

**APPROVED**

**CACHE COUNTY  
COUNCIL MEETING  
MINUTES  
MARCH 31, 2020**

**COUNTY COUNCIL MEETING**  
**March 31, 2020**

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<b>PROPERTY TAX EXEMPTION REQUEST – Sunshine Terrace Foundation, Inc. ....</b>	<b>3</b>
<b>PUBLIC HEARING SET – April 14, 2020-5:20 p.m.-2<sup>nd</sup> CDBG Public Hearing-Family Justice Center-Hearing to discuss the project determined to be applied for in the CDBG Small Cities Program in Program year 2020. Comments will be solicited on project scope, implementation and its effects on residents. ....</b>	<b>3</b>
<b>PUBLIC HEARING SET – April 14, 2020-5:30 p.m.-Ordinance No. 2020-03-Request approval of the rezone of approximately 5 acres from the Agricultural (A10) Zone to the Industrial (I) Zone, located at 161 East SR 142 near Richmond .....</b>	<b>3</b>
<b>PUBLIC HEARING SET – April 14, 2020-5:40 p.m.-Ordinance No. 2020-04-request for approval of the Rezone of two parcels totaling 10.47 acres from the Agricultural (A10) Zone to the Commercial (C) Zone, located on the northeast corner of 3200 West Hwy 30 near Logan .....</b>	<b>3</b>
<b>PUBLIC HEARING SET – April 14, 2020-5:50 p.m.-CIB Grant Application-Updates to the Cache County General Plan-Notice to Council and the public of application to the Community Impact Board (CIB) to request and obtain financial assistance through grants. The requested funding will be used to assist with the update to the Cache County General Plan which will provide long-term land use direction for Cache County and help prioritize and direct other long-range planning documents. This additional public hearing is being held at the request of the CIB to clarify the distinct projects .....</b>	<b>3</b>
<b>PUBLIC HEARING SET – April 14, 2020-5:55 p.m.-CIB Grant Application – Urban and Rural Area Assessment and Cost of Service Plan – Notice to Council and the public of application to the Community Impact Board (CIB) to request and obtain financial assistance through grants. The requested Funding will be used to assist with the Cache County Urban and Rural Area Assessment and Cost of Service Plan which will provide long-term direction and collaboration between rural Cache County and the Communities located in the County. This additional public hearing is being held at the request of the CIB to clarify the distinct projects .....</b>	<b>3</b>
<b>RESOLUTION NO. 2015-20 – A Resolution Outlining the County Council’s Policy Regarding the</b>	

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**RESOLUTION NO. 2020-07 – Governing the Use of Electronic Meetings by the Cache County Council.. 2**

**ROADS – Discussion-Resolution No. 2015-20-A Resolution Outlining the County Council’s Policy  
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**SPEED LIMIT ON ROADWAYS THAT DO NOT HAVE A POSTED SPEED LIMIT – Ordinance  
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**SUNSHINE TERRACE FOUNDATION, INC. – Property Tax Exemption Request ..... 3**

**TITLE 16.01, 16.02, AND 17.02 CONCERNING PARCEL LEGALITY, LAND USE  
AUTHORITY, AND THE PROCESS FOR THE ADOPTION OF LAND USE APPLICATIONS;  
AND TO TITLE 17.07 REGARDING THE USE RELATED DEFINITION OF RECREATIONAL  
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**UAC MANAGEMENT CONFERENCE – April 7-9, 2020 - CANCELED ..... 5**

**CACHE COUNTY COUNCIL MEETING  
MARCH 31, 2020**

The Cache County Council convened in a regular session on March 31, 2020 at 5:00 p.m. via a video conference meeting, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Karl B. Ward  
**Vice Chair:** Gina H. Worthen  
**Council Members:** Paul R. Borup, David L. Erickson, Barbara Tidwell, Jon White & Gordon A. Zilles.  
**County Executive:** Craig "W" Buttars  
**County Clerk:** Jill N. Zollinger  
**Deputy County Attorney:** James Swink

**The following individuals were also in attendance:** Janeen Allen, Development Services Director  
Chris Harrild, Sharon L. Hoth, Emergency Management Coordinator William Lusk, Chief Deputy County Executive Bryce Mumford, IT Director Bartt Nelson, **Media:** none

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

County Executive Craig Buttars gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member White to approve the agenda. Erickson seconded the motion. The vote was unanimous, 7-0.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Erickson to approve the minutes of the March 10, 2020 Council meeting as written. White seconded the motion. The vote was unanimous, 7-0.

**MINUTES FOLLOW-UP:** None

**REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS**

**APPOINTMENTS:** There were no appointments.

**OTHER ITEMS:**

- UAC and League of Cities and Towns** were complimented by Executive Buttars for their weekly conference call with the Governor's office which disseminates pertinent information including: small business loans available through the Governor's office; websites – [www.bus.utah.gov](http://www.bus.utah.gov) and [www.coronavirus.utah.gov](http://www.coronavirus.utah.gov); reasons/benefits for a county to declare an emergency.

Vice Chair Worthen asked if there is a coordinated effort or website links where different agencies can coordinate together. Executive Buttars said Chamber of Commerce Director Jamie Andrus is organizing that effort. Buttars will see that the information is sent to the various Mayors.

- Financial Statements** for February 2020 were presented to the Clerk.

(Attachment 1)

**ITEMS OF SPECIAL INTEREST**

- **Resolution No. 2020-07 – Governing the Use of Electronic Meetings by the Cache County Council** – Vice Chair Worthen asked if Facebook qualifies under Item 2-Space and facilities.... Chairman Ward said it does.

(Attachment 2)

**ACTION: Motion by Council member White to approve Resolution No. 2020-07 – Governing the Use of Electronic Meetings by the Cache County Council. Erickson seconded the motion. The vote was unanimous, 7-0.**

**PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**

**ACTION: Motion by Council member Borup to convene as a Board of Equalization. White seconded the motion. The vote was unanimous, 7-0.**

**THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION**

• **Property Tax Exemption Requests**

- American West Heritage Center (approved)
- Assembly of God (approved)
- Bear River Head Start (approved)
- Bear River Mental Health Services (approved)
- Beaver Mountain Ski Patrol – Personal Property (approved)
- Boy Scouts of America – Logan Scout Shop – Personal Property (approved)
- Boy Scouts of America-Trapper Trails Council (approved)
- Bridgerland Audubon Society (approved)
- Bridgerland Community Ice Arena, Inc. – Personal Property (approved)
- Cache County Children’s Justice Center (approved)
- Cache Community Food Pantry (approved)
- Cache Employment and Training Center (approved)
- Cache Humane Society (approved)
- Cache Valley Center for the Arts – Personal Property (approved)
- Cache Valley Community Health Center *dba* Bear Lake Community Health Center, Inc. (approved)
- Cache Valley Universalists (approved)
- Carl Inoway Senior Housing Corporation – Council requests more information
- Center for Excellence in Higher Education *dba* Stevens-Henager College – Personal Property (approved)
- Centro de la Familia de Utah (approved)
- Child and Family Support Center (approved)
- Citizens Against Physical and Sexual Abuse-CAPSA (approved)
- Common Ground Outdoor Adventures (approved)
- Grow and Multiply Ministry – **(denied)**
- Jump the Moon Foundation – (approved)

- Midtown Community Health Center – Personal Property – (approved)
- Sunshine Terrace Foundation, Inc – (approved)

**ACTION: Motion by Council member White to approve the property tax exemption requests except as follows: Grow and Multiply – *denied*; Carl Inoway Senior Housing – *more information requested*. Erickson seconded the motion. The vote was unanimous, 7-0.**

**ACTION: Motion by Council member White to adjourn from the Board of Equalization. Erickson seconded the motion. The vote was unanimous, 7-0.**

**THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION.**

**PUBLIC HEARING SET:** April 14, 2020 at 5:20 p.m. – 2<sup>nd</sup> CDBG Public Hearing – Family Justice Center – Hearing to discuss the project determined to be applied for in the CDBG Small Cities Program in Program year 2020. Comments will be solicited on project scope, implementation and its effects on residents.

**PUBLIC HEARING SET:** April 14, 2020 at 5:30 p.m. – Ordinance No. 2020-03 – Request approval of the rezone of approximately 5 acres from the Agricultural (A10) Zone to the Industrial (I) Zone, located at 161 East SR 142 near Richmond.

**PUBLIC HEARING SET:** April 14, 2020 at 5:40 p.m. – Ordinance No. 2020-04 – Request for approval of the rezone of two parcels totaling 10.47 acres from the Agricultural (A10) Zone to the Commercial (C) Zone, located on the northeast corner of 3200 West Hwy 30 near Logan.

**PUBLIC HEARING SET:** April 14, 2020 at 5:50 p.m. – CIB Grant Application – Updates to the Cache County General Plan – Notice to Council and the public of application to the Community Impact Board (CIB) to request and obtain financial assistance through grants. The requested funding will be used to assist with the update to the Cache County General Plan which will provide long-term land use direction for Cache County and help prioritize and direct other long-range planning documents. This additional public hearing is being held at the request of the CIB to clarify the distinct projects.

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**ACTION: Motion by Council member Erickson to set the afore-mentioned Public Hearings. Zilles seconded the motion. The vote was unanimous, 7-0.**

**PENDING ACTION**

- **Ordinance No. 2020-02 – Amendments to titles 16 and 17 – Amendments to Title 16.01, 16.02, and 17.02 concerning Parcel Legality, Land Use Authority, and the Process for the adoption of land use applications; and to Title 17.07 regarding the use related definition of Recreational Facility** – Vice Chair Worthen asked why the Planning Commission has the final jurisdiction for subdivision plats. Development Services Director Harrild recommended changing the language to say “*The Planning*

*Commission has final jurisdiction in the approval of subdivision plats and the Council has final jurisdiction for the establishment of requirements....”* Chairman Ward and Council member White both observed this allows the Council to set the rules for the Planning Commission to follow. Attorney Swink reminded Council members there is an appeal process if someone feels the guidelines are not being followed by the Planning Commission.

**(Attachment 3)**

**ACTION: Motion by Council member White to approve Resolution No. 2020-02 – Amendments to Titles 16 and 17 – Amendments to Title 16.01, 16.02, and 17.02 concerning Parcel Legality, Land Use Authority, and the Process for the adoption of land use applications; and to Title 17.07 regarding the use related definition of Recreational Facility – with the change recommended by Director Harrild. Zilles seconded the motion. The vote was unanimous, 7-0.**

**Ordinance No. 2020-02:** The motion passed 7-0.

	<u>BORUP</u>	<u>ERICKSON</u>	<u>TIDWELL</u>	<u>WARD</u>	<u>WHITE</u>	<u>WORTHEN</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

**INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- **Ordinance No. 2020-05 – Amending Section 12.01.020 of the Cache County Code to delete the provision setting a speed limit on roadways that do not have a posted speed limit** – Executive Butfars explained that the County Code states the speed limit is 45 mph on unposted roads in Cache County; however, the State Code says the speed limit is 55 mph on unposted roads. This will bring the County Code in line with the State Code. Law enforcement and the Road Department will be consulted so that road conditions requiring a lower speed limit will be posted accordingly.

**(Attachment 4)**

**ACTION: Motion by Council member White to waive the rules and approve Ordinance No. 2020-05 – Amending Section 12.01.020 of the Cache County Code. Council member Erickson seconded the motion. The vote was unanimous, 7-0.**

**Ordinance No. 2020-05:** The motion passed 7-0.

	<u>BORUP</u>	<u>ERICKSON</u>	<u>TIDWELL</u>	<u>WARD</u>	<u>WHITE</u>	<u>WORTHEN</u>	<u>ZILLES</u>	<u>VOTES CAST</u>
AYE	X	X	X	X	X	X	X	7
NAY								0
ABSTAINED								0
ABSENT								0

- **Discussion – Resolution No. 2015-20 – A Resolution Outlining the County Council’s Policy Regarding the Expansion or Continuation of services on County Roads** – Executive Buttars stated he has received letters requesting a review of Resolution No. 2015-20. Director Harrild remarked the issue is the cost of incremental development in the county. Maintenance on county roads is an economic problem. People will build a home at the end of a long gravel driveway and then want the county to develop and maintain a road. Developers can create roads in subdivisions and recoup their investment in the sale of the lots. The county has no such option.

Attorney Swink and Council members feel it is a good time to review the resolution. Chairman Ward asked that a discussion on Resolution No. 2015-20 be scheduled for the May 12, 2020 Council meeting. This will give Director Harrild and Attorney Swink time to do research and develop some guidance for the Council.

### **OTHER BUSINESS**

- ✓ **UAC Management Conference – April 7-9, 2020 – Davis Conference Center – CANCELED.**

### **Council Member Reports**

**Jon White** said Executive Buttars is doing a great job of keeping everyone informed.

**Gina Worthen** thanked Chairman Ward for conducting the electronic meeting and Executive Buttars for his timely information and commented that over 700 small businesses applied within the first five hours of the Governor’s Office announcement of the availability of small business loans.

**Barbara Tidwell** said trying to get a strategic plan developed for the Logan Homeless Coordinating Committee is a challenge with the April 7<sup>th</sup> deadline looming.

**Paul Borup** also complimented Executive Buttars and the Bear River Health Department for their efforts to keep the public informed. He appreciates all who have helped in any way.

**Craig Buttars** has spoken with Dr. Ed Redd who is trying to create a quarantine center to take infected individuals out of the home to protect family members. He hopes to use resources from the county to deliver meals to those individuals. The Health Department is looking at requests from restaurants to create “social distancing” in their facilities by eliminating some tables, etc.

### **ADJOURNMENT**

The Council meeting adjourned at 6:05 p.m.

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**ATTEST:** Jill N. Zollinger  
County Clerk

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**APPROVAL:** Karl B. Ward  
Chairman

CACHE COUNTY GOVERNMENT  
FUND SUMMARY  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<b>REVENUE</b>					
TAXES	68,793.65	2,482,651.70	22,183,000.00	19,700,348.30	11.2
LICENSES & PERMITS	3,230.00	4,710.00	40,000.00	35,290.00	11.8
INTERGOVERNMENTAL REVENUE	174,796.47	163,605.84	1,089,100.00	925,494.16	15.0
CHARGES FOR SERVICES	594,044.99	954,812.55	6,361,600.00	5,406,787.45	15.0
FINES & FORFEITURES	9,692.16	10,999.34	93,000.00	82,000.66	11.8
MISCELLANEOUS REVENUE	185,591.62	333,696.47	1,902,000.00	1,568,303.53	17.5
CONTRIBUTIONS & TRANSFERS	.00	1,800.00	162,000.00	160,200.00	1.1
	<b>1,036,148.89</b>	<b>3,952,275.90</b>	<b>31,830,700.00</b>	<b>27,878,424.10</b>	<b>12.4</b>
<b>EXPENDITURES</b>					
COUNCIL	7,732.98	14,552.71	131,900.00	117,347.29	11.0
WATER DEVELOPMENT	275,000.00	275,000.00	275,000.00	.00	100.0
PUBLIC DEFENDER	46,059.50	101,242.50	530,200.00	428,957.50	19.1
EXECUTIVE	51,260.68	73,395.84	459,800.00	386,404.16	16.0
FINANCE	55,963.25	111,137.32	597,900.00	486,762.68	18.6
HUMAN RESOURCES	32,850.98	64,548.18	362,600.00	298,051.82	17.8
GIS DEPT	( 13,043.96)	20,868.30	122,500.00	101,631.70	17.0
INFORMATION TECHNOLOGY SYSTE	20,777.35	144,006.41	978,100.00	834,093.59	14.7
AUDITOR	( 5,665.79)	2,408.99	29,000.00	26,591.01	8.3
CLERK	8,345.59	15,115.45	119,200.00	104,084.55	12.7
RECORDER	8,056.81	24,212.06	198,100.00	173,887.94	12.2
ATTORNEY	139,258.01	260,095.74	1,650,200.00	1,390,104.26	15.8
VICITM SERVICES -CACHE ACHIEVE	.00	170.26	.00	( 170.26)	.0
VOCA -VICTIM SERVICES	( 12,705.30)	17,399.68	.00	( 17,399.68)	.0
VAWA - ATTORNEY - GRANT SERV	( 4,070.33)	9,377.43	.00	( 9,377.43)	.0
NON-DEPARTMENTAL	9,139.46	294,397.74	329,900.00	35,502.26	89.2
CENTRAL MAIL	( 69.91)	155.60	7,100.00	6,944.40	2.2
BUILDING & GROUNDS	10,817.10	27,983.01	328,100.00	300,116.99	8.5
VOCA - MAIN	39,084.27	40,028.22	402,700.00	362,671.78	9.9
VOCA - SAS	16,084.82	16,153.98	125,000.00	108,846.02	12.9
VAWA - INVESTIGATION	11,393.00	11,393.00	97,800.00	86,407.00	11.7
VAWA - PROSECUTION	3,167.87	3,167.87	96,100.00	92,932.13	3.3
ELECTIONS	107,161.25	131,325.48	656,700.00	525,374.52	20.0
PUBLIC NOTICES	113.20	113.20	3,100.00	2,986.80	3.7
ECONOMIC DEVELOPMENT	.00	10,000.00	52,000.00	42,000.00	19.2
SHERIFF - CRIMINAL	311,331.88	547,044.64	4,954,600.00	4,407,555.36	11.0
SHERIFF - SUPPORT SERVICES	214,542.91	354,149.26	2,518,400.00	2,164,250.74	14.1
SHERIFF - ADMINISTRATION	160,850.72	361,766.65	1,665,200.00	1,303,433.35	21.7
SHERIFF - SEARCH AND RESCUE	2,850.75	3,999.14	82,700.00	78,700.86	4.8
SHERIFF - EXPLORER	.00	.00	25,100.00	25,100.00	.0
FIRE DEPARTMENT	76,844.78	131,041.39	1,084,300.00	953,258.61	12.1
SHERIFF - CORRECTIONS	616,090.48	1,157,825.80	8,409,600.00	7,251,774.20	13.8
SHERIFF - IT DEPARTMENT	617.30	617.30	28,300.00	27,682.70	2.2
BEE INSPECTION	.00	.00	2,500.00	2,500.00	.0
SHERIFF - ANIMAL CONTROL	13,202.92	23,190.29	186,100.00	162,909.71	12.5
SHERIFF - EMERGENCY MANAGEME	12,114.66	23,273.89	181,700.00	158,426.11	12.8
PUBLIC HEALTH	.00	.00	320,600.00	320,600.00	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
PUBLIC WELFARE	.00	.00	82,800.00	82,800.00	.0
FAIRGROUNDS	137,133.90	189,055.38	867,200.00	678,144.62	21.8
COMMUNICATIONS	357.58	856.76	15,600.00	14,743.24	5.5
LIBRARY	5,694.16	9,724.02	109,700.00	99,975.98	8.9
USU AG EXTENSION SERVICE	3.20	207.20	244,600.00	244,392.80	.1
COUNTY FAIR	83.62	318.62	159,400.00	159,081.38	.2
RODEO	435.00	435.00	185,500.00	185,065.00	.2
STATE FAIR	.00	.00	1,000.00	1,000.00	.0
AGRICULTURAL PROMOTION	.00	.00	6,000.00	6,000.00	.0
CONTRIBUTIONS	.00	.00	1,030,000.00	1,030,000.00	.0
TRANSFERS OUT	.00	.00	1,934,800.00	1,934,800.00	.0
MISCELLANEOUS	12,979.60	16,718.47	182,000.00	165,281.53	9.2
	<u>2,371,844.29</u>	<u>4,488,472.78</u>	<u>31,830,700.00</u>	<u>27,342,227.22</u>	<u>14.1</u>
	<u>( 1,335,695.40)</u>	<u>( 536,196.88)</u>	<u>.00</u>	<u>536,196.88</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
FUND SUMMARY  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

ASSESSING & COLLECTING FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	15,720.92	557,074.73	3,323,800.00	2,766,725.27	16.8
CHARGES FOR SERVICES	24,838.89	32,911.28	585,000.00	552,088.72	5.6
MISCELLANEOUS REVENUE	338.47	700.12	.00	( 700.12)	.0
CONTRIBUTIONS & TRANSFERS	.00	.00	483,600.00	483,600.00	.0
	<u>40,898.28</u>	<u>590,686.13</u>	<u>4,392,400.00</u>	<u>3,801,713.87</u>	<u>13.5</u>
<u>EXPENDITURES</u>					
COUNCIL	1,616.97	1,616.97	14,200.00	12,583.03	11.4
EXECUTIVE	12,952.21	12,952.21	35,300.00	22,347.79	36.7
FINANCE	12,348.59	12,348.59	66,500.00	54,151.41	18.6
HUMAN RESOURCES	11,390.86	11,390.86	68,500.00	57,109.14	16.6
GIS DEPT	31,302.45	31,302.45	180,800.00	149,497.55	17.3
INFORMATION TECHNOLOGY SYSTE	92,773.45	118,814.84	832,600.00	713,785.16	14.3
AUDITOR	14,798.10	14,798.10	178,400.00	163,601.90	8.3
TREASURER	20,056.08	37,328.08	325,300.00	287,971.92	11.5
RECORDER	24,212.07	24,212.07	193,400.00	169,187.93	12.5
ATTORNEY	25,723.76	25,723.76	164,300.00	138,576.24	15.7
ASSESSOR	186,871.51	285,707.77	2,014,800.00	1,729,092.23	14.2
NON-DEPARTMENTAL	32,710.86	32,710.86	29,000.00	( 3,710.86)	112.8
CENTRAL MAIL & COPY	69.91	69.91	3,200.00	3,130.09	2.2
BUILDING & GROUNDS	12,572.07	12,572.07	141,800.00	129,227.93	8.9
ADVERT & PROMOTION	138.36	138.36	3,900.00	3,761.64	3.6
CONTRIBUTIONS	403.36	403.36	85,500.00	85,096.64	.5
MISCELLANEOUS	.00	.00	54,900.00	54,900.00	.0
	<u>479,940.61</u>	<u>622,090.26</u>	<u>4,392,400.00</u>	<u>3,770,309.74</u>	<u>14.2</u>
	<u>( 439,042.33)</u>	<u>( 31,404.13)</u>	<u>.00</u>	<u>31,404.13</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
FUND SUMMARY  
FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

MUNICIPAL SERVICES FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	2,665,000.00	2,665,000.00	.0
LICENSES & PERMITS	100,439.59	193,175.14	1,103,500.00	910,324.86	17.5
INTERGOVERNMENTAL REVENUE	.00	8,000.00	2,957,200.00	2,949,200.00	.3
CHARGES FOR SERVICES	99,281.27	150,999.90	1,128,700.00	977,700.10	13.4
MISCELLANEOUS REVENUE	500.10	22,383.21	300,500.00	278,116.79	7.5
CONTRIBUTIONS & TRANSFERS	.00	.00	1,146,300.00	1,146,300.00	.0
	<u>200,220.96</u>	<u>374,558.25</u>	<u>9,301,200.00</u>	<u>8,926,641.75</u>	<u>4.0</u>
<u>EXPENDITURES</u>					
ZONING DEPARTMENT	33,641.68	65,519.44	589,300.00	523,780.56	11.1
FIRE DEPARTMENT	1,085.86	92,360.68	244,900.00	152,539.32	37.7
BUILDING INSPECTION	47,050.28	86,673.95	834,700.00	748,026.05	10.4
ANIMAL CONTROL	.00	.00	12,000.00	12,000.00	.0
ROAD	198,871.45	334,081.59	6,297,800.00	5,963,718.41	5.3
SANITATION/WASTE COLLECTION	.00	.00	30,000.00	30,000.00	.0
WEED ERADICATION DEPARTMENT	12,945.14	27,202.24	607,600.00	580,397.76	4.5
PUBLIC WORKS	25,050.90	40,939.22	470,600.00	429,660.78	8.7
TRAILS MANAGEMENT	1,209.40	1,508.79	125,000.00	123,491.21	1.2
CONTRIBUTIONS	.00	.00	56,400.00	56,400.00	.0
TRANSFERS OUT	.00	.00	31,400.00	31,400.00	.0
MISCELLANEOUS	.00	.00	1,500.00	1,500.00	.0
	<u>319,854.71</u>	<u>648,285.91</u>	<u>9,301,200.00</u>	<u>8,652,914.09</u>	<u>7.0</u>
	<u>( 119,633.75)</u>	<u>( 273,727.66)</u>	<u>.00</u>	<u>273,727.66</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

HEALTH FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	4,444.69	157,455.61	966,000.00	808,544.39	16.3
CHARGES FOR SERVICE	23,010.75	46,038.75	280,000.00	233,961.25	16.4
CONTRIBUTIONS	.00	.00	73,400.00	73,400.00	.0
	<u>27,455.44</u>	<u>203,494.36</u>	<u>1,319,400.00</u>	<u>1,115,905.64</u>	<u>15.4</u>
<u>EXPENDITURES</u>					
PUBLIC HEALTH	.00	327,318.50	1,269,400.00	942,081.50	25.8
CONTRIBUTIONS	.00	.00	50,000.00	50,000.00	.0
	<u>.00</u>	<u>327,318.50</u>	<u>1,319,400.00</u>	<u>992,081.50</u>	<u>24.8</u>
	<u>27,455.44</u>	<u>( 123,824.14)</u>	<u>.00</u>	<u>123,824.14</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

CACHE CO REDEVELOPMENT AGENCY

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	50,000.00	50,000.00	.0
CONTRIBUTIONS	.00	.00	221,000.00	221,000.00	.0
	.00	.00	271,000.00	271,000.00	.0
<u>EXPENDITURES</u>					
COMMUNITY DEVELOPMENT	.00	.00	260,000.00	260,000.00	.0
CONTRIBUTIONS	.00	.00	11,000.00	11,000.00	.0
	.00	.00	271,000.00	271,000.00	.0
	.00	.00	.00	.00	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

FUND 230

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	1,050,000.00	1,050,000.00	.0
INTERGOVERNMENTAL REVENUE	.00	.00	18,100.00	18,100.00	.0
CHARGES FOR SERVICES	1,371.72	3,102.56	34,000.00	30,897.44	9.1
MISCELLANEOUS REVENUE	.00	.00	500.00	500.00	.0
CONTRIBUTIONS & TRANSFERS	.00	2,047.25	3,400.00	1,352.75	60.2
	<u>1,371.72</u>	<u>5,149.81</u>	<u>1,106,000.00</u>	<u>1,100,850.19</u>	<u>.5</u>
<u>EXPENDITURES</u>					
VISITORS BUREAU	31,128.02	82,535.06	844,000.00	761,464.94	9.8
TRANSFERS OUT	.00	.00	262,000.00	262,000.00	.0
	<u>31,128.02</u>	<u>82,535.06</u>	<u>1,106,000.00</u>	<u>1,023,464.94</u>	<u>7.5</u>
	<u>( 29,756.30)</u>	<u>( 77,385.25)</u>	<u>.00</u>	<u>77,385.25</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

COUNCIL ON AGING

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	30,055.05	.00	309,600.00	309,600.00	.0
CHARGES FOR SERVICES	267.10	650.85	8,500.00	7,849.15	7.7
MISCELLANEOUS REVENUE	294.36	536.81	4,100.00	3,563.19	13.1
CONTRIBUTIONS & TRANSFERS	6,735.86	13,275.59	405,900.00	392,624.41	3.3
	<u>37,352.37</u>	<u>14,463.25</u>	<u>728,100.00</u>	<u>713,636.75</u>	<u>2.0</u>
<u>EXPENDITURES</u>					
NUTRITION-MANDATED	50,905.71	82,892.09	430,000.00	347,107.91	19.3
SR CITIZENS CENTER-NON-MANDATE ACCESS - MANDATED	15,672.05	27,224.03	190,100.00	162,875.97	14.3
	10,247.54	18,665.66	109,000.00	90,334.34	17.1
	<u>76,825.30</u>	<u>128,781.78</u>	<u>729,100.00</u>	<u>600,318.22</u>	<u>17.7</u>
	<u>( 39,472.93)</u>	<u>( 114,318.53)</u>	<u>( 1,000.00)</u>	<u>113,318.53</u>	<u>(11431)</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

MENTAL HEALTH FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	240,645.02	461,065.02	3,000,000.00	2,538,934.98	15.4
CONTRIBUTIONS	36,312.00	36,312.00	135,000.00	98,688.00	26.9
	<u>276,957.02</u>	<u>497,377.02</u>	<u>3,135,000.00</u>	<u>2,637,622.98</u>	<u>15.9</u>
<u>EXPENDITURES</u>					
PUBLIC HEALTH	( 11,029.15)	( 11,029.15)	3,135,000.00	3,146,029.15	( .4)
	<u>( 11,029.15)</u>	<u>( 11,029.15)</u>	<u>3,135,000.00</u>	<u>3,146,029.15</u>	<u>( .4)</u>
	<u>287,986.17</u>	<u>508,406.17</u>	<u>.00</u>	<u>( 508,406.17)</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

RESTAURANT TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	1,680,000.00	1,680,000.00	.0
	.00	.00	1,680,000.00	1,680,000.00	.0
<u>EXPENDITURES</u>					
TOURISM AWARDS	30,000.00	30,000.00	.00	( 30,000.00)	.0
FACILITY AWARDS	24,075.97	24,075.97	.00	( 24,075.97)	.0
CONTRIBUTIONS	.00	.00	1,680,000.00	1,680,000.00	.0
	54,075.97	54,075.97	1,680,000.00	1,625,924.03	3.2
	( 54,075.97)	( 54,075.97)	.00	54,075.97	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

RAPZ TAX FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	1,830,000.00	1,830,000.00	.0
	.00	.00	1,830,000.00	1,830,000.00	.0
<u>EXPENDITURES</u>					
FACILITIES AWARDS	.00	7,822.00	.00	( 7,822.00)	.0
PROGRAM AWARDS	13,000.00	16,000.00	.00	( 16,000.00)	.0
CONTRIBUTIONS	.00	.00	1,802,500.00	1,802,500.00	.0
TRANSFERS OUT	.00	.00	27,500.00	27,500.00	.0
	13,000.00	23,822.00	1,830,000.00	1,806,178.00	1.3
	( 13,000.00)	( 23,822.00)	.00	23,822.00	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

CCCOG FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
TAXES	.00	.00	4,550,000.00	4,550,000.00	.0
	.00	.00	4,550,000.00	4,550,000.00	.0
<u>EXPENDITURES</u>					
ROAD PROJECTS	.00	.00	4,481,800.00	4,481,800.00	.0
TRANSFERS OUT	.00	.00	68,200.00	68,200.00	.0
	.00	.00	4,550,000.00	4,550,000.00	.0
	.00	.00	.00	.00	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

AIRPORT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	.00	.00	87,500.00	87,500.00	.0
MISCELLANEOUS REVENUE	9,105.48	9,531.84	44,500.00	34,968.16	21.4
AIRPORT LAND LEASE REVENUES	3,088.92	3,088.92	101,300.00	98,211.08	3.1
CONTRIBUTIONS & TRANSFERS	.00	.00	118,900.00	118,900.00	.0
	<u>12,194.40</u>	<u>12,620.76</u>	<u>352,200.00</u>	<u>339,579.24</u>	<u>3.6</u>
<u>EXPENDITURES</u>					
AIRPORT DEPARTMENT	14,198.15	25,259.78	352,200.00	326,940.22	7.2
	<u>14,198.15</u>	<u>25,259.78</u>	<u>352,200.00</u>	<u>326,940.22</u>	<u>7.2</u>
	<u>( 2,003.75)</u>	<u>( 12,639.02)</u>	<u>.00</u>	<u>12,639.02</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

CHILDREN'S JUSTICE CENTER

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
INTERGOVERNMENTAL REVENUE	.00	.00	446,600.00	446,600.00	.0
	.00	.00	446,600.00	446,600.00	.0
<u>EXPENDITURES</u>					
CHILDREN'S JUSTICE CNTR - VOCA	14,938.06	28,472.17	248,200.00	219,727.83	11.5
CHILDREN'S JUSTICE CENTER	4,479.04	7,155.93	198,400.00	191,244.07	3.6
	19,417.10	35,628.10	446,600.00	410,971.90	8.0
	( 19,417.10)	( 35,628.10)	.00	35,628.10	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

AMBULANCE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
CONTRIBUTIONS	.00	( 288,000.00)	1,192,800.00	1,480,800.00	( 24.1)
	.00	( 288,000.00)	1,192,800.00	1,480,800.00	( 24.1)
<u>EXPENDITURES</u>					
AMBULANCE DEPARTMENT	29,470.64	86,181.35	1,192,800.00	1,106,618.65	7.2
	29,470.64	86,181.35	1,192,800.00	1,106,618.65	7.2
	( 29,470.64)	( 374,181.35)	.00	374,181.35	.0

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

DEBT SERVICE FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
MISCELLANEOUS REVENUE	.00	505.28	.00	( 505.28)	.0
CONTRIBUTIONS AND TRANSFERS IN	.00	.00	1,935,500.00	1,935,500.00	.0
	<u>.00</u>	<u>505.28</u>	<u>1,935,500.00</u>	<u>1,934,994.72</u>	<u>.0</u>
<u>EXPENDITURES</u>					
CAPITAL LEASE - PATROL VEHICLE	.00	.00	616,400.00	616,400.00	.0
CAPITAL LEASE - ROAD EQUIPMENT	174,000.00	174,000.00	31,400.00	( 142,600.00)	554.1
SALES TAX REVENUE BONDS	.00	.00	1,267,000.00	1,267,000.00	.0
CAPITAL LEASE - IT EQUIPMENT	.00	.00	20,700.00	20,700.00	.0
	<u>174,000.00</u>	<u>174,000.00</u>	<u>1,935,500.00</u>	<u>1,761,500.00</u>	<u>9.0</u>
	<u>( 174,000.00)</u>	<u>( 173,494.72)</u>	<u>.00</u>	<u>173,494.72</u>	<u>.0</u>

CACHE COUNTY GOVERNMENT  
 FUND SUMMARY  
 FOR THE 2 MONTHS ENDING FEBRUARY 29, 2020

CAPITAL PROJECTS FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	VARIANCE	PCNT
<u>REVENUE</u>					
<u>EXPENDITURES</u>					
DEPARTMENT 4415	218,071.55	370,834.25	.00	( 370,834.25)	.0
	218,071.55	370,834.25	.00	( 370,834.25)	.0
	( 218,071.55)	( 370,834.25)	.00	370,834.25	.0

**RESOLUTION NO. 2020-07**  
**CACHE COUNTY, UTAH**

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**RESOLUTION GOVERNING THE USE OF ELECTRONIC  
MEETINGS BY THE CACHE COUNTY COUNCIL**

WHEREAS, the Utah Open and Public Meetings Act, at Utah Code Ann. § 52-4-207, allows public bodies to hold electronic meetings subject to certain requirements; and

WHEREAS, on March 18, 2020, Governor Gary R. Herbert issued an Executive Order directing public bodies that have not as yet adopted a resolution, rule, or ordinance governing the use of electronic meetings to do so as soon as practicable; and

WHEREAS, it is in the public interest of Cache County for the County Council to have the option of holding electronic meetings in accordance with the requirements of the Utah Open and Public Meetings Act.

NOW, THEREFORE, the County Legislative Body of Cache County hereby RESOLVES that the Cache County Council may hold electronic meetings in accordance with state law and the following rules:

1. Electronic meetings will originate from an “anchor location,” which will be inside the building at 199 North Main Street, Logan, Utah, where the County Council normally meets.
2. Space and facilities will be provided at the anchor location for interested persons and members of the public to attend and monitor the open portions of the electronic meeting.
3. If comments from the public will be accepted during the electronic meeting, space and facilities will be provided at the anchor location so that interested persons and members of the public may attend, monitor, and participate in the open portions of the electronic meeting.
4. Except during the time of an emergency declaration issued by the federal, state, or county executive, an electronic meeting may not be held unless a quorum of the County Council is present in person at the anchor location and approves by majority vote to approve establishment of an electronic meeting in order to include other members of the County Council through electronic connection.
5. During the time of an emergency declaration issued by the federal, state, or county executive, an electronic meeting may be held if at least one member of the County Council is present at the anchor location and a quorum of the County Council attends the meeting in person or through electronic connection.
6. Public notice of an electronic meeting will be given as required for a regular meeting. The public notice will be given at least 24 hours before the electronic meeting. Notice of the electronic meeting will also be given to members of the County Council at least 24 hours before the meeting.

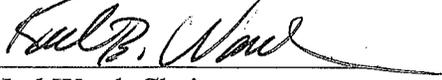
**RESOLUTION No. 2020-07**  
**CACHE COUNTY, UTAH**

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7. If future changes in state law conflict with these rules, the conflicting provisions of the new state law will be automatically incorporated into these rules by reference, superseding the conflicting provisions of these rules, until these rules can be amended to conform to the new state law.

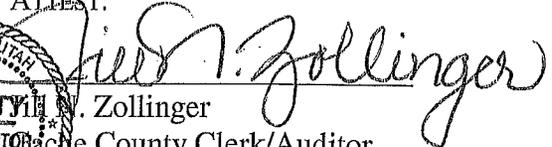
RESOLVED this 31<sup>st</sup> day of March 2020.

CACHE COUNTY COUNCIL

  
\_\_\_\_\_  
Karl Ward, Chair  
Cache County Council

ATTEST:



  
\_\_\_\_\_  
Heidi N. Zollinger  
Cache County Clerk/Auditor

# Ordinance No. 2020-02

## Cache County, Utah

### Amendments to Title 16 and 17

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Amendments to Title 16.01, 16.02, and 17.02 concerning parcel legality, Land Use Authority, and the process for the adoption of land use applications; and to Title 17.07 regarding the use related definition of Recreational Facility

**Whereas**, the State of Utah has authorized Cache County to adopt Subdivision and Land Use Ordinances; and

**Whereas**, the purpose of this ordinance is to provide fair, consistent, and equitable land use regulations for all land owners; and

**Whereas**, the purpose of this ordinance is to provide clarity and ease of use of the County's Subdivision and Land Use Ordinances for all citizens; and

**Whereas**, the Planning Commission caused notice of a public hearing for the amendments to Titles 16 and 17 of the Cache County Ordinance to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

**Whereas**, on February 6, 2020, at 5:45 p.m., the Planning Commission held a public hearing, accepted all comments, and recommended the approval of the proposed amendments to the County Council for final action; and

**Whereas**, following proper notice, the County Council held a public hearing on March 10, 2020, at 5:30 p.m. to consider any comments regarding the proposed amendments to Titles 16 and 17 of the Cache County Ordinance. The County Council accepted all comments, and;

**Whereas**, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement this ordinance.

**Now, therefore, be it ordained** by the County Legislative Body of Cache County that Title 16 - Chapters 1 and 2, and Title 17 - Chapters 2 and 7 of the Cache County Ordinance are hereby amended and superseded as follows:

**1. Statutory Authority**

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3 (1953, as amended to date).

**2. Purpose of Provisions**

The purpose of this ordinance is to amend and supersede Title 16 - Chapters 1 and 2, and Title 17 - Chapters 2 and 7, of the Cache County Ordinance regarding parcel legality, Land Use Authority, the process for the adoption of land use applications, the use

related definition of Recreational Facility, and to insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zones, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

**3. Conclusions**

- A. The amendments to Titles 16 and 17 of the Cache County Ordinance are in conformity with Utah Code Annotated, §17-27a Parts 5 and 6 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.
- B. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Titles 16 and 17 of the Cache County Ordinance be approved.

**4. Exhibits**

- A. Title 16 - Chapters 1 and 2, and Title 17 - Chapters 2 and 7 of the Cache County Ordinance are amended as detailed in Exhibit A (attached).

**5. Prior Ordinances, Resolutions, Policies And Actions Superseded.**

This ordinance amends and supersedes Title 16 - Chapters 1 and 2, and Title 17 - Chapters 2 and 7 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

**6. Effective Date.**

This ordinance takes effect on April 15, 2020. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

**Approved and adopted** March 31, 2020.

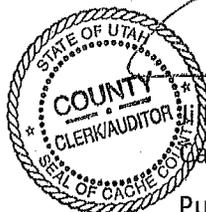
	In Favor	Against	Abstained	Absent
Borup	X			
Erickson	X			
Tidwell	X			
Ward	X			
White	X			
Worthen	X			
Zilles	X			
Total	7			

Cache County Council:

*Karl Ward*

Karl Ward, Chair  
Cache County Council

Attest:



*Jill Zollinger*

Jill Zollinger  
Cache County Clerk

Publication Date: April 16, 2020

1 **Parcel Legality and Land Use Authority Amendments;**  
2 **Adoption of Land Use Application Amendments;**  
3 **Recreational Facility Amendments**  
4

5 **To County Council for public hearing**

6 March 10, 2020  
7

8 **To County Council to set hearing**

9 February 25, 2020  
10

11 **Planning Commission recommendation**

12 Approval (5-yea; 0-nay)

13 Public hearing held on February 6, 2020  
14

15 **Review by County Attorney's Office**

16 John Luthy  
17

18 **Review by Planning Manager, Interim Director**

19 Chris Harrild  
20

21 **Research and draft by Planner**

22 Angie Zetterquist  
23

24 **General Description**

- 25
- 26 • This ordinance addresses parcel legality and clarifies the Land Use Authority for subdivisions.
  - 27 • This ordinance addresses the process for the adoption of land use applications.
  - 28 • This ordinance addresses the use related definition of a recreational facility.
- 29

30 **This Ordinance**

- 31 • Updates the code language in Title 16 Subdivision Regulations that was overlooked in the  
32 amendments completed in 2019 regarding parcel legality and the Land Use Authority for  
33 subdivisions. These amendments will bring this section of code into alignment with the  
34 previous amendments.
  - 35 • Removes the requirement for Council approval of land use applications; adds the  
36 requirement that the application reflect the requirements of the County Code.
  - 37 • Defines the term "room" as relates to a recreational facility, includes minor edits to improve  
38 clarity, and moves related descriptions from the recreational facility definition in the use  
39 related definition section to the general definition section.
- 40  
41  
42

43 **County Code Sections Affected**

44 **Amends:**

45 **Parcel Legality and Land Use Authority Amendments**

- 46 • 16.01.060
- 47 • 16.01.070
- 48 • 16.02.020
- 49 • 16.02.040
- 50 • 16.02.060
- 51 • 16.03.030
- 52 • 16.03.040
- 53 • 16.04.060
- 54 • 16.04.080
- 55 • 16.04.090
- 56 • 16.04.100

57 **Adoption of Land Use Application Amendments**

- 58 • 17.02.020
- 59 • 17.02.030

60 **Recreation Facility Amendments**

- 61 • 17.07.030
- 62 • 17.02.040

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84 **Staff Comments to the Planning Commission from Feb. 6, 2020**

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

88  
89 Specifically, the proposed changes to Title 16 Subdivisions are related to changes made last year  
90 regarding parcel legality and Land Use Authority. Suggested amendments include removing  
91 references to "1970 parcels", which no longer exist under the Code, and making the Land Use  
92 Authority designations consistent with changes made to Chapter 17.02 Administration in 2019.

93  
94 A proposed amendment to Chapter 17.02 will allow the Development Services Department to  
95 prepare application forms, which reflect the requirements of the County Code, for required permits  
96 and approvals and place those applications into effect immediately without having to obtain  
97 approval of the County Council for each revision. Due to the current language in the Chapter 17.02,  
98 any change to an application must go to the County Council for approval, which is a time-consuming  
99 process and rarely results in any changes to the application as presented by staff.

100  
101 Finally, the Development Services Department has fielded questions from different developers  
102 regarding Use Type 4100 Recreational Facility. Staff feels the intent of the definition is best clarified  
103 by the Planning Commission and County Council. Specifically, the question is how "room" is defined  
104 for the incidental transient lodging allowed as part of a Recreational Facility. Staff has drafted a  
105 proposed definition for "room" that would only apply to Recreational Facilities, since it is a unique  
106 use type that allows for incidental lodging up to a maximum of 15 rooms, but can be interpreted  
107 differently depending on the point-of-view. For instance, developers typically equate a "room" in a  
108 transient lodging setting as a "key", which may allow for multiple sleeping quarters in a single,  
109 rentable area. The developer understanding of room/key likely differs from what the intent of the  
110 Planning Commission and County Council was when the original definition was adopted. Staff is  
111 anticipating that there will be new applications for recreational facilities submitted in the next few  
112 months, subsequently, staff is seeking a clarification of this term and has proposed a definition of  
113 "room" that they believe reflects the original intent of the Code.

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**Parcel Legality and Land Use Authority Amendments**

**16.01.060 General Responsibilities**

- A. The developer shall prepare a plat consistent with the standards contained herein and shall pay for the design and inspection of the public improvements required. The County shall process said plats in accordance with the regulations set forth herein.
- B. The Development Services Department shall review the plats for design; for conformity to the Cache Countywide Comprehensive Plan and to the Cache County Zoning Ordinance; for the environmental quality of the subdivision design; and shall process the subdivision plats and reports as provided for in this title.
- C. Proposed subdivisions shall be referred by the Development Services Department to such county departments and special districts, governmental boards, bureaus, utility companies, and other agencies which will provide public and private facilities and services to the subdivision for their information and comment. The Cache County Development Services Office is responsible for coordinating the comments received from all public and private entities and shall decide which agencies to refer the proposed subdivisions to.
- D. The County Surveyors Office and County Road Department shall make comments as to engineering requirements for street widths, grades, alignments and flood control, whether the proposed public improvements are consistent with this title and other applicable ordinances and for the inspection and approval of all construction of public improvements. Street layout and overall circulation shall be coordinated with the Development Services Department
- E. The Development Services Department shall approve the form of the final plat, that the developer dedicating land for use of the public is the owner of record, and that the land is free and clear of unacceptable encumbrances according to the title report.
- F. The Planning Commission has final jurisdiction in the approval of subdivision plats. The County Council has the final jurisdiction for the establishment of requirements for and design standards of public improvements; and the acceptance of lands and public improvements that may be proposed for dedication.

**16.01.070: Site Preparation Work Prohibited**

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

**16.02.020: Natural Barrier**

- A. Applicants may utilize natural or manmade obstructions as boundary lines for subdivisions in conformance with this title and the Zoning Ordinance.
- B. An application may be made for any lot that is clearly separated by a natural or manmade barrier within the Agricultural Zone.
  - 1. Natural barrier determinations of this type will require that the lot is of sufficient size to allow for access, sewer/septic and water, and that further variances will not be required for development of the lot.
  - 2. Natural barrier determinations that do not meet the minimum density requirements for the zone within which the parcel is located may apply to the Board of Adjustments for a variance to the density requirement.
    - a. The Board of Adjustments shall consider any such request in compliance with state and county code requirements.
  - 3. The Planning Commission is the land use authority for natural barrier determinations. In the event that the Planning Commission or applicant requires further review of a proposed natural barrier, the County Council shall be the land use authority. Any appeal of the Planning Commission's decision must be reviewed by the Board of Adjustments.
  - 4. Parcels created through the natural barrier process are allowed further subdivision in accordance with the standards of the Cache County Ordinance currently in effect.
- C. Each parcel created by a natural barrier determination may be allowed to be further divided in compliance with this Title and Title 17 of this code.

**16.02.040: Approval Process**

Subdivisions are to be approved utilizing the following process (any alterations in this process shall be approved by the Director of Development Services):

- A. Concept Plan: Upon completing a concept plan, applicants may request that the Director and/or the Planning Commission review all applicable codes and identify any preliminary issues which are likely to be of concern in evaluating the subdivision.
- B. Preliminary Plat: Applicants must submit to the Director a completed subdivision application, a preliminary plat, and any other associated materials deemed necessary by this code or by the Director. This information shall be reviewed by the Planning Commission.
- C. Final Plat: The Planning Commission must review the application, proposed plat, and any recommendations by staff. The Planning Commission may approve, approve with stipulations or alterations, or deny any subdivision plat.
- D. Final Plat Recordation: The final step in the review and approval process is the recordation of the final plat of the proposed subdivision in the office of the Cache County Recorder. It shall be the responsibility of the Director to ensure that all stipulations/alterations have been completed and that the plat meets all applicable codes prior to recordation.

**16.02.060: Cluster Subdivision Option**

The cluster subdivision option is provided by Cache County to encourage creativity in subdivision design, to encourage the achievement of the goals and policies of the Cache Countywide Comprehensive Plan, and to allow for the protection of natural features and the provision of features and amenities for the subdivision site and Cache County. Full compliance with all the provisions of this title and all other applicable state and federal requirements is required.

- A. An application for a cluster subdivision shall be submitted to the Director of Development Services and shall be considered concurrently with an application for subdivision approval. All use requirements of the zoning district in which the cluster subdivision is located shall apply; and the application requirements for either a preliminary subdivision plat application, final subdivision plat application, or lot split subdivision application, as applicable, shall apply.
- B. The total number of dwelling units allowed in a cluster subdivision shall be the same as the number allowed by the minimum lot area requirements of the zoning district in which the proposed cluster subdivision is located. Any land(s) used for other uses shall not be included in the area for determining the total number of allowed dwelling units. The total number of allowed

dwelling units must also recognize any sensitive areas overlay requirements that may be applicable to the development site as identified in chapter 17.18 of this code.

- C. The land(s) proposed for a cluster subdivision shall be in a single ownership or the application for a cluster subdivision shall be filed jointly by all owners.
- D. A "cluster" is a designed grouping of residential lots of two (2) or more lots which may be used as a repetitive motif to form a series of clusters. Each cluster grouping shall be separated by either an agricultural area or natural open space to form the larger cluster subdivision.
- E. Total open space areas for a cluster subdivision must be fifty percent (50%) or greater of the total area of the subdivision.
- F. All roads developed within the cluster subdivision shall be designed and constructed in accordance with the county's road standards, and shall also be designed in a manner as to limit the amount of impact on the open space areas of the subdivisions.
- G. All areas to be preserved for farm use and/or open space areas as a result of a cluster subdivision approval shall be preserved. These areas shall only be used, and shall be maintained in accordance with the conditions of the cluster subdivision approval as approved by the Planning Commission. Such area(s) shall be noted on the subdivision plat as an agricultural or open space area with future residential and commercial development prohibited.
- H. The maximum density, or number of lots allowed, is based on the total amount of developable land. "Developable land" is defined as land that is not restricted by hill slopes (grades greater than 20 percent), wetlands, floodplains, natural water features, or other lands that may be deemed undevelopable in conformance with Title 17.18 of this code or as determined by the Planning Commission.

**16.03.030: Preliminary Subdivision Plat Requirements**

The following information is required for the subdivision of all lands located within Cache County. The applicant may be required to provide other information as required by the Director of Development Services, Planning Commission, and/or County Council necessary to evaluate the proposed subdivision.

- A. An application for a subdivision, provided by the Director, completed and signed by the owner(s), or authorized agent of the owner(s), of the land parcel(s) proposed to be subdivided.

- B. A preliminary subdivision plat shall be prepared by a licensed land surveyor in pen and the sheets shall be numbered in sequence if more than one sheet is used or required by the Director.
- C. The preliminary subdivision plat shall show the following:
1. The layout or configuration of the proposed subdivision at a scale of no more than one inch equals one hundred feet (1" = 100'), or as recommended by the Director;
  2. Located at the top and center of the subdivision plat the proposed name of the subdivision and the section, township, range, principal median, and county of its location;
  3. A title block, placed on the lower right hand corner of the plat showing:
    - a. Name and address of owner(s) of record; and
    - b. Name and address of the licensed land surveyor responsible for preparing the preliminary plat; and
    - c. Date of preparation of the preliminary subdivision plat, and any revision dates;
  4. Signature blocks prepared, as required and provided by the county, for the dated signatures of the Planning Commission Chair, Deputy County Surveyor, County Attorney, County Recorder and Bear River Board of Health Director;
  5. North arrow, graphic and written scale, and the basis of bearings used;
  6. Bearings shall be shown to the nearest second; lengths to the nearest hundredth foot; areas to the nearest hundredth acre;
  7. Tabulation of the number of acres in the proposed subdivision, showing the total number of lots, and the areas of each lot;
  8. A vicinity map of the site at a minimum scale of one inch equals two thousand feet (1" = 2,000');
  9. Surveyed boundary of the proposed subdivision; accurate in scale, dimension, and bearing; giving the location of and ties to the nearest two (2) existing government control monuments. This information shall provide data sufficient to determine readily the location, bearing, and length of all lines and the location of all proposed monuments. The names of all adjoining property owners shall be shown;
  10. A legal description of the entire subdivision site boundary;
  11. All existing monuments found during the course of the survey (including a physical description such as "brass cap");

12. Identification of known natural features including, but not limited to, wetlands as identified by the U.S. army corps of engineers, areas which would be covered in the event of 100-year floods, all water bodies, floodways and drainage ways, slopes exceeding twenty percent (20%) and slopes exceeding thirty percent (30%), and any other natural features as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site, including a tabulation of the acres in each;
13. Identification of known manmade features including, but not limited to, high voltage power lines, high pressure gas lines, hard surfaced roads, road easements, road rights of way, bridges, culverts and drainage channels, field drains, existing water and sewer trunk lines, all utility easements, railroads and railroad easements, irrigation ditches, canals and canal easements within and adjacent to the subdivision site as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site;
14. The location and dimensions of all existing buildings, existing property lines and fence lines;
15. The location with name and parcel number of all existing platted lots within, or contiguous to the subdivision site;
16. All lots, rights of way, and easements created by the subdivision with their boundary, bearings, lengths, widths, name, number, or purpose, shall be given. The addresses of all lots shall be shown. All proposed new roads, whether public or private, shall be numbered, as provided by the Development Services Department, with the coordinates to proposed connections to existing county roads being shown;
17. All existing and proposed roadway locations and dimensions, including the width of the driving surface and the rights of way, with cross sections of all proposed roads. All proposed roads shall be designed to comply with the adopted road standards of Cache County;
18. Location and size of existing and proposed culinary water and sewer lines and/or, the location of all wells proposed, active and abandoned, and springs used for culinary water and the location of all septic systems and drain fields, as applicable, and the location of fire hydrants, and secondary water facilities if proposed as required by the Director, Planning Commission, or County Council for the entire or a portion of the subdivision site shall be shown;

***Final code language – Ord. 2020-02***

19. Proposed storm water drainage system for both surface and flood water, including any drainage easements and natural drainage ways, indicating how the flow will be altered with the proposed development;
20. Layout of proposed power lines, including the source and connection to the existing power supply, together with the location of existing and proposed bridges, culverts, utilities, utility easements, and any common space or open space areas including the location and dimensions of all property proposed to be set aside for public or private reservation, with designation of the purpose of those set aside, and conditions, if any, of the dedication or reservation;
21. Located on the preliminary plat, or separate map, the identification of the minimum building setback lines for each lot shall be shown;
22. An indication of the use for all proposed lots including required plat notes identifying agricultural protection areas, and other proposed or required protective and restrictive covenants;
23. Endorsement on the plat by every person having a security interest in the subdivision property that they are subordinating their liens to all covenants, servitudes, and easements imposed on the property;
24. All monuments erected, corners, and other points established in the field in their proper places. The material of which the monuments, corners, or other points are made shall be noted. The legend for metal monuments shall indicate the kind of metal, the diameter, and length of the monuments;
25. A letter or other written form of consent by the owner including a reference to the named subdivision and the dedication of public ways or spaces, as required. This shall be signed, dated, and notarized;
26. A surveyor's certificate showing the name and registration number of the land surveyor responsible for making the final plat, and certifying to the plat's accuracy. A simple subdivision may not require a full survey, but instead may be completed through a metes and bounds determination. A waiver form shall be approved by the Cache County Recorder, the County Surveyor (or their representative), and the Director;
27. Any subdivision notes as required by the Director. An approved list of all possible notes and their applicability shall be maintained by staff.

- D. A title report for the property proposed to be subdivided provided by a title company within thirty (30) days of the date of subdivision application.
- E. A development phasing schedule (if applicable) including the sequence for each phase, approximate size in area of each phase, and proposed phasing of construction of all private and public improvements.
- F. A tax clearance from the Cache County Treasurer indicating that all taxes, interest and penalties owing for the property have been paid.
- G. The names and addresses of all owners of record of real property within three hundred feet (300') of the parcel of land proposed for subdivision, including the names and addresses of the holders of any known valid mineral leases.
- H. Payment of the nonrefundable administrative processing fee, and a refundable preliminary plat application fee, as established by resolution by the County Council.

**16.03.040: Final Subdivision Plat Requirements**

The final subdivision plat is required for the recordation of a subdivision plat as approved by the Planning Commission. The final plat shall reflect any changes to the proposed plat required by the Planning Commission, and must be reviewed by the Director of Development Services for completeness prior to recordation.

- A. A final subdivision plat shall be prepared by a licensed land surveyor, and conforming to current surveying practice and in a form acceptable to the Cache County Recorder for recordation. The final subdivision plat shall contain all of the information required in the preliminary subdivision plat and shall be presented to the Director in the following form: one 24-inches by 36-inches in ink on reproducible mylar copy of the final subdivision plat along with one digital copy (type to be specified by the Director) at the same scale and containing the same information. All sheets shall be numbered and referenced to an index map and all required certificates shall appear on a single sheet (along with the index and vicinity maps). All revision dates must be shown as well as the following:
  - 1. Notation of any self-imposed restrictions, or other restrictions, if required by the Planning Commission in accordance with this title or Title 17 of this code;
  - 2. Other final subdivision plat notes, as required by the Planning Commission or County Council.

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

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

**16.04.060: Utilities and Easements**

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

**16.04.080: Suitability Requirements for Subdivisions**

The following information is required as part of a subdivision review to establish the availability of basic services required to provide for the public health, safety, and welfare.

A. Water Requirements:

1. Domestic water rights are required for all subdivided lot(s) with the exception of subsection [A][1][a] of this section. The land use authority may also require culinary water systems on any subdivision. The required water rights shall be as approved by the State Division of Water Quality and in conformance with Utah Administrative Code R309-510.
  - a. Subdivisions may be approved with a single dry lot. Any dry lot approved shall be labeled clearly on the plat as "Dry Lot - Restricted for development until an approved domestic water right is provided". In addition to the plat notation, a certificate shall be recorded on each new dry lot created stating that the lot has been approved, but that domestic water shall be required prior to the issuance of a zoning clearance. The plat notation may be removed by the Director of Development Services upon evidence that an approved water right has been assigned to the lot.
2. If a water source being utilized for a lot is not located within that lot, appropriate easements and rights of way shall be provided and recorded with the plat, or at such time that development occurs.
3. The land use authority may require that secondary (irrigation) water rights for a subdivided lot(s) be established as a condition of any subdivision approval. The amount of water required shall be in conformance with Utah Administrative Code R309-510.

4. Any secondary water presented to fulfill the requirements of this title shall indicate the source of the water, proof of water rights, and the equivalent amount of acre feet.

**B. Sewage Requirements:**

1. Subdivision applications, proposing individual on site wastewater disposal systems, shall include feasibility reports meeting the requirements of the Bear River Health Department or Utah Department of Environmental Quality, as applicable, for each lot proposed. All applicants for a subdivision where on site wastewater systems are proposed shall provide a septic tank permit or septic tank feasibility letter from the applicable authority for the entire subdivision and/or each lot proposed. The minimum lot size, as determined in each base zoning district, may be increased as required to ensure that each lot will be able to provide adequate on site sewer treatment.
2. If a subdivision requires that off site facilities be provided, appropriate easements and rights of way shall be required. Additionally, any engineering, site studies, or other requirements by the health department shall be conditions of approval for the proposed subdivision.
3. Alternative sewage treatment may be required in conformance with Title 17.10.050 (4)(b).

**C. Fire Control:** A review provided by the Cache County Fire District identifying any items related to providing the proposed subdivision with adequate fire protection and suppression services including but not limited to:

1. Ability to meet the requirements of the International Fire code
2. Suitable equipment access based on the needs of the proposed use including but not limited to sufficient roadway improvements (minimum width, structural stability, turn-around capabilities, year round maintenance, and other legal requirements.)
3. Access to suitable water supply for fire protection (water tenders, hydrants, storage tanks, or as otherwise required)

**D. School Bus Service:** A review provided by the Cache County School District, identifying any items related to the provision of school bus services.

**E. Roads and Access:** A review provided by the Development Services Department that identifies the following:

1. Basic layout of the existing road(s) proposed to service the subdivision

2. A basic analysis, to the extent possible, outlining if the existing roads meet current standards as outlined within Title 12.
3. A review of the existing maintenance efforts, both summer (pavement preservation vs. grading) and winter (snow removal services).
4. Additional information that would impact access issues related to the proposed subdivision or the traveling public.

Alternatively, if the proposed subdivision is accessed directly from a state highway, an access permit as required by the state of Utah Department of Transportation shall be provided with the application materials. A UDOT review through the Cache Access Management Program shall be provided prior to Planning Commission review of the plat.

- F. Solid Waste Disposal: If the proposed subdivision is located outside of the boundaries of Service Area #1, a garbage or refuse plan shall be provided for review by the Planning Commission.
- G. Other Information and Materials: The Land Use Authority may require, with the reasons for such request being identified as either code requirements or items of concern as specified on the record, the applicant to provide additional information including but not limited to feasibility studies and/or evidence indicating suitability of the area for the proposed subdivision.

#### **16.04.090 Redesign**

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

#### **16.04.100: Completion of Development Improvements**

- A. Improvements: The Planning Commission may require on-site and off-site improvements as outlined within County Code or as otherwise determined necessary by the Land Use Authority based on the record as required to protect the public health, safety, and welfare
- B. No development shall be recorded until all of the conditions for approval have been met and all required improvements have been completed to the standards and specifications established by

***Final code language – Ord. 2020-02***

the county or other codes, laws, or regulations unless an improvement agreement is in place as defined by 17.07.040. The following minimum requirements also apply:

1. Construction within the subdivision shall conform to all federal and state regulations.
2. Construction drawings and construction within the subdivision shall conform to the Cache County Ordinance and Manual of Roadway Design and Construction Standards.

C. Permits must be obtained for construction of the infrastructure facilities within the subdivision.

D. Issuance of Permits: No permits for structures shall be issued within a development that has not completed all improvements and/or conditions. However, the Director of Development Services may, upon review of health, safety, and/or access concerns, issue permits for non-combustible construction only.

**Land Use Application Amendments**

**17.02.020 Rules of Procedure**

A. The Development Services Department shall adopt rules of procedure establishing the application and decision making process for required permits and approvals. These policies and procedures, including preparation of applications, must reflect the requirements of County Code. Permitting fees must be approved by resolution by the County Council. The collected fees must be used to defray the costs of administering land use requests or appeals.

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

A. Director:

1. The Cache County Director of Development Services is established and functions as specified in Title 2.4 of the County Code and in this chapter; and
2. The Director must be appointed by the Cache County Executive; and
3. The Director has the duties, authority, and powers as set forth in this chapter.
4. The Director must:
  - a. Adopt procedures for land use application processes.; and
  - b. Administer and enforce the Land Use Ordinance, the Cache County Subdivision Ordinance, and any associated policies or procedures; and
  - c. Determine the mapped location of a base or overlay zoning district boundary in instances where the location may be unclear. The Director must consider the following criteria in reaching a decision:
    - i. The policies and development standards that apply to the base or overlay zoning district; and
    - ii. Where a base or overlay zoning district map boundary is shown following a road, right-of-way line, interstate highway, public utility right-of-way, railroad line, a stream or watercourse, or a line located midway between the main track of a railroad, the base or overlay zoning district map boundary is deemed to be changed automatically whenever such centerline is changed by natural or artificial means; and

***Final code language – Ord. 2020-02***

- d. Interpret the Use Related Definitions in the applicable base or overlay zoning district as contained in chapter 17.09 Schedule of Zoning Uses, of this title; and
5. Designee: The Director may assign a designee to act as the land use authority in the place of the Director. Any designee must be identified in writing by the Director prior to any land use decision by the designee.

**Recreation Facility Amendments**

**17.07.030 Use Related Definitions, Section A**

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

**17.07.040 General Definitions**

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

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

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

SKI FACILITY: A tract of land, with associated improvements, used for downhill or cross country skiing, snowboarding, snowshoeing, snowmobiling, or other snow related activities. Associated improvements may include, but are not limited to: facilities for the preparation or sale of food,

retail, and support services facilities; recreational and fitness facilities; parking facilities; and other facilities of a similar nature that are specifically authorized by the land use authority as part of the conditional use permit approval to operate a recreational facility.

**CACHE COUNTY**  
**ORDINANCE NO. 2020 - 05**

**AN ORDINANCE AMENDING SECTION 12.01.020 OF THE CACHE COUNTY CODE TO DELETE THE PROVISION SETTING A SPEED LIMIT ON ROADWAYS THAT DO NOT HAVE A POSTED SPEED LIMIT**

- (A) WHEREAS, the provisions of the Utah Traffic Code “are applicable throughout this state and in all of its political subdivisions,” Utah Code Ann. § 41-6a-207(a); and
- (B) WHEREAS, “[a] local highway authority may not enact or enforce any rule or ordinance in conflict with [the Utah Traffic Code],” Utah Code Ann. § 41-6a-208(2); and
- (C) WHEREAS, the Utah Traffic Code makes 55 miles per hour the default speed limit in all locations other than urban districts and reduced speed school zones, *see* Utah Code Ann. § 41-6a-601(2); and
- (D) WHEREAS, a county may set a different “reasonable and safe speed for each highway or section of highway under its jurisdiction” but only “in accordance with the provisions of Subsections 41-6a-602(1), (2), (3), and (5),” Utah Code Ann. § 41-6a-603; and
- (E) WHEREAS, Subsection 41-6a-602(5) states that a speed limit “is effective [only] when appropriate signs giving notice are erected along the highway or section of the highway,” Utah Code Ann. § 41-6a-602(5); and
- (F) WHEREAS, Cache County Code § 12.01.020(C) states that “[a]ny roadway [in Cache County] that does not have a posted speed limit shall have a speed limit of forty five (45) miles per hour,” thereby creating a different speed limit than the one mandated by state law but without the erection of appropriate signs; and
- (G) WHEREAS, Cache County Code § 12.01.020(C) thus conflicts with state law; and
- (H) WHEREAS, Cache County no longer has a road department and instead has a public works department, of which the road and vegetation management division is a part.

NOW, THEREFORE, the County Legislative Body of Cache County ordains as follows:

SECTION 1:

Section 12.01.020 of the Cache County Code is amended to read in full as follows:

**12.01.020: SIGNAGE AUTHORITY:**

The county executive is authorized to establish speed limits, exercise the regulatory powers as provided in Utah Code Annotated section 41-6a-603, and authorize and supervise the erection

and maintenance of traffic control devices upon roads, highways, rights of way, and easements under county jurisdiction in the manner provided by and consistent with state law.

- A. The county executive shall issue an executive order, to be filed with the county clerk, for the posting of all regulatory signs including:
  - 1. Speed limit.
  - 2. Stop and yield.
  - 3. Load limitations.
  
- B. The county public works department shall have the authority to maintain, replace, and upgrade all existing signs as needed and to post informational and warning signs including:
  - 1. Hazard placards.
  - 2. Advanced warning.
  - 3. Temporary or construction related signage.

Section 2:

This ordinance takes 15 days following its passage and approval by the County Council.

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS 31<sup>st</sup> DAY OF March 2020.

	In Favor	Against	Abstained	Absent
Paul R. Borup	X			
David Erickson	X			
Barbara Tidwell	X			
Karl Ward	X			
Jon White	X			
Gina Worthen	X			
Gordon Zilles	X			
Total	7			

CACHE COUNTY:

By: Karl Ward  
Karl Ward, Chairman

ATTEST:



Justin J. Zollinger  
Zollinger, County Clerk / Auditor

Publication Date: April 16, 2020

Redline version of Section 12.01.020 to show proposed change:

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