Canyon Ranch Processing Conditional Use Permit (CUP)**

2 **Harrild** informed the Commission that a legal question had arisen regarding the use type requested by  
3 the applicant and a continuation would be appropriate.

4 **Luthy** stated the Commission will need to make a judgment call on if this applicant is Agritourism or not  
5 and his understanding was that the Planning office was going to suggest not granting the request based on  
6 some other items or recommend amending the current CUP for the property.

7 **Staff** and **Commission** discussed if this should be a new CUP or an amendment to the current CUP for  
8 the property and if the application meets the Agritourism requirements. Also discussed was whether the  
9 parcel where the structure for a meat processing facility is proposed is an agricultural remainder or not.

10 **Jason Summers** commented on why they applied for Agritourism and amending the current CUP. He  
11 also explained how the operation works and that it falls under the USDA. The meat being processed  
12 primarily will be for clients who come to recreate at the property; which would be about 30-40 animals  
13 per year.

14 **Parker** asked about the state provision for custom processing of wild game.

15 **Mr. Summers** responded HB 412 was just passed by the State regarding this type of practice.

16 **Robert McConnell** commented on that this isn't a legal position but an interpretation of the code. He  
17 also commented on the agricultural remainder issue and being able to build on the parcel noted.

18 *Christensen* motioned to continue the West Canyon Ranch Processing Conditional Use Permit until the  
19 June meeting; *Spackman* seconded; **Passed 6, 0.**

20 **06:36:00**

21 **#4 Trout of Paradise Conditional Use Permit 3<sup>rd</sup> Amendment**

22 **Harrild** reviewed the Trout of Paradise Conditional Use Permit 3<sup>rd</sup> Amendment.

23 *Watterson* motioned to approve the Trout Paradise Conditional Use Permit Amendment based on the  
24 findings of fact with the 4 conditions and 2 conclusions; *Christensen* seconded; **Passed 6, 0.**

25 **06:38:00**

26 **#5 Advanced Shoring LLC Conditional Use Permit 1<sup>st</sup> Amendment**

27 **Harrild** reviewed the staff report for the Advanced Shoring LLC Conditional Use Permit Amendment.

28 **Staff** and **Commission** discussed the RV storage and how RVs will impact the traffic study.

29 *Watterson* motioned to approve the Advanced Shoring LLC Conditional Use Permit 1<sup>st</sup> Amendment  
30 based on the findings of fact with the 12 conditions and 2 conclusions; *Parker* seconded; **Passed 6, 0.**

31 **06:52:00**

1 **#6 Public Hearing (6:00 PM) – North Pine Canyon Ranch Rezone**

2 **Harrild** reviewed the staff report for the North Pine Canyon Ranch Rezone.

3 **Staff** and **Commission** discussed the location and zoning of the property zoning as well as the zoning for  
4 the surrounding properties.

5 **07:03:00**

6 *Watterson* motioned to open the public hearing; *Christensen* seconded; **Passed 6, 0.**

7 **Jarvis Maughan** commented on the location of the 42 acres, cattle is run on the property, and any future  
8 development would be on the flat portion of the property.

9 **Christensen** asked how much of the land is currently zoned A10.

10 **Maughan** commented that about 29 acres is zoned A10 currently.

11 **Christensen** asked if the intent was to rezone the rest of the land A10.

12 **Mr. Maughan** responded yes.

13 **Harrild** responded that about 42 acres is zoned FR40 currently and the applicant is requesting to rezone  
14 that area to A10.

15 **Gunnell** asked if Mr. Maughan was aware of the water issues and source water protection area.

16 **Mr. Maughan** commented that he couldn't see on the overlay where any of the land was in Zone 1 or 2.

17 **Harrild** shared his screen and pointed out the areas on the map that were in the Zone 1 and 2 areas.

18 **Sands** asked if the applicant was aware of the sensitive areas.

19 **Mr. Maughan** responded he was.

20 **Mr. Maughan** stated that the source water protection area is currently in the tree and steep slopes area  
21 and he doesn't see any opportunity to develop a structure on that slope. The intent is to do one single  
22 family dwelling and still not affect the density or source water areas.

23 **Gunnell** asked if Mr. Maughan had seen the GIS maps.

24 **Mr. Maughan** stated he had.

25 **Leslee Wessel** commented that she owns part of the property. The parcel that she owns doesn't have  
26 enough of an A10 zone to put a structure. She would like to be able to build a single family home on part  
27 of the property and understands the different concerns for the sensitive areas and water source areas.

28 **Shorland Juber** had concerns about the road, paving the road, and the dust coming off the road  
29 currently.

- 1 **Harrild** stated he is unaware of the work happening on that road.
- 2 **Matt Phillips** commented on the road work currently happening.
- 3 **Mr. Juber** commented the dust is terrible and something needs to be done.
- 4 **Phillips** stated he will look into the road maintenance work happening and will reach out to Mr. Juber.
- 5 **Amy Wells** commented on the road.
- 6 **Laurel Maughan** commented in support of the rezone.
- 7 **Mr. Maughan** commented on the road.
- 8 **Phillips** commented that the road is scheduled to be double chip sealed this year.
- 9 **07:25:00**
- 10 **Watterson** motioned to close the public hearing; **Sands** seconded; **Passed 6, 0.**
- 11 **Staff** and **Commission** discussed the rezone and if it fits in with the surrounding area, the possibility of
- 12 structures being built.
- 13 **Sands** motioned to recommend approval to the County Council for the North Pine Canyon Ranch Rezone
- 14 based on the findings of fact and conclusions; **Watterson** seconded; **Passed 6, 0.**
- 15 **07:31:00**
- 16 **#7 Public Hearing (6:10 PM) – Pinnacle Estates LLC Rezone**
- 17 **Harrild** reviewed the staff report for the Pinnacle Estates LLC Rezone.
- 18 **07:41:00**
- 19 **Christensen** motioned to open the public hearing; **Parker** seconded; **Passed 6, 0.**
- 20 **Andrew Lillywhite** representing Pinnacle Estates commented on roads, storm water and flooding,
- 21 culinary water and well permits, and the canal bridge.
- 22 **Tom Hill** representing Sunrise Engineering who has been retained by Pinnacle Estates commented on
- 23 runoff, containment of storm water, and culinary water.
- 24 **Watterson** motioned to extend the meeting to 8:30; **Parker** seconded; **Passed 6, 0.**
- 25 **Gayle Buxton** commented on roads and traffic.
- 26 **Sydney Larsen** commented on concerns regarding fire protection.
- 27 **Harrild** responded a fire protection assessment has not been completed because there is no subdivision
- 28 application at this time.

1 **Mr. Larsen** commented on concerns about traffic impacts and only having single family homes  
2 developed in the area.

3 **Ed Buist** representing Mendon City commented on the annexation denial and stated the rezone of this  
4 size does not fit the area.

5 **Rust Myers** commented on flooding.

6 **Luthy** commented that Ron and Gloria Hofler had submitted public comment via email opposing this  
7 request.

8 **Mr. Lillywhite** commented on flooding and creation of a retention pond, road safety, and county and  
9 state standards being met.

10 **08:10:00**

11 *Christensen* motioned to close the public hearing; *Sands* seconded; **Passed 6, 0.**

12 **Luthy** commented on Resolution 2015-20 regarding service expansion on roads and 1400 South is not  
13 currently serving other homes. There is not an automatic exemption under that the resolution.

14 **Staff** and **Commission** discussed if the rezone conflicts with the development standards of adjacent  
15 municipalities, roads and service provisions. Previous RU2 rezones have been 8 lots or less and have not  
16 had the level of concern this application has from the public.

17 *Christensen* motioned to recommend denial to the Cache County Council for the Pinnacle Estates LLC  
18 Rezone based on the findings of fact and with the stated 3 conclusions and an additional conclusion to  
19 reference to Mendon City's letter; *Parker* seconded; **Passed 6, 0.**

20 **08:20:00**

21 **#8 Jay R's Auto and Salvage Conditional Use Permit Revocation Review**

22 **Harrild** reviewed the reasons for a conditional use permit (CUP) revocation. The owner passed away and  
23 the property was for sale; the buyer of the property expressed an interest to continue the original use.  
24 However, with a review of the permit the CUP was found to be out of compliance. The CUP has  
25 expanded beyond the original area permitted, the manufactured home is not on a foundation as required  
26 by the permit and several unpermitted buildings have been built. The screening requirement, landscaping  
27 requirement, and UDOT requirements of the original CUP have also not been met. Also, an additional  
28 access has been created and the CUP is limited to only one access. The revocation is possible because the  
29 use has expanded beyond the original CUP and the operation not being in compliance with the original  
30 CUP.

31 The **Commission** discussed revoking the permit or continuing the revocation process for 1 month.

32 *Spackman* motioned to extend the meeting for 5 minutes; *Parker* seconded; **Passed 6, 0.**

33 **Eric John** representing the seller commented in support of not revoking the permit. The buyer would like  
34 to build a shop and does more scrapping of snowmobiles. There is no problem in taking care of the



1 manufactured home or landscaping. He asked about the UDOT requirements and for a reasonable  
2 timeframe to fix the issues, and if brought into compliance if the buyer could build a shop.

3 **Harrild** responded that he can't answer the questions regarding UDOT.

4 **Mr. John** asked if where the new business doesn't bring onsite business would the UDOT requirements  
5 still need to be met.

6 **Harrild** responded that is a question for UDOT to answer. Compliance with the existing CUP has to be  
7 met before revocation is taken off the table. No promises regarding a new use, such as the shop  
8 mentioned, can happen until the current CUP is brought into compliance.

9 **Sands** commented that coming into compliance would be a good first step for the CUP not to be revoked  
10 and that a plan to come into compliance should be presented by the owner at the next meeting.

11 **Christensen** motioned to continue the Jay R's Auto and Salvage Conditional Use Permit Revocation  
12 Review until June's meeting; **Watterson** seconded; **Passed 6, 0.**

13 **Adjourned**



---

**Memorandum**

4 June 2020

**To:** Planning Commission

**Subject:** 6-month time extension request for the proposed Kurtis E. Falslev Conditional Use Permit

A request has been made by Jared Wisner, agent for the Kurtis E. Falslev Conditional Use Permit (CUP), for a 6-month extension of the effective period of approval to operate an agricultural manufacturing facility located at 4490 North 3880 West, Benson, in the Agricultural (A10) Zone (Attachment A).

The CUP was approved by the Planning Commission on 11 July 2019. The effective approval date for a subdivision approval is one year; subsequently, the current expiration date for the approval is 11 July 2020. If the permit is not recorded by the expiration date, the approval is void and the file closed.

Before a permit can be recorded, all conditions of approval must be met or, as necessary, an improvement agreement for required infrastructure must be in place. As of this date, the applicant still has outstanding conditions of approval. This particular CUP is unique in that the Planning Commission allowed construction of the structure associated with the CUP to be built prior to the permit being recorded. Typically, a CUP has to be recorded first before a zoning clearance or building permit can be issued and there is no expiration date for a building permit so long as work is ongoing and regular inspections are conducted. Given the time necessary to fully construct the building, it cannot be completed prior to the expiration date for the CUP.

In 2018, §17.02.050, Effective Period of Land Use Authority Approval, was amended to allow an approval of an administrative land use decision to be extended up to six (6) months at the discretion of the land use authority (§17.02.050(F)). The same code update to Title 17.02 also changed the land use authority for subdivision approvals from the County Council to the Planning Commission in §17.02.030 (Establishing Land Use Authority Duties, Authorities, and Powers). Consequently, the Planning Commission is the land use authority with the power to consider this extension request.

Section 17.02.050(F)(2), specifies that the applicant bears the burden of proving the conditions justifying an extension have been met and the land use authority may approve an extension request only if:

- “a. The reason for the request is not economic.
- b. The applicant has shown a clear pattern of working to record the plat or permit throughout the entirety of the approval period.”

The submitted request for a time extension provides the following reasoning:

1. The remaining conditions for the CUP are in process, but the structure cannot be completed and the certificate of occupancy issued prior to the expiration date for the permit.

Staff recommends that the Planning Commission approve this request to extend the effective date of approval to **11 January 2021**, the full 6-month time extension allowed per code, as:

1. The request for a time extension complies with the requirements of §17.02.050(F) and the applicant has shown a clear pattern of working to record the permit given the unique circumstances of this CUP.





---

**Memorandum**

*4 June 2020*

**To:** Planning Commission  
**Subject:** West Canyon Ranch Processing CUP

At the May 7, 2020, Planning Commission meeting, the West Canyon Ranch Processing CUP was continued to the June 4, 2020, meeting. The continuation was approved to allow the County Attorney time to research issues presented in the applicant's request.

The County Attorney will present his findings at the Planning Commission meeting and there is no written report to include in the packet at this time.



### Staff Report: Swift Beef Company CUP Amendment

4 June 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:** Derik Page

**Parcel ID#:** 03-061-0013

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

### Project Location

*Reviewed by Angie Zetterquist*

**Project Address:**

4690 South 1200 West

Hyrum

**Current Zoning:**

Industrial (I)

**Acres:** 4.44

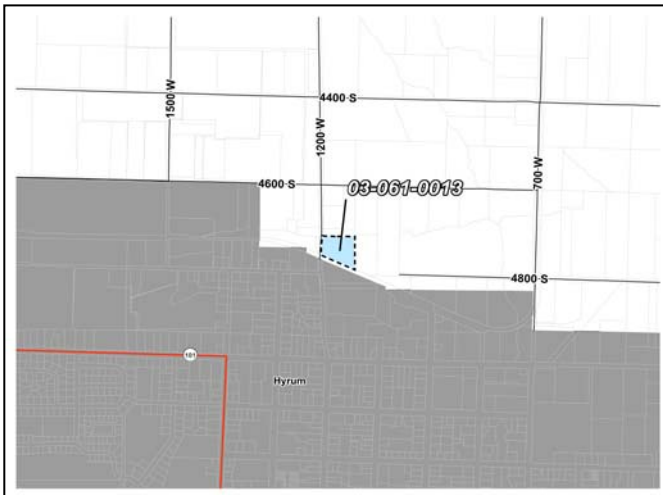
**Surrounding Uses:**

North – Industrial

South – Industrial/Hyrum City

East – Industrial

West – Industrial



### FINDINGS OF FACT (27)

#### A. Request description

1. The Swift Beef Company Conditional Use Permit (CUP) Amendment is a request to amend an existing general manufacturing facility, Use Type 2100, on a 4.44 acre property located in the Industrial (I) Zone.
2. Per the Letter of Intent (Attachment A), the proposed request for expansion is to allow the construction of a new dissolved air flotation (DAF) system that removes a portion of oil and grease from waste water produced at the manufacturing facility prior to the water being discharged to an off-site water reclamation facility. **See condition #1**

- a. Construction
  - i. The applicant has provided a site plan that shows a general layout of the existing structure that houses the current DAF system as well as the location of the new DAF system outside the structure. (Attachment B).
  - ii. The basin for the new DAF system will be constructed of cement and located outside, immediately north of the building that houses the current system. The walls will extend no more than 8 feet above finished grade.
  - iii. The structure housing the existing system will be modified to add a 10 x 10 foot roll-up door.
  - iv. Additional equipment in the structure will be installed and other equipment replaced to process the increase in captured O&G from the new basin including, but not limited to, a melt screen, rotary screen, solids separator, centrifuge, augers, pumps, mag meter, pumps, hydrotherm heater, and associated mechanisms.
  - v. There will be no additional construction as part of this request.
- b. Operation
  - i. The DAF system includes a basin where air is injected into the water that causes the oil and grease (O&G) from the processed animals to float to the top. The O&G substance is removed and further refined through a series of screens, centrifuges, and melt tanks resulting in a final inedible product that is sold.
  - ii. The new DAF system will replace the current system that is more than 30 years old and deteriorating. The existing system has a 30-foot basin whereas the new system will have a 50-foot diameter basin. The increase in the system capacity will be able to accommodate the increased production at the plant.
  - iii. In the letter of intent, the applicant states there will be no changes to the operation of the existing general manufacturing facility with the addition of the new DAF system and no additional employees will be needed to operate the upgraded system.
  - iv. The applicant states the facility operates Monday thru Friday from 6:00am to 4:30pm with occasional Saturdays. A sanitation crew comes in from 8:30pm to 5:30am.

**B. Parcel Legality**

- 3. The subject property has not changed size or configuration since August 8, 2006 and is a legal parcel. Multiple approvals for a CUP and CUP amendments as well as building permits have been issued for structures on the site since the 1960s.

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

- 4. §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***

- 5. 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.



6. §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*
7. The parcel that is the subject of the conditional use permit request is a legal parcel zoned Industrial (I).
8. §17.07.030, Use Related Definitions defines this use as
  - a. “2100 General Manufacturing: The manufacture, processing and assembling of products by mechanical or chemical processes. Typically includes the manufacturing of rock products (including concrete/asphalt plants); metal products, wood products (including saw mills and pulp factories; plastic components; and the commercial processing of animal products (meat, dairy, eggs, etc.).
9. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Industrial (I) (I) 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***

10. 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.
11. The primary activity is a general manufacturing facility processing animal products for commercial sale. There is no proposed change to the current operation of the facility and the request is limited to adding a new DAF system to the property.

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

12. 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.
13. Access: The subject property has frontage along 1200 West, a county 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. §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.
  - d. The Road Manual specifies the following:
    - i. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.

- ii. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
  - iii. §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.
  - 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.
  - v. §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
  - vi. §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.
14. A basic review of the access to the existing lot identifies the following:
- a. The general manufacturing facility gains access from the county road 1200 West.
  - b. 1200 West Road:
    - i. Is an existing county facility that provides access to the general public.
    - ii. Currently provides access to multiple industrial and agricultural parcels and turns into a Hyrum City road, 200 West, immediately south of the subject property.
    - iii. Is maintained year round.
    - iv. As there is no significant change to the operation, there are no road improvements required as part of this proposed amendment.
15. Parking:
- a. §17.22 Off Street Parking Standards – All uses included under Use Index 2000, Manufacturing Industries, requires either 1 parking space for every 1,000 square feet or a Parking Analysis must be conducted to determine the required number of parking spaces sufficient to accommodate the volume of traffic expected to be generated by the size and type of the proposed use. Given that there is no significant change in the operation with the proposed expansion of the DAF, no additional parking is required for this proposed amendment.
16. Solid Waste Disposal – Logan City Environmental did not have any comments on this request.
17. Fire Control – The County Fire District has reviewed the proposed plans and visited the site. The facility has the required water supply and number of fire hydrants needed on site for fire protection and the Fire Department has no concerns with the request. Any future development on the property must be reevaluated and may require improvements based on the location of any proposed development.
18. Water Requirements – General manufacturing facilities do not require confirmation of domestic culinary water rights.
19. Septic – As the proposed structure does not require additional plumbing for employee accommodations, septic feasibility is not required.
- G. Impacts and mitigation *See conclusion #1***
20. 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.”

21. 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.
22. Known or reasonably anticipated detrimental effects of the use are as follows:
  - a. Noise: Hours of operation for the use are between 6:00 AM and 4:30 PM 5-6 days a week. The uses on site have the potential to create detrimental amounts of noise. However, given the location of the site and the surrounding industrial and agricultural uses it is not anticipated that the proposed use would create detrimental amounts of noise to neighboring properties.
  - b. Traffic: Due to the type of business, number of employees, and truck deliveries, an increase in traffic has the potential to create detrimental impacts. However, the requested amendment does not include an expansion of operations that requires additional employees or truck traffic, therefore, it is not anticipated traffic will increase from the existing volume to create detrimental effects.
  - c. Visual: The addition of the new DAF system will be located adjacent to the public roadway and may negatively impact the views from surrounding roads and properties. The County Code requires that development in Industrial Zones meets specific standards that include screening and landscaping. Given the location of the site and that is surrounded by other industrial properties owned by the applicant and utilized as part of the manufacturing use as well as the ability of the Planning Commission to modify any provision of the screening and landscaping sections of the code if strict adherence to the requirements is deemed unnecessary, no conditions regarding additional screening and landscaping to the subject property will be required.
  - d. Potential contamination: Handling animal byproducts and the liquid waste resulting from the operation of the proposed facility has the potential to create detrimental impacts. The expansion of the DAF system will allow for increased processing of the O&G waste and the applicant currently has their own wastewater facility to process liquid waste from the slaughter operations. The applicant must continue to maintain best practices for the processing and disposal of animal byproducts and liquid waste generated from the use.

**Condition #3**

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

23. Public notice was posted online to the Utah Public Notice Website on 21 May 2020.
24. Notice was published in the Herald Journal on 23 May 2020.
25. Notices were posted in three public places on 21 May 2020.
26. Notices were mailed to all property owners within 300 feet and cities within one-mile of the subject property on 21 May 2020.
27. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**CONDITIONS (3)**

These conditions are based on the Cache County Land Use Ordinance and on the findings of fact as noted herein, and do not supersede the conditions of previous approvals unless the new conditions establish a conflicting requirement:

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-2*

2. Any proposed signage must apply for and obtain approval of a Zoning Clearance and building permit, if necessary, prior to installation.
3. The applicant must continue to maintain best practices and adhere to all state and federal regulations regarding the processing of animal products for commercial sale including the processing and disposal of animal byproducts and liquid waste. *See G-22-c*

## CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, the Swift Beef Company CUP Amendment 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  
Conditional Use Permit Application/Amendment  
Wastewater Pretreatment Upgrade  
Parcel: 03-061-0013  
Swift Beef Company

May 6, 2020

As outlined in the Conditional Use Permit Application:

**1. Explanation of request in detail**

a) The proposed use does not change from the current use. Swift Beef Company has a dissolved air flotation (DAF) system which removes a portion of the oil and grease in the waste water before it is discharged to the water reclamation facility. The DAF system includes a basin where air is injected into the water to help float the oil and grease (O&G). The O&G, which is of animal origin, is captured and further refined through a series of screens, centrifuges and melt tanks. It is then sold as an inedible product. The DAF system is 30+ years old and is deteriorating to a point that it is necessary to be replaced. The new system has been engineered to handle the increased loadings we have experienced over the past few years as the plant has expanded. The current 35' diameter DAF basin will be replaced with one that is 50'. The new basin will be constructed of cement and located outside, just north of the current one and the side walls will extend no more than 8' above finished grade. With the exception of the installation of a 10 x 10 roll-up door, there will be no structural changes to the current building that houses the old DAF. Additional equipment will be installed in the building to process the extra O&G recovered and is listed below.

b) There are 1450 employees, none of which are residents.

c) The facility operates production Monday thru Friday 6 am to 4:30 pm. A third party sanitation crew is on-site from 8 pm to 5:30 am. Maintenance and security is present 24/7, 365 days a year. There were 14 Saturday's in 2019 that production took place. This year should be comparable.

d) The project does not require hiring additional employees. Therefore, parking and traffic will remain unchanged. The facility is currently set up to receive large quantities of goods, including mail, UPS, semi's etc. With the exception of construction, the upgrade will not require any additional deliveries, sent or received. Current infrastructure will suffice.

e) There will be no signage for the project.

f) Equipment to be replaced: Melt Tank, Rotary Screen, Solids Separator, Centrifuge, Augers, Pumps

New Equipment: Mag Meter, Pumps, Hydrotherm Heater and DAF Basin with associated mechanisms

Equipment for Construction: Cement Truck, Crane, Fork Lift, Track Hoe, Dump Truck, Compactor, Pick-up Truck

g) No waste will be generated. Everything from the demolition will be either landfilled or scrapped.

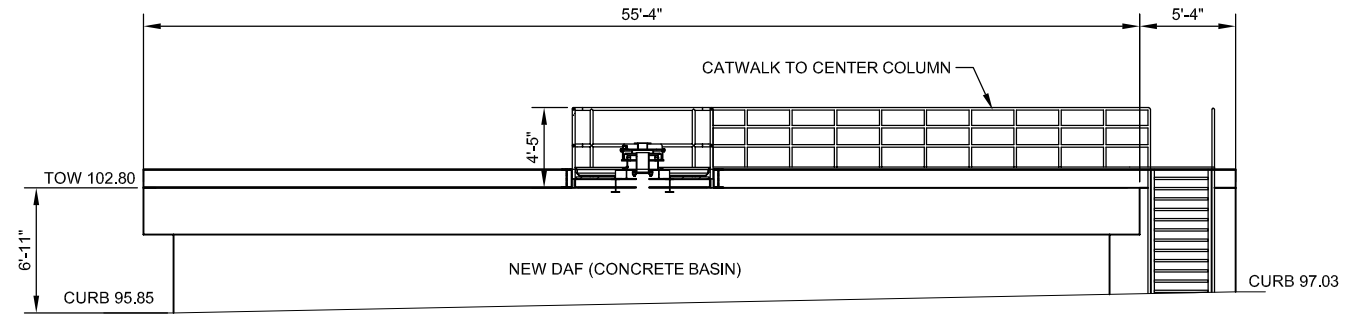
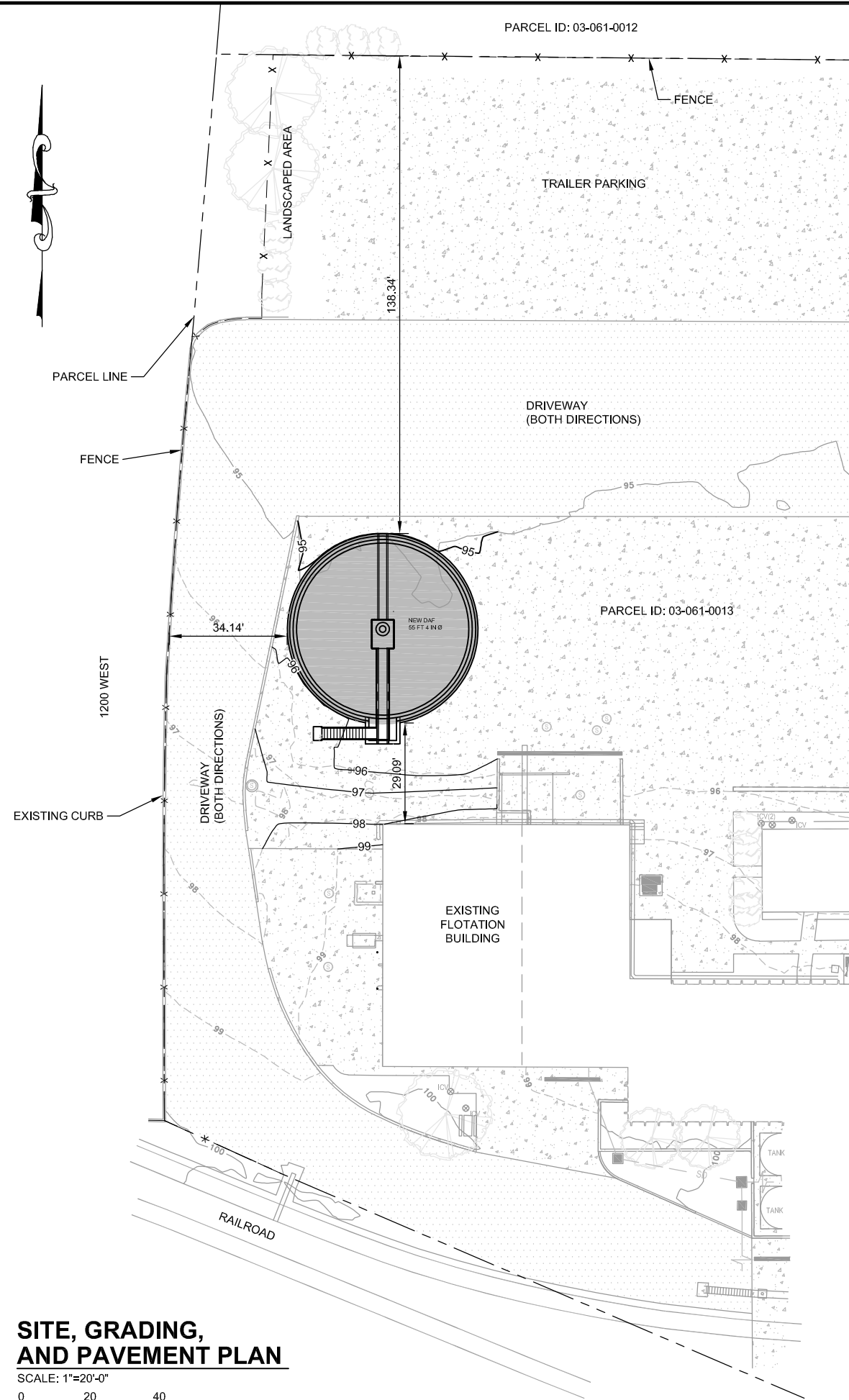
**2. Site Plan showing the proposed layout of the subject property**

See attached.

**3. If new construction is proposed, building elevations**

See attached.

Y:\JBS Swift\001559.C\WWPreTreat Upgrade\050 Drafting\510 Civil\C-1 CUP.dwg, 5/6/2020 12:12:42 PM, derek.hyde



**WEST ELEVATION**  
 SCALE: 3/16"=1'-0"  
 0 4 8  
 Scale In Feet

- LEGEND**
- EXISTING ASPHALT
  - EXISTING CONCRETE

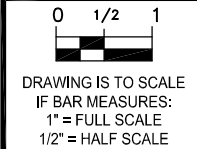
THIS DRAWING IS PROPERTY OF AQUA ENGINEERING, INC. AND IS TRANSMITTED IN CONFIDENCE. NEITHER RECEIPT, NOR POSSESSION CONFERES OR TRANSFERS ANY RIGHTS TO REPRODUCE, USE, OR DISCLOSE, IN WHOLE OR IN PART, DATA CONTAINED HEREIN FOR ANY PURPOSE WITHOUT THE WRITTEN PERMISSION OF AQUA ENGINEERING, INC. © COPYRIGHTED 2016 BOUNTIFUL, UTAH.

NO.	DATE	DESIGN	DRAWN	CHECKED
C	04/10/2020	NG	DCH	BMR
REVISIONS				

**JBS SWIFT BEEF**  
**WASTEWATER PRETREATMENT UPGRADE**  
**CIVIL**  
**SITE, GRADING, AND PAVEMENT PLAN**

**AQUA**  
ENGINEERING

533 W. 2600 S. SUITE 275, BOUNTIFUL, UT 84010  
 PHONE (801) 299-1327 FAX (801) 299-0163



SHEET  
**C-1 CUP**

### Staff Report: Gibbons Green Gate Farm CUP

4 June 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:** Thomas H. Gibbons

**Parcel ID#:** 08-108-0012, -0013

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Planning Commission

### Project Location

*Reviewed by Angie Zetterquist*

**Project Address:**

4680 North 800 West  
Smithfield

**Current Zoning:**

Agricultural (A10)

**Acres:** 10.5

**Surrounding Uses:**

North – Agricultural

South – Agricultural/Residential

East – Agricultural

West – Agricultural



### Findings of Fact (2)

**A. Request description**

1. The Gibbons Green Gate Farm Conditional Use Permit (CUP) is a request to operate an Agritourism business (Use Type 6140) on 2 adjoining properties totaling 10.5 acres in the Agricultural (A10) Zone.
2. Per the Letter of Intent (Attachment A), the applicant is proposing to operate the agritourism facility to sustain the existing farm operation and make it self-sufficient. The current agricultural use of the properties includes raising and selling beef, lamb, produce, and plants. The proposed agritourism facility will add restaurant service, agricultural education opportunities, and a small event space for public and private events including, but not limited

to, work retreats, company parties, dinners by reservation, acoustic musical performances, and the like. *See condition #1, #7*

**a. Construction**

- i.** Parcel #08-108-0012 has an existing two-story, 2,400-square-foot structure known as the “Carriage House” that will be used as part of the facility (see *Parcel Legality* below for more information on the construction). *See condition #2, #8*
- ii.** Additional structures shown on the site plan include the single-family residence, which is not be part of the agritourism facility, as well as multiple greenhouses, a garden house, and a barn that will be used to support the agritourism facility. *See condition #2*
- iii.** A private driveway provides access to the properties off of 800 West to an area marked as “P” for parking on the site plan and the Letter of Intent states there are 10 parking spaces plus an ADA accessible stall on site. The applicant anticipates there will be anywhere between 30-50 people on the property at any one time. This type of use requires a Parking Analysis. Based on the findings of the parking analysis, the site plan must be revised to show the location of all required parking spaces and that it meets access, ingress, and egress requirements of the County Road Manual and the Fire Department. *See condition #3*
- iv.** An existing free-standing sign is currently located at the end of the private driveway along 800 West. A review of the permit history on the property does not show any approvals for the signage. The applicant must submit an application for and obtain approval of a zoning clearance and building permit, if required, for the sign to confirm it is not located within the County right-of-way and that it meets the minimum requirements of §17.23 Sign Standards. *See condition #4*

**b. Operation**

- i.** Per the Letter of Intent, the 2<sup>nd</sup> floor of the Carriage House as well as a portion of the ground floor will be used as a restaurant to serve meals to the public to replicate a typical farm home experience. *See condition #2, #5*
- ii.** The ground floor of the Carriage House also includes a farm stand where customers can buy farm-based products, produce, seeds, and meats from the farm and from a limited number of other local producers. *See condition #6*
- iii.** The Carriage House and surrounding lawn areas will be also be utilized for special events including work retreats, company parties, dinners by reservation, small social gatherings such as acoustic music performances and the like.
- iv.** The applicant anticipates 3-6 employees on-site for the farm and agritourism facility.
- v.** The Letter of Intent lists the hours of operation as 24/7 for farm operations; open to the public on Thursdays, Fridays, and Saturdays from 8:00 am to 12:00 pm; and special events or other private events would be allowed by reservation Monday through Saturday from 8:00 am to 10:00 pm.
- vi.** The applicant states that future uses may include farm stays and a plant nursery. *See condition #7*

**B. Parcel Legality**

- 3.** Parcel #08-108-0013 is a legal parcel, however, a large greenhouse measuring approximately 9,800 square feet has been constructed on the site without approval of a Zoning Clearance. As an agricultural use, the structure may not require a building permit, but if there has been any electrical or mechanical work done to the structure, building permits are required for that work. A review of the records for this parcel, also does not show that an encroachment permit has



been approved for the access to this structure. Typically, agricultural structures are exempt from requiring an encroachment permit, but if the structure is being used in conjunction with the agritourism facility, an encroachment permit will be required. *See condition #8*

4. The Carriage House currently located on restricted parcel #08-108-0012, was built without obtaining approval of a zoning clearance or building permit. In 2003 a zoning clearance was approved for a pole barn and an 18-foot by 40-foot equipment shed shown in the general location of the existing Carriage House. In 2011, a building permit was issued for a 40-foot by 30-foot shed/storage, but no inspections were conducted and the permit is void. Floor plans and elevations submitted with the original building permit application, which the applicant identified the use as “ag, detached garage, game room”, that confirm that this is the 2-story Carriage House described in the Letter of Intent (Attachment D). Further, the applicant states that a kitchen was added to the building to serve meals to people. There is no record of a permit for the kitchen or utilities needed to service a commercial kitchen. *See condition #2, #5*

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

5. §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***

6. 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.
7. §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*
8. §17.07.030, Use Related Definitions defines this use as
  - a. “6140 Agritourism: a use or activity for the on-site recreation, retail purchase, education or participation of the general public. Any such use/activity may include, but is not limited to a: farm tour; farm stay; educational class; corn maze; group event or competition; U-pick operation; farmers market; farm museum; cider mill; petting farm/zoo; retail sales facility (e.g. meat shop; dairy or creamery; nursery; gift shop; flower, herb, or spice store; bakery; restaurant; or café); small-scale food processing (e.g., process pumpkins grown on premise into pumpkin pies), and other similar uses/activities as determined by the Land Use Authority. Any such use or activity must meet the minimum requirements as follows:
    - i. Any such use/activity must be accessory to a primary Agricultural Production use. The primary and accessory uses must:
      1. Be located on land that qualifies as land under agricultural use that is actively devoted to agriculture as defined by the Farmland Assessment Act, UCA 59-2-5, and;

- 2. Be located on a legal parcel, five (5) acres or larger in size; or on contiguous legal parcels that are a total of five (5) acres or larger in size.
- 3. Consist of 51% or more products produces on site.
- ii. The use/activity occurs for more than twenty-one (21) consecutive or non-consecutive days per year, and provides agriculturally related, and in some instances, non-agriculturally related products and events to the general public.
- iii. Must obtain Land Use Authority review and approval prior to operation.
- iv. Overnight accommodation is permitted as follows:
  - 1. Guest rooms must be located within an owner occupied dwelling or seasonal cabin that meets the minimum Building and Fire Code standards;
  - 2. No more than a total of four (4) guest rooms with a maximum occupancy of two per rooms; not counting children 15 years of age and under.”

b. The proposed use, as described in the applicant’s Letter of Intent and with the conditions of approval, meets the minimum standards for an agritourism facility.

9. §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***

10. 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.

11. Elements of the proposed agritourism facility have been operating for a number of years without Land Use Authority approval in structures that have not been reviewed, approved, or inspected for the on-going and/or proposed activities. It is unknown if Building and Fire Code requirements for commercial occupancy to ensure the health and safety of the public are being met in the Carriage House as no permits have been issued or certificates of occupancy approved for the structure. Emergency ingress and egress also needs to be reviewed to ensure it is sufficient. With the required conditions of approval including bringing all structures into compliance and meeting access requirements, the operation that the applicant is proposing will not cause unreasonable risks to the safety of persons or property and it will not unreasonably interfere with the lawful use of surrounding properties.

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

12. 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.

13. Access: The primary access to the subject property is from 800 West, and a secondary access from 4600 North, both county roads.
- a. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
  - b. §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.
  - c. The Road Manual specifies the following:
    - i. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
    - ii. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
    - iii. §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.
    - 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.
    - v. §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
  - b. §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.
14. A basic review of the access to the properties identifies the following:
- a. The agritourism properties gain access from county roads 800 West and 4600 North. *See conditions #9, 10, 11*
  - b. 800 West:
    - i. Is an existing county facility that provides access to the general public.
    - ii. Currently provides access to multiple residential and agricultural parcels.
    - iii. Is classified as a Local Road.
    - iv. Has a varying paved width of 18-20 feet and no shoulders.
    - v. Does not have a posted speed limit defaulting to a statutory speed limit of 55 mph.
    - vi. Requires a clear zone of 12-18 feet.
    - vii. Appears to have a 66-foot right-of-way dedication.
    - viii. Is maintained year round. *See conditions #9, 10, 11*
  - c. 4600 North:
    - i. Is an existing county facility that provides access to the general public.
    - ii. Currently provides access to multiple residential and agricultural parcels.
    - iii. Is classified as a Local Road.

- iv. Has a varying paved width of 21-22 feet with 2-foot shoulders.
  - v. Does not have a posted speed limit defaulting to a statutory speed limit of 55 mph.
  - vi. Requires a clear zone of 12-18 feet.
  - vii. Appears to have a 66-foot right-of-way dedication.
  - viii. Is maintained year round. *See conditions #9, 10, 11*
- d. The private driveway providing access from 800 West to the parking lot is a 17-foot wide gravel drive; driveway access from 4600 North to the greenhouse is gravel with a width of 35 feet. Both accesses must meet any applicable requirements of the County Fire District and the Road Manual prior to the recordation of the CUP. *See conditions #9, 11, 12*
- 15. Parking:**
- a. §17.22 Off Street Parking Standards – All uses included under Use Index 6000 Resource Production and Extraction Uses, require a Parking Analysis be conducted to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. The Parking Analysis must conform to §17.07.040 General Definitions and §17.22 Off Street Parking Standards. The Parking Analysis must conform to §17.07.040 General Definitions and §17.22 Off Street Parking Standards. *See condition #13*
  - b. The applicant has shown a general parking area on the site plan and indicated in the Letter of Intent that 10 spaces plus and ADA accessible stall are being provided, but those are not specifically shown on the site plan. A detailed site plan must be submitted to confirm the number of parking stalls as determined by the Parking Analysis as well as the location of the required parking that does not conflict with other uses on the property. The revised, detailed site plan must also show that both driveway accesses meet minimum standard requirements. The parking lot improvement plan and private access driveway plans must be prepared by a licensed professional and will be reviewed and approved by the County. The applicant is responsible for additional costs associated with the review of these plans. *See condition #3*
- 16. Refuse:**
- a. Logan City Environmental provides waste collection for the site and had no comments for this proposal.
  - b. The applicant stated in the Letter of Intent that two residential trash and recycling receptacles are being used for waste management and are sufficient for the Carriage House use and a 3-yard bin is used seasonally from April to June for the large greenhouse.
- 17. Fire: §16.04.080 [C] Fire Control –** The County Fire District has reviewed the proposed plans, visited the site, and has the following comments and conditions:
- a. The International Fire Code requires the fire apparatus access road shall have an unobstructed width of not less than 20 feet and a vertical clearance of 13 feet 6 inches. [IFC 503.2.1] *See condition #12*
  - b. The fire apparatus access road shall extend to within 150 feet of all portions of the commercial facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility. [IFC 503.1.1] *See condition #12*
  - c. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises on which facilities, buildings are hereafter constructed or moved into. [IFC 507.1] *See condition #14*

18. Water: The current water right associated with the property (#25-7654/a51571) indicates there is one domestic water right associated with the properties. The applicant must provide confirmation from the Utah Division of Water Rights that the existing water rights are sufficient for the proposed agritourism use. If additional water rights are required, the applicant must provide proof of the approved water rights prior to recordation. **See condition #15**
19. Septic: The applicant provided a copy of the septic permit for an addition of an office with one bathroom issued in 1996, which was never built. Applicant must provide confirmation from the Bear River Health Department that the proposed use under this CUP can be accommodated by the existing septic system and does not require any upgrades. **See condition #16**

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

20. 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.”
21. 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.
22. Known or reasonably anticipated detrimental effects of the use are as follows:
  - a. Traffic: An agritourism facility has the potential to generate additional traffic and may negatively impact the surrounding residential uses and add increased trips to the existing roads. Primary access to the subject properties is from 800 West with secondary access from 4600 North. Based on the County Engineer’s assessment, both county roads require improvements. The private driveway access must also be improved, per the County Engineer and Fire Department’s review to mitigate anticipated detrimental impacts of the proposed use. The applicant must submit plans for review and approval for the private access, and must construct access improvements prior to the recordation of the CUP. **See conditions #9, 10, 11, 12, 14**
  - b. Parking: Uses classified under Use Code 6000, Resource Production and Extraction Uses, require a Parking Analysis to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. To mitigate any reasonably anticipated detrimental effects of the proposed use, a Parking Analysis must be submitted that conforms to §17.07.040 General Definitions and §17.22 Off Street Parking Standards to the County Engineer. **See conditions #3, 13**
  - c. Lighting: The proposed hours of operation will extend into the evening hours and may require exterior lighting to provide guidance for guests navigating the parking area to the location of the agritourism activities. As the surrounding area is primarily residential and agricultural, the impacts caused by parking lot lighting and exterior lights may be detrimental to surrounding uses. The applicant must provide a detailed lighting design plan to identify how lighting impacts will be mitigated. **See condition #17**

**d. Sensitive Areas:**

- i. GIS data indicates that the subject properties have a canal running along the eastern boundaries and a portion of the south west boundary. Future development must not occur in waterways.
- ii. The subject property is located within the Airport Traffic Pattern Zone, Airport Influence Area, and FAA Regulation Part 77. Development within these zones must comply with FAA regulations.

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

23. Public notice was posted online to the Utah Public Notice Website on 21 May 2020.
24. Notice was published in the Herald Journal on 23 May 2020.
25. Notices were posted in three public places on 21 May 2020.
26. Notices were mailed to all property owners within 300 feet and cities within one-mile of the subject property on 21 May 2020.
27. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

**CONDITIONS (17)**

---

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

1. The applicant and operator(s) must abide by the information as provided in the application and the information as identified in this report. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *(A-2)*
2. Prior to operation, the applicant must work with the Building Department to ensure all inspections have been completed and a Certificate of Occupancy has been issued for all structures associated with the agritourism facility on the subject properties. *(A-2-a-i, A-2-a-ii, A-2-b-i, B-5)*
3. Prior to recordation, a revised site plan must be submitted for review and approval of the County Engineer that reflects the number of parking stalls required based on an approved Parking Analysis defined by the Cache County Land Use Ordinance. The revised site plan must also include detail information on any improvements required by the Public Works and Fire Departments regarding the private driveway access, ingress, and egress. Evidence of professional licensure must be provided by the person preparing the analysis. *(A-2-a-iii, F-15-b)*
4. Existing and proposed signage, including directional signage, must be reviewed and approved by the Department of Development Services through the zoning clearance process and obtain building permit(s) as necessary. Existing and proposed signage must meet the minimum standards of §17.23 Sign Standards and not be located in the County right-of-way. *(A-2-a-iv)*
5. Prior to operation, the applicant must apply for and obtain a zoning clearance and building permit(s) for the Carriage House that reflect the existing and proposed use and must meet all building code requirements for a commercial kitchen/occupancy. *(A-2-a-i, A-2-a-ii, A-2-b-i, B-5)*
6. Products, produce, seeds, meat, and the like that are sold on-site as part of the agritourism facility must meet the requirements of Use Type 6140 Agritourism that requires at least 51% of those items to be produced on-site. *(A-2-b-ii)*
7. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority including the possible future use as a farm stay. *(A-2, A-2-b-vi)*

8. Prior to operation, the applicant must obtain zoning clearance approval, all applicable building permits, and encroachment permits required for the large greenhouse located on parcel #08-108-0013. *(A-2-a-i, B-3)*
9. Prior to recordation, the applicant must improve the width, shoulders, and clear zones of 800 West and 4600 North to meet the current standards of the Road Manual. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent. *(F-14-a, F-14-b, F-14-c, F-14-d, G-22-a)*
10. Prior to recordation, or as part of an improvement agreement, the applicant must obtain encroachment permits for work within the right-of-way for required road improvements, access to driveways, and installation of any new or existing utility services for the proposed use. *(F-14-a, F-14-b, F-14-c, F-14-d, G-22-a)*
11. Prior to recordation, the applicant must provide confirmation through a survey done by a licensed surveyor that 800 West and 4600 North meet the 33-foot wide dedication requirement from the centerline of the road to the property lines. *(F-14-a, F-14-b, F-14-c, F-14-d, G-22-a)*
12. Prior to recordation or as part of an improvement agreement, the applicant must improve the private driveway access off of 800 West to meet the current standards of the Road Manual and International Fire Code. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer and Deputy Chief Fire Inspector for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review above the base fee collected for road review must be borne by the proponent. *(F-14-d, F-17-a, F-17-b, G-22-a)*
13. Prior to recordation, a Parking Analysis as defined by the Cache County Land Use Ordinance must be submitted to the County Engineer for review and approval. Evidence of professional licensure must also be provided by the person preparing the analysis. *(F-15-a, G-22-b)*
14. Prior to issuance of a zoning clearance and building permits, the applicant must work with the Fire Department through the plan review process to ensure water supply for fire suppression meet minimum safety requirements. *(F-17-c)*
15. Prior to recordation, the applicant must confirm with the Utah Division of Water Rights that the existing water rights for the property are sufficient for the proposed use. Written confirmation from the State must be provided to the Department of Development Services. Alternatively, the applicant must provide proof of an additional, approved water right prior to recordation. *(F-18)*
16. Prior to recordation, the applicant shall provide confirmation from the Bear River Health Department that the existing septic system is sufficient for the proposed use. Alternatively, the applicant must provide proof of an additional, approved septic permit for the use prior to recordation. *(F-19)*
17. A detailed design plan shall be submitted for the parking lot landscaping and lighting for review and approval by the Director of Development Services. The design plan must specify the method for minimizing light from negatively impacting neighboring properties. *(G-22-c)*

### **Conclusions (3)**

---

Based on the findings of fact and conditions noted herein, Gibbons Green Gate Farm CUP is hereby approved as follows:

1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and; *See B, C, D, E, F, G*
2. As per §17.02.060, Establishment of Land Use Authority, the Planning Commission is authorized to act as the Land Use Authority for this CUP request. *See D-8-7*
3. This approval is void as of June 4, 2021 unless all requirements as noted have been accomplished and the permit has been recorded, or time to extend the permit approval has been issued by the Land Use Authority.



May 5, 2020

## Letter of Intent

### Summary

At Gibbons' Green Gate Farm we raise and sell beef, lamb, produce, and plants. Farming isn't very profitable, especially on a small farm. A number of years ago we started looking for ways to make the farm self-sufficient without outside income and to be able to keep the land in our family and in agriculture production.

We looked at the increasing growth of Local Food, and Agritourism across the country in various publications and from friends, including the cottage industry license from the Utah Department of Agriculture and Food. We saw this same interest developing in our own community, but with few places for people to place that support and get to know the farmer and where their food comes from.

We added a kitchen to an existing building to serve meals to people in a location where they can see the benefits of an extremely compressed supply chain. This hasn't taken away from any agriculture use of the land, indeed it has broadened the agriculture uses by educating people about animal husbandry, crop rotation and various agriculture practices, and promoted other local agriculture producers, and increased our agriculture production.

Our plan for the future is for us to grow and produce the majority of what we serve, allow people to come to the farm for personal gatherings, hold small events that educate people on the entire food supply chain from farm to their table, cultivate everything we can to provide to the local community.

All of this is in line with our mission statement:

"To produce and sell healthy animals and crops while beautifying our corner of the countryside. We continually seek learning in all aspects of our natural world to secure the longevity of our farm. We take delight in and choose to offer our country home experience to you."

This agriculture experience is what we offer to our guests.

Thomas Gibbons  
Ann Gibbons  
Owners

**Proposed Uses**

The building known as the Carriage House, (two levels for combined 2,400 sq ft) is to be used to serve meals in a manner typical of our farm home experience. This will mainly take place upstairs, with space on the ground floor for those who do not wish to take the stairs. The ground floor will also hold the farm stand where customers can buy products, produce, seeds, and meats from our farm and a limited amount from other local producers. We will use this space and the lawn for special events, typically having no more than 30 people, rarely there would be events of up to 50. Our focus for events are: work retreats, company parties, dinners by reservation, small social gatherings such as acoustic music performances and other small personable gatherings.

Future uses would include farm stays and plant nursery.

**Number of Employees**

There are 3 – 4 residents/employees depending on the time of year/school year. With up to two (2) additional employees during the times we will be open to the public.

**Hours of Operation**

Farm operations are 24/7,  
 Open to the Public for Sales, Thursdays, Fridays, Saturdays 8:00am-12:00pm  
 Other Hours by appointment, special event, or if reserved occasionally, Monday-Saturday  
 8:00am-10:00pm

**Traffic and Parking**

**Sales and Services (1 space /250sqft)**

Ten parking places plus an ADA designated parking spot will be available. The following is an excerpt from the ADA requirements.

**208.2 Minimum Number.** Parking spaces complying with 502 shall be provided in accordance with Table 208.2 except as required by 208.2.1, 208.2.2, and 208.2.3. Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

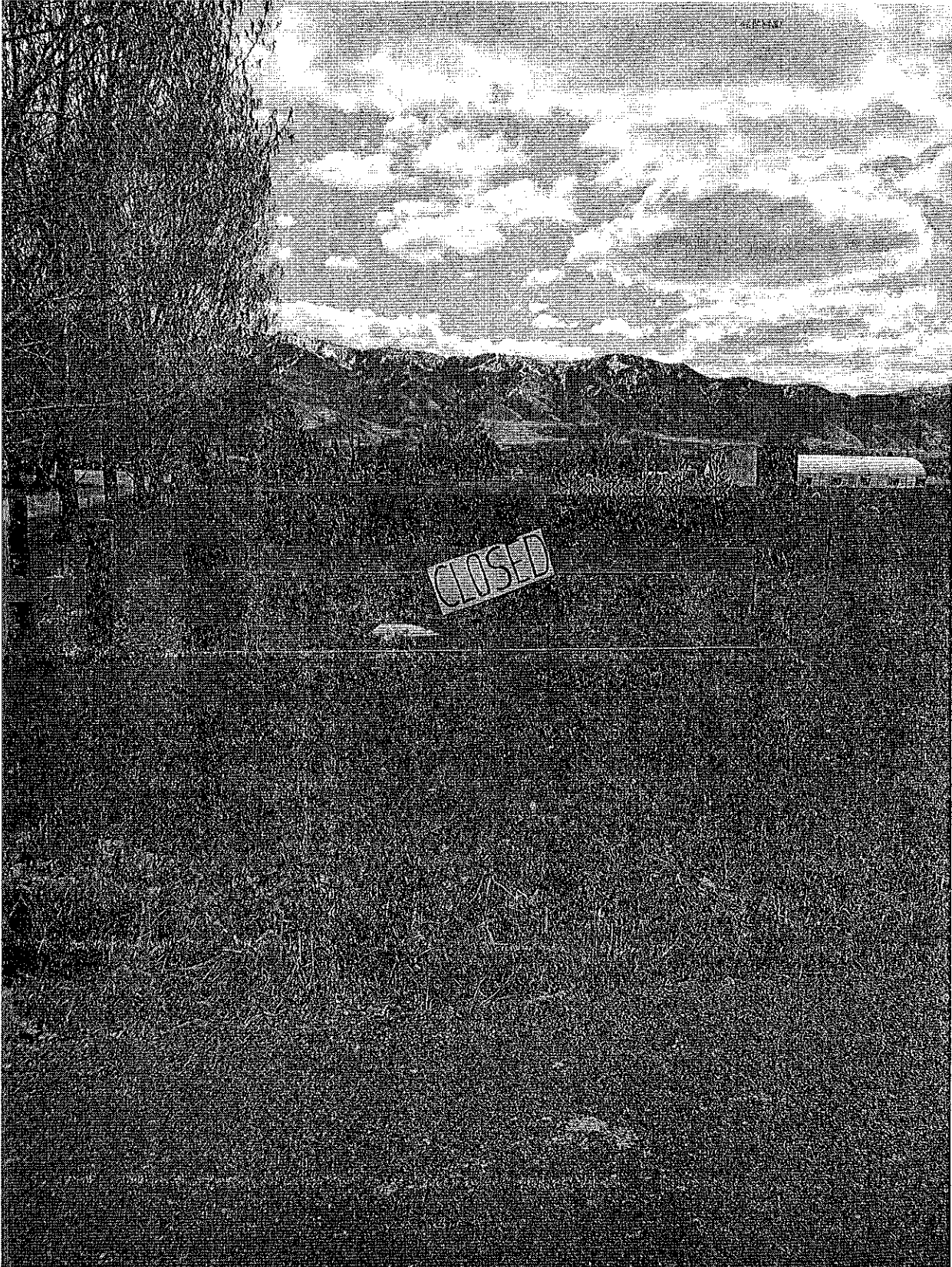
**Table 208.2 Parking Spaces**

<b>Total Number of Parking Spaces Provided in Parking Facility</b>	<b>Minimum Number of Required Accessible Parking Spaces</b>
1 to 25	1

**203 General Exceptions**

- Common use circulation paths within exterior employee work areas that are fully exposed to the weather are exempt. Farms, ranches, and outdoor maintenance facilities are covered by this exception

**Signage**



**Equipment**

Normal farm equipment such as small tractors, trailers, tillers, lawn mowers, harrows. Personal vehicles.

**Waste/ Garbage**

Two each of the residential recycle and garbage cans have proven adequate for waste management. The large greenhouses use a 3 yard bin from Logan Environmental Department. It is used seasonally from April-June.



0 50 100 150 ft

North ^

Carriage House

Barn

Greenhouse

Garden

Garden House

Residence

Greenhouses

N 800 W

08-108-0012

08-108-0013

W 4600 N





**Attachment C**







ZONING CLEARANCE

THE FOLLOWING INFORMATION MUST ACCOMPANY THIS APPLICATION FOR ZONING CLEARANCE: 1) Plat Map (County Recorder's office); 2) Legal description of property with serial number; 3) Current Taxation Certification (County Treasurer's office); 4) Culinary water verification (where applicable); 5) Sanitation approval (where applicable); 6) Soil Conservation Service Review Form; 7) Road Review Form (County Road Superintendent); 8) Fire Protection Evaluation (County Fire Marshall); 9) Solid waste disposal (garbage/refuse) plan (if beyond Logan City's Garbage Pickup area); 10) Site Plan.

APPLICANT INFORMATION

OWNER'S  
NAME: Thomas H. & Ann N Gibbons

MAILING ADD.: P.O. Box 221  
Smithfield, UT 84335

TELE.: 563-3708 HOME 563-3536 BUSINESS

LOCATION INFORMATION

PRP ID #: 08-108-0012  
ZONE: Ag. (6.25 Acres)  
AREA: West of Smithfield  
APROX. ADD.: 4680 North 800 West

ZONING INFORMATION

STRUCTURE: 25' X 50' Pole Barn &  
18' X 40' Equipment Shed

SEPTIC TANK: N/A

CUL. WATER: N/A

PERMITTED  TEMPORARY

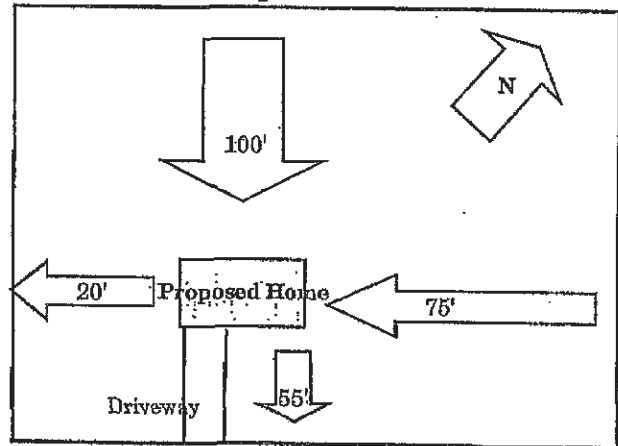
CONDITIONAL USE  DATE:

CONDITIONS: Current and future property owners must be aware that they are subject to the sights, sounds, and smells associated with agricultural activities which are the permitted uses in the Agricultural Zone. No commercial storage or business may be conducted out of the accessory buildings without prior review and approval of the Planning Commission.

OTHER

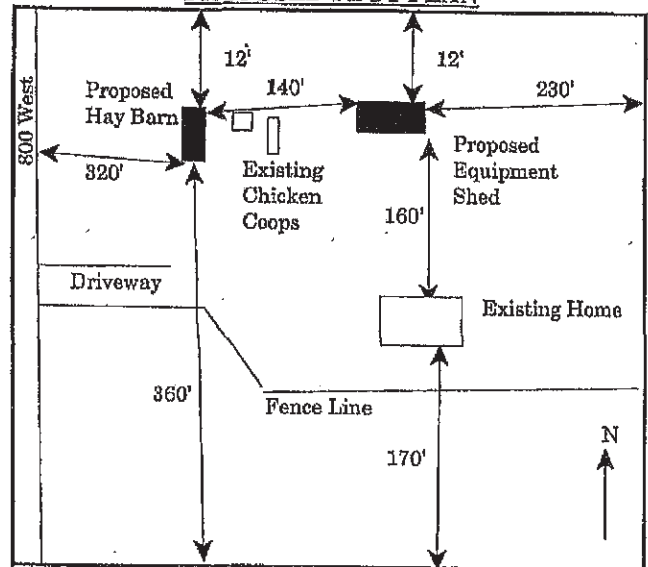
INFORMATION: Two pre-1970 parcels were combined into this 6.25 acre parcel. No mapped FIRM floodplain.

Sample Site Plan



200 North

PROPOSED PLOT PLAN



THIS PROPERTY IS BEING GIVEN ZONING CLEARANCE FOR THE PLOT PLAN SHOWN. ANY CHANGES IN TYPE OF STRUCTURE OR PLACEMENT WOULD NOT HAVE ZONING CLEARANCE. APPROVAL OF ZONING CLEARANCE IS NOT A WAIVER OF COMPLIANCE WITH THE ZONING ORDINANCE NOR IS IT A CONDITIONAL USE PERMIT.

ZONING OF PROPOSED LAND USE IS CLEARED SUBJECT TO THE ABOVE CONDITIONS.

I ACKNOWLEDGE AND ACCEPT THE CONDITIONS OF THIS ZONING CLEARANCE.

SIGNATURE *Thomas H. Gibbons*

SIGNATURE *Ann N. Gibbons*

DATE 7 July 2003

DATE 7-7-2003

PAID \$ 50.00 DATE 7-7-03

CK NO 4154 RECEIPT NO 34127

THIS IS STEP #1 FOR OBTAINING YOUR BUILDING PERMIT - ROOM 19

GOOD FOR ONE YEAR ONLY FROM THE SIGNATURE DATE OF THE ZONING ADMINISTRATOR

20030099



# BUILDING PERMIT APPLICATION - CACHE COUNTY Attachment D

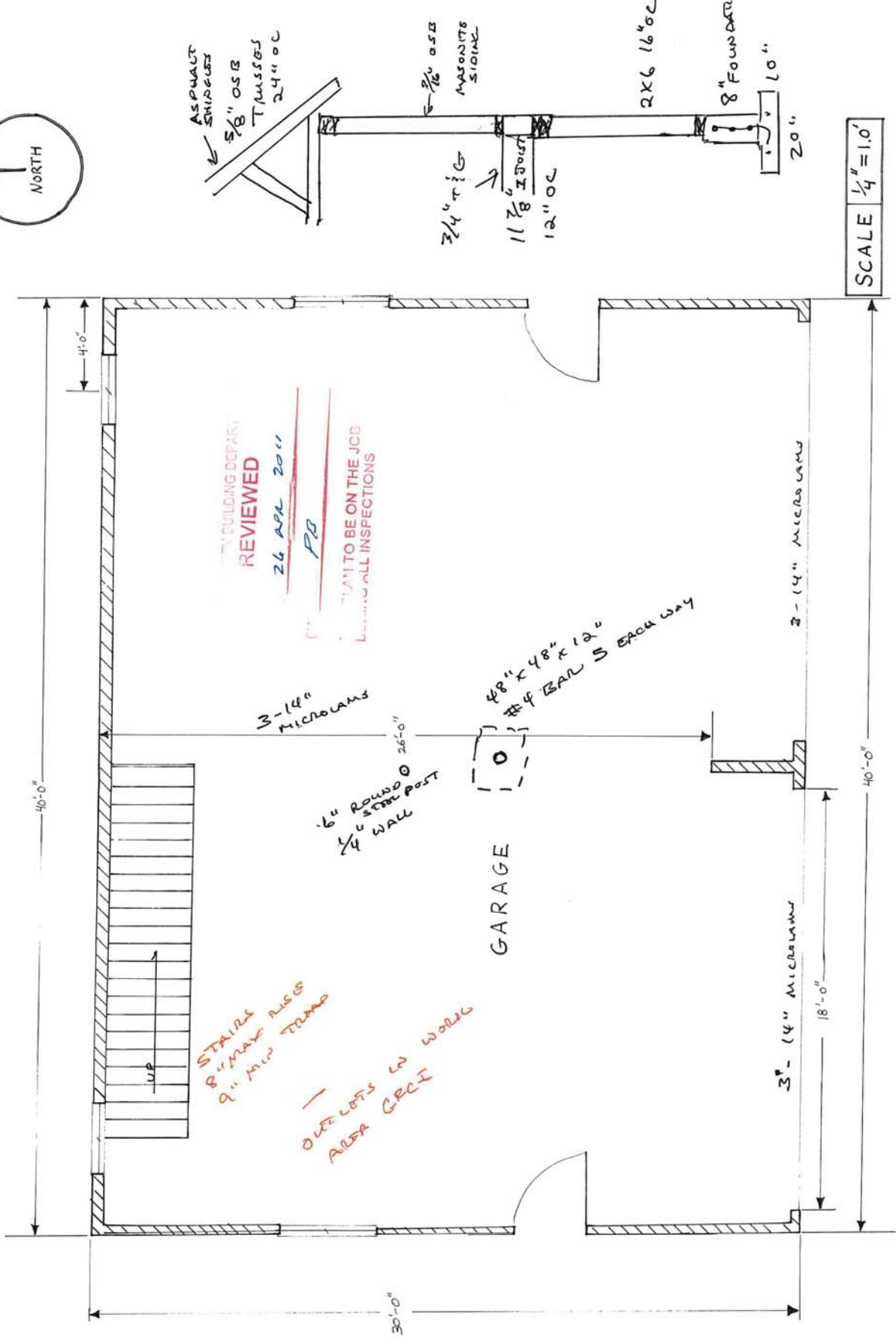
<b>OWNER</b>	Owners Name: <u>THOMAS H. GIBBONS</u> Mailing Address: <u>4680 N 800 W</u> City: <u>SMITHFIELD</u> State: <u>VT</u> Zip: <u>84335</u> Phone: <u>435-563-3708</u> Building Use: <u>AG, DETACHED GARAGE GARAGE</u> Value: <u>45,000 30,000</u> Location: <u>SAME</u>
<b>BUILDING CONTRACTOR</b>	Name: <u>SELF</u> Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ License Number: _____
<b>PLUMBER</b>	Name: <u>N/A</u> Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ License Number: _____
<b>ELECTRICIAN</b>	Name: <u>GERMANY ELECTRIC</u> Address: <u>379 S 200 W</u> City: <u>SMITHFIELD</u> State: <u>VT</u> Zip: <u>84335</u> Phone: <u>435-757-9123</u> License Number: <u>367562-6501</u>
<b>ARCHITECT or ENGINEER</b>	Name: <u>SELF</u> Address: _____ City: _____ State: _____ Zip: _____ Phone: _____ License Number: _____
<p>I / we the undersigned, acting as owner or as the duly appointed representative, understand and agree to the following: 1) all construction will comply to adopted codes as permitted herein and be in compliance with adopted zoning ordinances; 2) are familiar with the present services at the building site and I / we are responsible for any changes including, but not limited to road maintenance, snow removal, school busing, garbage removal, etc. which change may be caused by this construction; 3) accept full responsibility and liability for the structure / work authorized hereon and relieve city / county or their agents of any expressed or implied liability. Furthermore, should we relinquish ownership we agree to inform any future purchaser of these conditions and notify them of their obligation to do the same in the event that they should sell.</p> <p>Application Date: <u>4-26-2011</u></p> <p>Signature: <u>TH H. Gibbons</u></p> <p>By: <u>OWNERS</u></p>	

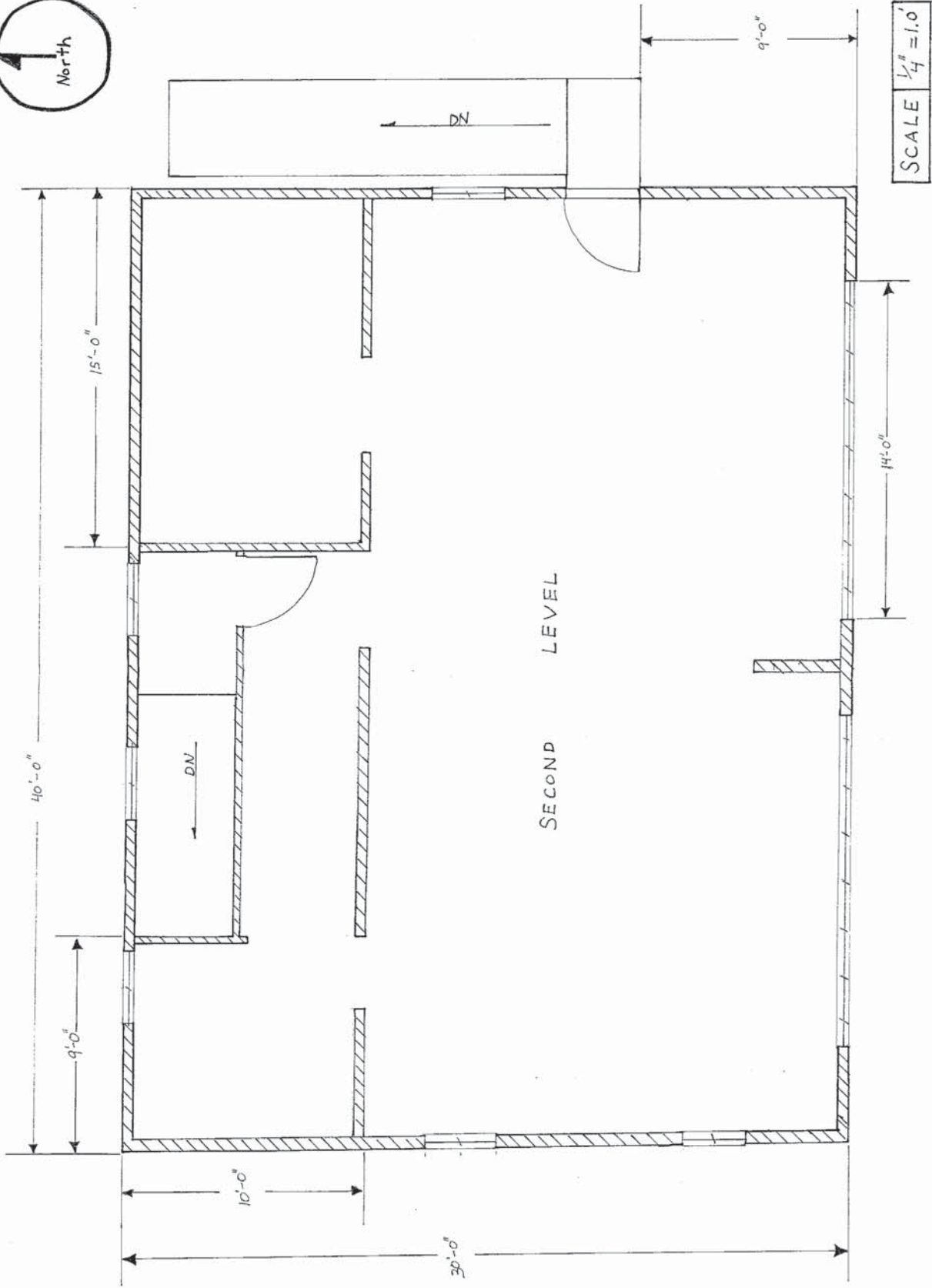
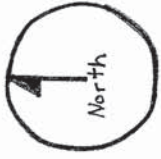
**BUILDING PERMIT - CACHE COUNTY, UTAH**

**Attachment D**  
State # CAC110426475

FOR DEPARTMENT USE ONLY																																									
<p>Owner's Name <b>Gibbons, Thomas</b></p> <p>Mailing Address <b>4680 North 800 West</b></p> <p>City <b>Smithfield</b> State <b>UT</b></p> <p>Zip <b>84335</b> Phone <b>435-563-3708</b></p> <p>Building Use <b>Shed</b></p> <p>Value _____</p> <p>Location <b>Smithfield area</b></p>	<p>Locality <b>Smithfield (west of)</b></p> <p>Name <b>Thomas Gibbons</b></p> <p>Building Address <b>4680 North 800 West</b></p> <p>New <input type="checkbox"/> <input checked="" type="checkbox"/> Addition</p> <p>Alterations <input type="checkbox"/> Move <input type="checkbox"/></p> <p>Use of Bldg. <b>Shed/Storage</b></p> <p>Dim. of Bldg. <b>40' X 30'</b></p> <p>Sq. Footage <b>1200</b></p> <p>Height <b>25'</b> No. of Families _____</p> <p>Lot Size <b>6.25 Acres</b> Lot Dim. _____</p> <p>Parcel Number <b>08-108-0012</b> Zone <b>Ag</b></p> <p>Setback (front) _____ Setback (side if corner lot) _____</p> <p>Side Yard (left facing building) _____ Side Yard (right facing building) _____</p> <p>Base <b>613.00</b> State <b>6.13</b></p> <p>County <b>613.00</b> City <b>0.00</b></p>	<p>Date Issued <b>4/26/2011</b> Receipt No. <b>5725</b> Permit No. <b>2475</b></p> <p>Plan Check Fee <b>+ 36.00</b> Occupancy Bond Fee <b>+ 0.00</b></p> <p>Base Fee <b>+ 613.00</b> State Fee <b>6.13</b></p> <p>Deposit Paid <b>- 0.00</b> Total Building Fee <b>655.13</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Bldg.</th> <th>Area</th> <th>Valuation</th> </tr> </thead> <tbody> <tr> <td>Main</td> <td>1,200.00</td> <td>24,000.00</td> </tr> <tr> <td>Upper</td> <td>1,200.00</td> <td>12,000.00</td> </tr> <tr> <td>Bsmt.</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Garage</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Deck</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Patio</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td></td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Elec.</td> <td>2,400.00</td> <td>96.00</td> </tr> <tr> <td>Mech.</td> <td>1.00</td> <td>15.00</td> </tr> <tr> <td>Plumb.</td> <td>0.00</td> <td>0.00</td> </tr> <tr> <td>Base</td> <td></td> <td>0.00</td> </tr> <tr> <td></td> <td><b>724.00</b></td> <td><b>36,000.00</b></td> </tr> </tbody> </table>	Bldg.	Area	Valuation	Main	1,200.00	24,000.00	Upper	1,200.00	12,000.00	Bsmt.	0.00	0.00	Garage	0.00	0.00	Deck	0.00	0.00	Patio	0.00	0.00		0.00	0.00	Elec.	2,400.00	96.00	Mech.	1.00	15.00	Plumb.	0.00	0.00	Base		0.00		<b>724.00</b>	<b>36,000.00</b>
Bldg.	Area	Valuation																																							
Main	1,200.00	24,000.00																																							
Upper	1,200.00	12,000.00																																							
Bsmt.	0.00	0.00																																							
Garage	0.00	0.00																																							
Deck	0.00	0.00																																							
Patio	0.00	0.00																																							
	0.00	0.00																																							
Elec.	2,400.00	96.00																																							
Mech.	1.00	15.00																																							
Plumb.	0.00	0.00																																							
Base		0.00																																							
	<b>724.00</b>	<b>36,000.00</b>																																							
<p><b>BUILDING CONTRACTOR</b></p> <p>Name <b>Owner</b></p> <p>Address _____</p> <p>City _____ State _____</p> <p>Zip _____ Phone _____</p> <p>License Number _____</p>	<p><b>SPECIFICATIONS</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Material</th> <th>Size</th> </tr> </thead> <tbody> <tr> <td>Footings</td> <td>concrete</td> <td>20" X 10"</td> </tr> <tr> <td>Foundation</td> <td>concrete</td> <td>8"</td> </tr> <tr> <td>Depth in Ground</td> <td colspan="2">30 inches minimum frost</td> </tr> <tr> <td>Ext. Walls</td> <td colspan="2">2 x 6 @ 16" o/c</td> </tr> <tr> <td>Floor Joist</td> <td colspan="2">Wood I-joist per plan</td> </tr> <tr> <td>Roof Framing</td> <td colspan="2">Wood Trusses @ 24" o/c</td> </tr> <tr> <td>Roof Covering</td> <td colspan="2">asphalt</td> </tr> <tr> <td>Water</td> <td colspan="2">N/A</td> </tr> <tr> <td>Sewage</td> <td colspan="2">N/A</td> </tr> <tr> <td>Sprinklers Required</td> <td></td> <td>Tank Size (Gal.)</td> </tr> <tr> <td>Water Tank Required</td> <td></td> <td></td> </tr> </tbody> </table>		Material	Size	Footings	concrete	20" X 10"	Foundation	concrete	8"	Depth in Ground	30 inches minimum frost		Ext. Walls	2 x 6 @ 16" o/c		Floor Joist	Wood I-joist per plan		Roof Framing	Wood Trusses @ 24" o/c		Roof Covering	asphalt		Water	N/A		Sewage	N/A		Sprinklers Required		Tank Size (Gal.)	Water Tank Required			<p><b>APPROVALS</b></p> <p><b>PLANS CHECKED</b></p> <p>Date _____ By <b>Paul Berntson</b></p> <p><b>4/26/2011</b></p> <p><b>SANITATION DEPARTMENT</b></p> <p>Date _____ By <b>N/A</b></p> <p><b>ZONING</b></p> <p>Date _____ By <b>Cache County P&amp;Z</b></p> <p><b>7/7/2003</b></p> <p><b>BUILDING DEPARTMENT</b></p> <p>Date _____ By _____</p>			
	Material	Size																																							
Footings	concrete	20" X 10"																																							
Foundation	concrete	8"																																							
Depth in Ground	30 inches minimum frost																																								
Ext. Walls	2 x 6 @ 16" o/c																																								
Floor Joist	Wood I-joist per plan																																								
Roof Framing	Wood Trusses @ 24" o/c																																								
Roof Covering	asphalt																																								
Water	N/A																																								
Sewage	N/A																																								
Sprinklers Required		Tank Size (Gal.)																																							
Water Tank Required																																									
<p><b>PLUMBER</b></p> <p>Name <b>N/A</b></p> <p>Address _____</p> <p>City _____ State _____</p> <p>Zip _____ Phone _____</p> <p>License Number _____</p>	<p><b>INSPECTIONS</b></p> <p><b>24 HOUR NOTICE - (435) 755-1650</b></p> <ol style="list-style-type: none"> <li>1. Footing Steel</li> <li>2. Foundation Steel</li> <li>3. Rough Frame</li> <li>4. Rough Mechanical</li> <li>5. Rough Electrical</li> <li>6. Final Inspection</li> </ol>	<p><b>CONTRACTOR SIGNATURE</b></p> <p>Date <b>4/26/2011</b></p> <p>Signature _____</p> <p>by _____</p>																																							
<p><b>ELECTRICIAN</b></p> <p>Name <b>Lyle Geary</b></p> <p>Address <b>379 South 200 West</b></p> <p>City <b>Smithfield</b> State <b>UT</b></p> <p>Zip <b>84335</b> Phone <b>757-9123</b></p> <p>License Number <b>3675625501</b></p>	<p><b>SPECIAL INFORMATION OR RESTRICTIONS</b></p> <p>1. The county stamped plan must be on site for all inspections.</p> <p><b>PERMIT IS VOID - inspections incomplete</b></p>	<p><b>ARCHITECT or ENGINEER</b></p> <p>Name <b>Thomas Draper</b></p> <p>Address <b>1683 W Packsaddle Circle</b></p> <p>City <b>Bluffdale</b> State <b>UT</b></p> <p>Zip <b>84065</b> Phone <b>801-696-9279</b></p> <p>License Number <b>10582902</b></p>																																							
<p>I / we the undersigned, acting as owner or as the duly appointed representative, understand and agree to the following: 1) all construction will comply to adopted codes as permitted herein and be in compliance with adopted zoning ordinances; 2) are familiar with the present services at the building site and I / we are responsible for any changes including, but not limited to road maintenance, snow removal, school busing, garbage removal, etc. which change may be caused by this construction; 3) accept full responsibility and liability for the structure / work authorized hereon and relieve city / county or their agents of any expressed or implied liability. Furthermore, should we relinquish ownership we agree to inform any future purchaser of these conditions and notify them of their obligation to do the same in the event that they should sell.</p>																																									

Attachment D



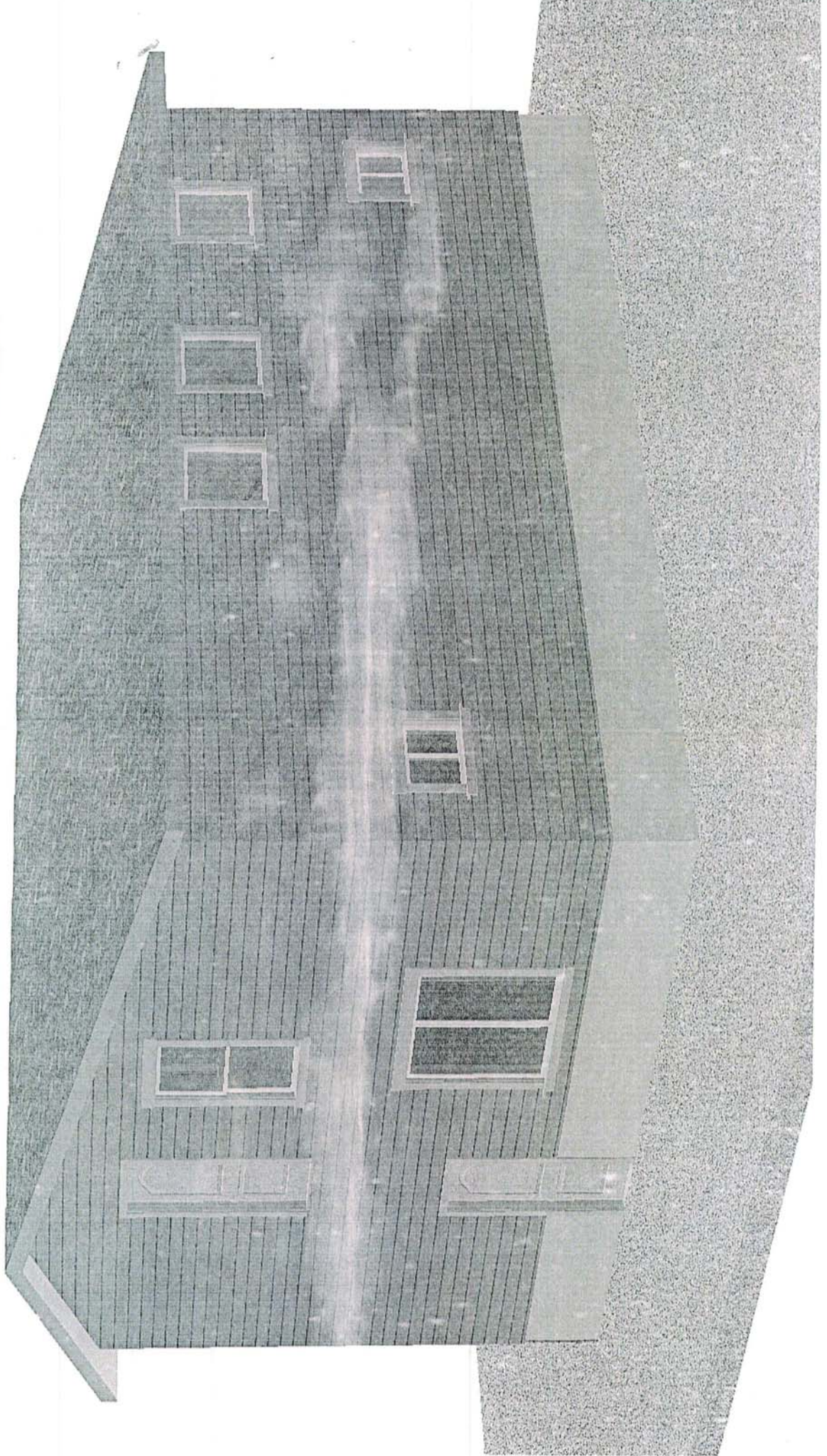


SECOND LEVEL

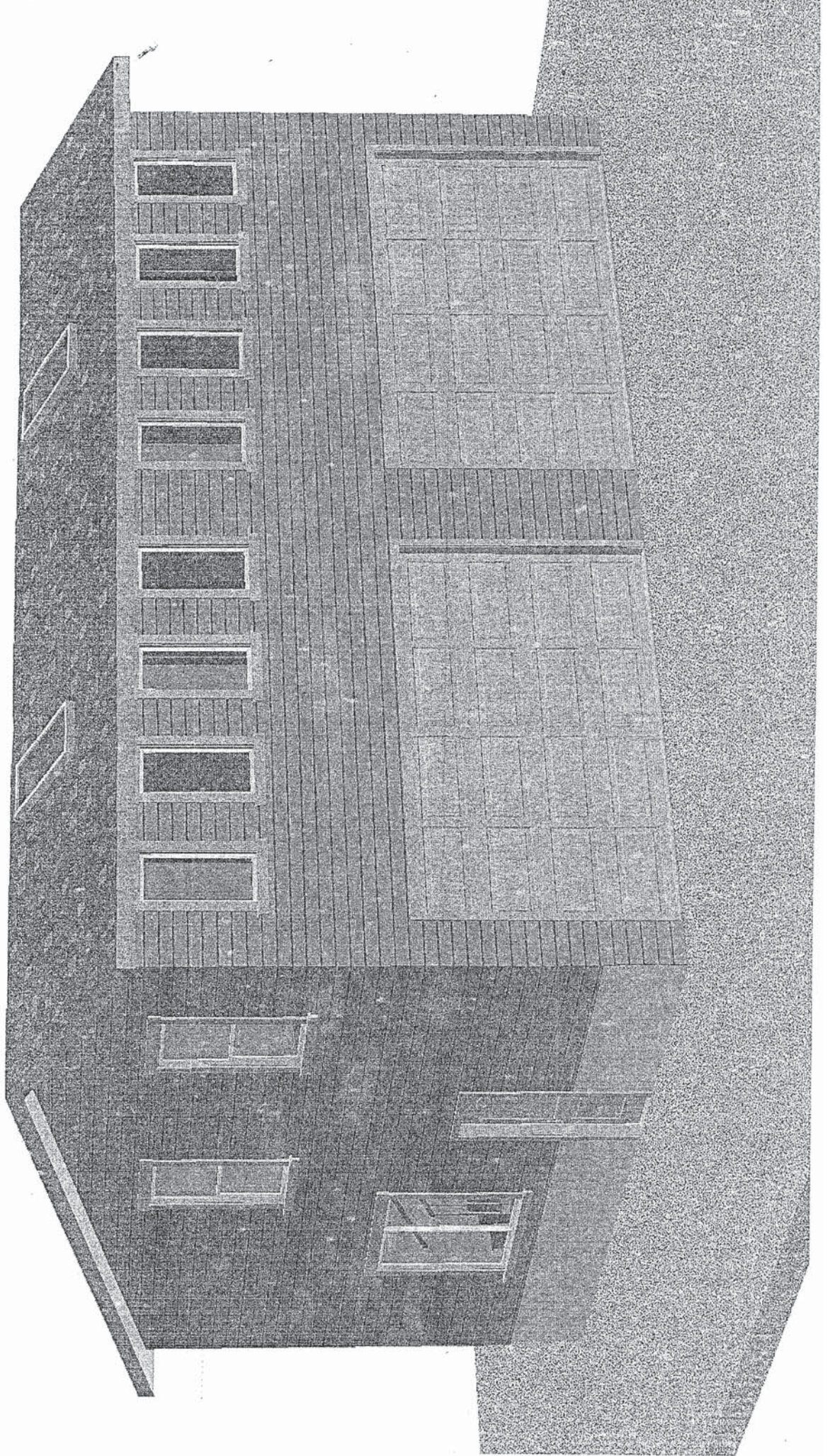
SCALE 1/4" = 1.0'



45. At one time window











---

**Memorandum**

*4 June 2020*

**To:** Planning Commission

**Subject:** Whisper Ridge CUP Revocation Review Update

At the March 5, 2020, Planning Commission meeting, the Whisper Ridge CUP Revocation Review was continued to the June 4, 2020, meeting. The continuation was approved to allow the applicant time to make good faith efforts to come into compliance once the weather was more cooperative.

The attached email from the applicant indicates that the weather continues to be an obstacle and additional time is needed to provide a substantive update on their efforts to come into compliance.

Staff recommends continuing this item until the July 9, 2020, Planning Commission meeting.





## Angie Zetterquist - RE: Pond Wetland Delineation and Bike Trails

---

**From:** Dayson Johnson <djohnson@maglebyconstruction.com>  
**To:** Angie Zetterquist <Angie.Zetterquist@cachecounty.org>, Chris Harrild <Ch...>  
**Date:** 5/21/2020 5:34 PM  
**Subject:** RE: Pond Wetland Delineation and Bike Trails  
**Cc:** 'Jason Rickards' <Jason.rickards@gmail.com>, "thomas@inplandesign.com" <...>

---

Hey Angie great to hear from you. We were on site on Monday attempting to get the wetland delineation done for the pond and see if the snow had melted off of the bike trails yet. There was too much snow pack and mud to be able to reach the pond by truck and the bike trails are almost completely uncovered but they are still very wet to walk on.

We have rescheduled the wetland for next week and hoping to get Matt Phillips up to look at the bike trails by the first of the month. The wetland study may be finished up by the meeting but I doubt in time for cutoff.

Jason Rickards will be appearing on the fourth as I will be out of town. We also have previously notified Chris that we had sent our helicopter back to CA hence why we haven't had flight logs. In the event that were to come back we would start sending those in again.

We have been checking the site on a weekly basis wanting to get these two items signed off. I will possibly try to get Matt on site next week if the weather can warm up a bit. The weather has prevented us from starting these studies.

Please let myself, Jason or Thomas know if you have any other questions.

### Dayson Johnson

O 385.293.1128 • C 801.647.9165

---

**From:** Angie Zetterquist <Angie.Zetterquist@cachecounty.org>  
**Sent:** Thursday, May 21, 2020 5:01 PM  
**To:** Chris Harrild <Chris.Harrild@cachecounty.org>; Dayson Johnson <djohnson@maglebyconstruction.com>  
**Cc:** 'Jason Rickards' <Jason.rickards@gmail.com>  
**Subject:** Re: Pond Wetland Delineation and Bike Trails

[EXT!]

Good Afternoon,

I have attached the agenda for the June 4th Planning Commission meeting. It will be an in-person, not a Zoom meeting. If you have any documents you want distributed to the Commission prior to the meeting, please have that to me by next Thursday, May 28th.

Thank You,

**Angie Zetterquist, AICP**

**Planner**

**Cache County Development Services**

T: [\(435\)755-1640](tel:(435)755-1640)

E: [angie.zetterquist@cachecounty.org](mailto:angie.zetterquist@cachecounty.org)

>>> Dayson Johnson <[djohnson@maglebyconstruction.com](mailto:djohnson@maglebyconstruction.com)> 5/19/2020 10:32 AM >>>

Chris and Angie,

We attempted to get up on site to do the pond study and look at the status of the bike trails they are still partially covered in snow or there is still a lot of wet soils that prevent getting a vehicle there. We are going to try again next week; however I am doubtful I will have the report to you with enough time to review prior to the meeting. I will still plan on showing up or hop on zoom whatever we are doing and can give this update. Hopefully I will have preliminary findings at that point.

Please let me know if you have any other advice or comment here. Thanks

**Dayson Johnson**

**P** [801.785.9998](tel:801.785.9998) • **C** [801.647.9165](tel:801.647.9165)



---

**Memorandum**

*4 June 2020*

**To:** Planning Commission

**Subject:** Jay R's Auto and Salvage CUP Revocation Review Update

At the May 7, 2020, Planning Commission meeting, the Jay R's Auto and Salvage CUP Revocation Review was continued to the June 4, 2020, meeting. The continuation was approved to allow the applicant time to draft a plan to come into compliance with the original CUP approval.

At the time this packet was sent out, Staff had not received any updates from the applicant to include.

