

**APPROVED**

**CACHE COUNTY  
COUNCIL MINUTES  
OCTOBER 11, 2011**

**CACHE COUNTY COUNCIL**  
**October 11, 2011**

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**BUDGET TRANSFER**..... 3

**CACHE COUNTY FAIR AND RODEO REPORT**..... 2

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**NORTH VALLEY LANDFILL REZONE – Ordinance No. 2011-15- North Valley Landfill Rezone – Issa A. Hamud is requesting approval for a rezone to amend 320.36 acres of the Agricultural (A-10) Zone to include the Public Infrastructure (PI) overlay Zone located off Stink Creek Road, north of Clarkston (NO ACTION TAKEN)** ..... 4

**ORDINANCE NO. 2011-15 – North Valley Landfill Rezone – Issa A. Hamud is requesting approval for a rezone to amend 320.36 acres of the Agricultural (A-10) Zone to include the Public Infrastructure (PI) Overlay Zone located off Stink Creek Road, north of Clarkston (NO ACTION TAKEN)** ..... 4

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**REZONE – Ordinance No. 2011-15- North Valley Landfill Rezone – Issa A. Hamud is requesting approval for a rezone to amend 320.36 acres of the Agricultural (A-10) Zone to include the Public Infrastructure (PI) overlay Zone located off Stink Creek Road, north of Clarkston (NO ACTION TAKEN)** ..... 4

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**CACHE COUNTY COUNCIL MEETING**  
**October 11, 2011**

The Cache County Council convened in a regular session on October 11, 2011 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

**Chairman:** Jon White  
**Vice Chairman:** Craig "W" Buttars  
**Council Members:** H. Craig Petersen, Val Potter, Kathy Robison, Cory Yeates  
& Gordon Zilles  
**County Executive:** M. Lynn Lemon  
**County Clerk:** Jill N. Zollinger  
**County Attorney:** James Swink

**The following individuals were also in attendance:** Janeen Allen, Taun Beddes, Chastaine Burns, Clair Christiansen, Denise Ciebien, Helen Cooper, Dave Curtis, Gail Dawson, Glenda J. Dawson, Don Dunbar, Bart Esplin, Dennis Gardner, Kade Gardner, Nikki Gardner, Darrel Gibbons, Trish Gibbs, Jaydene Godfrey, Kendon Godfrey, Issa Hamud, Jakki Hansen, Chris Harrild, Blake Hatch, W. Ralph Holt, Sharon L. Hoth, Randy B. Jardine, Sari E. Jardine, Vicky Jensen, Gerald Knight, Kiera Knight, Trudy Knight, Camille Larsen, Brett Mickelson, Kelli Myers, Dave Nielsen, Diana Olsen, Dixie Page, LaMont Poulsen, Dan Rodabaugh, Director Josh Runhaar, Alassandra Seyfried, Annette G. Summers, Scott Wilkinson, Scott Williams, Jeremy Wyatt, **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

**In the absence of the Chair or Vice Chair Council member Petersen opened the meeting.**

Council member Potter gave the opening remarks and led those present in the Pledge of Allegiance.

**REVIEW AND APPROVAL OF AGENDA**

**ACTION:** Motion by Council member Zilles to approve the agenda as written. Yeates seconded the motion. The vote was unanimous, 5-0. Buttars & White absent.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Yeates to approve the minutes of the September 27, 2011 Council Meeting as amended. Potter seconded the motion. The vote was unanimous, 5-0. Buttars & White absent.

Chairman White arrived at the meeting.

**REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON**

**APPOINTMENTS:** There were no appointments.

**WARRANTS:** Warrants for the period 09-17-2011 to 09-22-2011 were given to the Clerk for filing.

**OTHER ITEMS**

- **Joint Councils Meeting – Canal Rebuild Project** – Executive Lemon reminded the Council of a Joint Councils Meeting at the Smithfield City Office Building at 6:00 p.m. The issue discussed will be the allocation of the cost of the canal rebuild. Lemon and Council member Potter urged Council members to attend.

**UNIT OR COMMITTEE REPORTS**

- ★ **Cache County Fair and Rodeo Report – Jill Zollinger** thanked the County Council for its support of the fair and rodeo and also thanked the following:

Texas Roadhouse	Dan Rodabaugh, Megan Overstreet
Logan Regional Hospital "Tough Enough to Wear Pink"	Christina Roberts, Trish Gibbs, Lori Erickson
	\$6,271.00 raised for the Cancer Center
Rodeo	LaMont Poulsen, Scott Wilkinson, Trish Gibbs - \$103,474.00 rodeo revenues
Auditor's Office	Tamra Stones and staff
Treasurer's Office	Karen Jeppesen, Vicky Jensen and staff
Dixie Page	Horse Show
Ticket Committee	Randy Guss, Meagan Williams, Nikki Gardner, Diana & Kevin Olsen
Fairgrounds staff	Bart Esplin, Blake Hatch, Jeremy Wyatt, Alessandra Seyfried
Mule Drivers	Kade Gardner, Dennis Gardner, Nick Moore
Ice Man	Mike Zollinger
Community Booths	Mark & Kerri Williams
Community Booth county and state winner – Nibley City	Trudy Knight, Raquel Fuller, Lareen Zollinger, Jakki Hansen
Entertainment & Cache Idol	Helen Cooper, Chastaine Burns
Sheriff's Office	Brian Locke
Clerk's Office	Staff including Brook Toone, Kristi Eccles, Mistie Moore
Extension	Adrie Roberts, Clark Israelsen, Scott Williams, Evelyn Andrew, Taun Beddes, Mark Ashcroft, Julie Webb

The combined budget for the fair and rodeo was \$213,447.00 with revenues of \$220,484.00. Zollinger said she hopes to receive approval to use the \$7,037.00 difference for improvements at the fairgrounds.

Scott Williams reported on the 4-H program.

Clerk Zollinger asked that she and the fair workers be excused to attend a recognition dinner in their behalf.

Chairman White and the Council thanked Zollinger for a great fair and rodeo.

**BUDGETARY MATTERS**

◆ **Inter-Departmental Transfer**  
Rodeo

\$2,000.00 from Prize money and  
Trophies  
**to**  
Equipment supplies and  
maintenance to cover costs for  
rodeo personnel

(Attachment 1)

**ACTION:** Motion by Council member Yeates to approve the \$2,000.00 budget transfer. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

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

**ACTION:** Motion by Council member Potter to convene as a Board of Equalization. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

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

**BOARD OF EQUALIZATION**

- **Property Tax Hardship Applications** – The Council reviewed hardship applications. *(Details are on file in the Office the Cache County Auditor)*

**ACTION:** Motion by Council member Petersen to approve all the property tax hardship requests except No. 14-023-0031 and 03-091-0016. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**ACTION:** Motion by Council member Petersen to deny the property tax hardship request for No. 14-023-0031. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**ACTION:** Motion by Council member Petersen to deny the property tax hardship request for No. 03-091-0016. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- **Approve Recommendations of the Hearing Officers for the Board of Equalization** *(Details are on file in the Office the Cache County Auditor)*

**ACTION:** Motion by Council member Yeates to approve the recommendations of the Hearing Officers for the Board of Equalization. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**ACTION:** Motion by Council member Yeates to adjourn from the Board of Equalization. Potter seconded the motion. The vote was unanimous, 6-0. Buttars absent.

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

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Ordinance No. 2011-15 –North Valley Landfill Rezone – Issa A. Hamud is requesting approval for a rezone to amend 320.36 acres of the Agricultural (A-10) Zone to include the Public Infrastructure (PI) Overlay Zone located off Stink Creek Road, north of Clarkston (NO ACTION TAKEN)** – Council member Yeates reported he called Ralph Bohn in the state permitting office. Bohn said the rezone and the conditional use permit do not have to be done before the application is submitted; however, before the state can sign off on the permit, those items do have to be done. Bohn also said the requirements for the siting study are different from the requirements for the permit and there will still be a lot of work to be done before the permit is issued.

Council member Petersen said the Council has been told that what has been done so far meets the legal requirements for a rezone and the next steps clearly involve more detailed studies and analysis, so from a legal perspective, he accepts that position. His concern is that if the county moved forward on this and subsequently found something that disqualified this location as a site, then the county is back to ground zero. Why wouldn't it be more prudent to do more analysis now to make sure that there's not something that will disqualify this site later on? It may not be a legal requirement, but it may be an element of good judgment to make sure the county has done a little more investigation now.

Potter said he thought that had been done.

Petersen said the access seems to be a little open-ended as to the cost and the ability for the road to be used year round. Do we really know enough about the site to prudently proceed or are we better off to do more investigation now to make it less likely that we will end up with something further down the line that disqualifies the site and requires that we start all over so we lose a substantial amount of time?

Brett Mickelson, from IGES, commented that the North Valley Landfill siting study was one of the most comprehensive siting studies done in the state of Utah as far as he knows. However, as Bohn indicated, that is a siting study, it is not all the detailed analysis that will have to be done in any event.

Zilles asked if the possible effects on Idaho have been taken into consideration?

Mickelson said the site will have to be evaluated on its own merits now by actually going in and performing studies. Logan City has already contracted to put in an environmental test boring this year to start to gather some of this information which will be a long process.

Zilles asked if even after all this, there is no guarantee this site will pass?  
Mickelson said that is correct.

In reference to access to the site, Petersen asked if there is a clear recommendation or is that still in a state of flux?

Issa Hamud stated the Citizens Advisory Committee met and toured the site for the fifth time. Consideration was given to the access avoiding Clarkston and Newton and that is possible. The access will only go through Clarkston or Newton if those cities sign agreements allowing it. Hamud said at this point, the access will not go through those two cities. The least cost is a consideration as well as property acquisition.

Darrel Gibbons observed that the Citizens Advisory Committee will have two options on the access presented to them – one is the proposal from 2004 and the other is a shorter option that stays on county roads.

Petersen asked if the rezone is approved what is the expected time frame to get a conditional use permit and state approval?

Hamud replied that if the permit application is submitted today, it can take up to a year or two, but the decision is ultimately the Council's. The Council can stop the process at any time as the Board of Trustees for the Solid Waste Service Area.

Petersen restated that if the Council, acting as the land use authority, issues a conditional use permit and the state issues a permit, as the Board of Trustees for the Solid Waste Service Area, the Council could say no at any time. Hamud said that was correct.

Chairman White said that Vice Chairman Buttars will be arriving later and asked that no vote be taken on this issue tonight as he also has concerns about the access.

In response to questions from Council members, Council member Robison said the Box Elder Commissioners will not be submitting a proposal until sometime after the first of November.

Executive Lemon said he will contact Box Elder County to try to get a firm date for their proposal.

**Vice Chairman Buttars arrived at the meeting.**

Vice Chairman Buttars reiterated his desire to not act on the rezone at this meeting.

- **Resolution No. 2011-22 – Replacing Resolution No. 2011-18 which was incorrectly numbered (NOTE: This resolution was passed at the September 27, 2011 Council meeting but was numbered incorrectly) – A Resolution accepting and approving the conveyance of real property to Cache County Corporation**

(Attachment 2)

**ACTION: Motion by Council member Petersen to waive the rules and approve Resolution No. 2011-22 – Replacing Resolution No. 2011-18 which was incorrectly numbered – A Resolution accepting and approving the conveyance of real property to Cache County Corporation. Robison seconded the motion. The vote was unanimous, 7-0.**

- **Resolution No. 2011-23 – A Resolution to adopt the Development Services application forms and service fee schedule** – Director Runhaar explained the forms and fee schedule including: consolidating fees, reducing footnotes, floodplain permits and encroachment permits.

(Attachment 3)

**ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2011-23 – A Resolution to adopt the Development Services application forms and service fee schedule – with the following change to Page 1 of Application: Right-of-Way Encroachment Permit – Permit Fee – “\*\$750 will be refunded on Major Work ...” instead of the current \$500 wording. Potter seconded the motion. The vote was unanimous, 7-0.**

- **Discussion – County Seat Program** – Representatives from the County Seat program were at the UACCC meeting in Midway and Executive Lemon asked the Council to decide if they want to continue to participate in the County Seat TV program? The cost will still be \$29,000.00 to \$30,000.00 if the same number of counties participates. If more join, the cost will be different. Program representatives want to address the issue of group homes at some future date.

**Council member Yeates left the meeting.**

Executive Lemon reported that another issue discussed at UACCC was the centrally assessed property which adds to the residential tax burden.

**Attorney Swink left the meeting and Denise Ciebien filled his chair.**

Council member Robison suggested linking last year's County Seat programs to the TV screen outside the Council Chambers for viewing by the public and asking Shane Krebs to set up a link from the County Seat programs to the county web site. Executive Lemon said he has already asked Krebs to set up the link with the county web site.

Chairman White directed this topic to be placed on the agenda for a decision on the October 25, 2011 County Council Meeting.

- **Discussion – Council Members' input on direction of Planning and Zoning** – Director Runhaar shared an Ordinance Revision Work List with the Council. The list indicates level or priority on specific projects as high or low. Runhaar said the priority levels are his staff's assessment of need. For instance, clustering is listed as high, but the Planning Commission has been hesitant to address that topic.

Chairman White urged the Council to review the list to check for priorities.

**OTHER BUSINESS**

- ✓ **2011 UAC Annual Convention – November 16-18, 2011** – Council member Buttars is not sure if he will attend; he will let Allen know.

**COUNCIL MEMBER REPORTS**

**Val Potter** again urged Council members to attend the 6:00 p.m. Joint Councils meeting in Smithfield tomorrow night, October 12, 2011 concerning the Canal Rebuild Project.

**ADJOURNMENT**

The Council meeting adjourned at 7:00 p.m.

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

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**APPROVAL:** Jon White  
Chairman

REQUEST FOR INTRA-DEPARTMENTAL BUDGET TRANSFER

DEPARTMENT: Rodeo  
DATE: 9/23/2011

Amount to be transferred -- (rounded to the nearest dollar) \$2,000.00

Transfer From ---

Line Item No. : 100-4621-290

Fund Designation: Prize money and Trophys

Original Budget:	<u>\$25,000.00</u>
Current Budget:	<u>\$25,000.00</u>
Expenditures to date:	<u>\$21,000.00</u>
Balance before transfer:	<u>\$4,000.00</u>
Balance after Transfer:	<u>\$2,000.00</u>

Transfer To ---

Line Item No. : 100-4621-250

Fund Designation: Equipment supplies and maintenance

Original Budget:	<u>\$2,200.00</u>
Current Budget:	<u>\$2,200.00</u>
Expenditures to date:	<u>\$890.20</u>
Balance before transfer:	<u>\$1,309.80</u>
Balance after Transfer:	<u>\$3,309.80</u>

Description of needs and purpose of transfer ---  
to cover costs for rodeo personnel

Jim Zollinger  
Department Head

Recommendation: [ X ] Approval [ ] Disapproval  
Comments:

Date: 9/23/2011

Jamra Stones  
Cache County Auditor

Recommendation: [ X ] Approval [ ] Disapproval  
Comments:

Date: 9/23/2011

M. Lynn Lewis  
Cache County Executive

Consented by the Cache County Council meeting in regular session on the 11th day of October, 2011.

Jim Zollinger  
Cache County Clerk

**CACHE COUNTY  
RESOLUTION NO. 2011 - 22**

**A RESOLUTION ACCEPTING AND APPROVING THE CONVEYANCE OF  
REAL PROPERTY TO CACHE COUNTY CORPORATION**

The County Council of Cache County, Utah, in a regular meeting, lawful notice of which has been given, finds that the real property described as "gap property" and filed with the County Recorder's Office Entitled Amended Notice of Claim on 9 December, 2010, Entry 1034698, book #1649, page #1815, shall be accepted and approved.

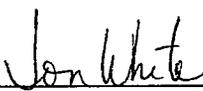
Now therefore, BE IT RESOLVED that:

The Cache County Council concurs with the Cache County Executive's determination that it is in the best public interest to accept and approve the conveyance of said "gap property."

This resolution shall become effective immediately upon adoption.

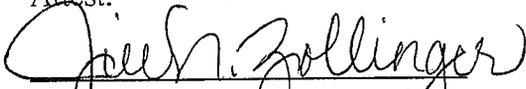
This resolution was adopted by the Cache County Council on the 11th day of October, 2011

Cache County Council

  
\_\_\_\_\_  
Jon White, County Council Chairman



Attest:

  
\_\_\_\_\_  
Jill N. Zollinger, Cache County Clerk

CACHE COUNTY  
CORPORATION

M. LYNN LEMON  
COUNTY EXECUTIVE/SURVEYOR

199 N. MAIN  
LOGAN, UTAH 84321  
TEL 435-755-1850  
FAX 435-755-1981

COUNTY COUNCIL  
CORY YEATES  
H. CRAIG PETERSEN  
KATHY ROBINSON  
BRIAN CHAMBERS  
GORDON A. ZILLES  
CRAIG "W" BUTTARS  
JON WHITE

AMENDED  
NOTICE OF CLAIM

Ent 1034698 Bk 1649 Pg 1815  
Date: 9-Dec-2010 04:19 PM Fee \$.00  
Cache County, UT  
Michael Bleed, Rec. - Filed By MG  
For CACHE COUNTY CORPORATION

TO WHOM IT MAY CONCERN: The undersigned, Lynn Lemon, Cache County Executive, on behalf of Cache County, does hereby claim and assert title to the real property, described in the attached legal description, along the Hyde Park Irrigation and Logan North Field Canal, Logan & Northern Canal and Logan Hyde Park Smithfield Canal. However, this Amended Notice of Claim removes from the original Notice of Claim filed on 22 November, 2010, and removes from all three (3) Quit-Claim Deeds filed by Josh Runhaar, Cache County Development Services Director, on 9 November 2010, the land involved in litigation where the hillside slid (Logan Bluff) until such time as it is deemed in the best interest of the County to claim that remaining Gap portion.

Specifically, Cache County claims any and all interest in the property, described in the attached legal descriptions, along each above-mentioned canals, less the Logan Bluff area.

This Notice of Claim incorporates by reference all three (3) Quit- Claim Deeds filed by Josh Runhaar, Cache County Development Services Director, on the 9 November 2010. Specifically,  
Entry #1032612, book #1645, page #264 - 270, 9 November, 2010 at 10:22 a.m.  
Entry #1032613, book #1645, page #271 - 279, 9 November, 2010 at 10:24 a.m.  
Entry #1032614, book #1645, page #280 - 285, 9 November, 2010 at 10:25 a.m.

This Amended Notice of Claim also incorporates by reference the attached legal descriptions.

Purpose of Claim: To secure an interest in the property for which there is no ownership of record listed at the Cache County Recorders Office as of the 9 November, 2010, and no one has paid taxes thereon. Such interest is to be secured for the benefit of the citizens of Cache County.

Importantly, Cache County is the Sponsor of the Canal Rebuild Project as governed by the National Resource Conservation Service (NRCS). As of 9 November, 2010, the rebuild options have not been narrowed down such that all involved and potentially involved canal routes must be considered at once. NRCS requires Cache County, as Sponsor, to give permission to NRCS from the owner of the land to access the property for the Rebuild Project for whichever option is chosen by the public and NRCS. As a result, Cache County has a necessity to assert ownership

where none is currently recorded to give such permission. Such ownership claim is a duty Cache County has to protect the citizens from another person or entity from asserting an interest first resulting in the potential for higher taxes to thereafter secure the necessary interest for the Rebuild Project.

Even apart from the Rebuild Project, however, the County has a duty to assert ownership over the "gap property" for the benefit and advantage of all the County citizens now and in the future.

CLARIFICATION: Both the above-described Quit-Claim and Notice of Claim documents were filed in order to preserve the County's interest in a timely fashion. This subsequent Amended Notice of Claim is not meant to confuse, but instead to more fully describe the metes and bounds at issue.

IN WITNESS WHEREOF, I have hereunto affixed my hand(s) and seal this 9<sup>th</sup> day of November, 2010.

*DS*  
Deputy  
Cache County  
Attorney

December

*M. Lynn Lemon*  
Cache County Executive

ACKNOWLEDGMENT

State of Utah )

County of Cache )

On the 9<sup>th</sup> day of December, in the year 2010, before me Anne C. Winn,

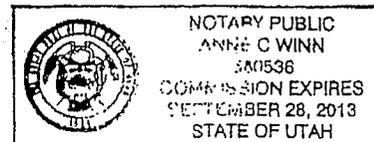
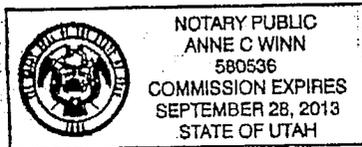
a notary public, personally appeared M. Lynn Lemon, proved on the basis of

satisfactory evidence to be the person(s) whose name(s) (is/are) subscribed to this instrument,

and acknowledged (he/she/they) executed the same. Witness my hand and official seal.

Ent 1034698 Bk 1649 Pg 1816

*Anne C. Winn*  
NOTARY PUBLIC



**Press Release**

**09-27-2011**

Just over two years ago, Evelia Jacqueline Leavey and her two children, Abbey and Victor Alanis Jr., were killed as a result of a landslide along the bluff encompassing the Logan Northern Canal. Since then, there has been ongoing research in how to get the water delivered safely and efficiently to the stakeholders again which included easement research.

The canal rebuild options span a number of cities and Forest Service land; therefore, Cache County was the logical sponsor for the Rebuild Project. As of late 2010, the rebuild options had not been narrowed down; as a result, all involved, and potentially involved, canal routes had to be considered at once. Natural Resource Conservation Service (NRCS) requires Cache County, as Sponsor, to give permission to NRCS to access the canal-ways for the Rebuild Project for the option chosen by the public, NRCS, and the canal companies.

During easement research, it was discovered that property traversed by a number of canals in the County was never conveyed to private entities: No party held deeds to this property; nor had any taxes been paid on the property. As a result, Cache County was obliged to assert ownership of these properties where no prior ownership interest had been asserted. This allowed Cache County, as the sponsor for the project, to procure access to the canals for the construction required by NRCS.

Thus, for the benefit of all citizens, the County claimed a fee simple interest, subject to the canal easement, on all "gap property" of which there is no ownership of record listed at the Cache County Recorders Office as of 9 November, 2010. Cache County leaders hope, too, to work cooperatively with land-owners in the vicinity of the canal project. They also hope any landowners who do own property under the canal in fee simple will negotiate in good faith with the County to allow for canal construction easement.

**CACHE COUNTY, UTAH  
RESOLUTION**

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**RESOLUTION NO. 2011-23**

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*Disclaimer: This is provided for informational purposes only. The formatting of this resolution may vary from the official hard copy. In the case of any discrepancy between this resolution and the official hard copy, the official hard copy will prevail.*

**A RESOLUTION PROVIDING FOR APPLICATION FORMS AND SERVICE FEE  
SCHEDULE OF THE CACHE COUNTY DEVELOPMENT SERVICES DEPARTMENT**

WHEREAS, the Manual of Roadway Design and Construction Standards, section 2.6 requires encroachment permitting in county right-of-ways, and Title 15.28 of the Cache County Ordinance requires development permits for any development activity on parcels in the floodplain, and Title 16.01.080 and Title 17.06.030 requires application for subdivision and land use permitting; and

WHEREAS, the State of Utah, pursuant to Section 17-27a-509, allows county's to adopt reasonable fees for the review of project applications; and

WHEREAS, the County Code Titles 16 and 17 require fees for the various services rendered; and

WHEREAS, the fees being charged by the Development Services Office are reasonable and based on an analysis of the actual cost of providing service;

WHEREAS, the proposed application forms and service fee schedule have been reviewed by the Cache County Council; and

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to implement the application forms and service fee schedule.

NOW, THEREFORE, BE IT RESOLVED that the Cache County Council hereby adopts the following resolution:

The application forms and service fee schedule attached as Exhibit A is hereby approved for the Development Services Department, superseding all prior application forms and service fee schedules.

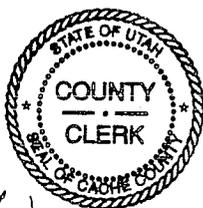
APPROVED AND ADOPTED this 11<sup>th</sup> day of October, 2011.

	In Favor	Against	Abstained	Absent
Potter				
Buttars				
White				
Petersen				
Robison				
Yeates				
Zilles				
Total				

CACHE COUNTY COUNCIL

Jon White

Jon White, Chair  
Cache County Council



ATTEST:

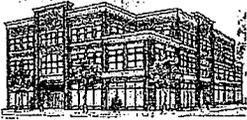
Jill Zollinger

Jill Zollinger  
Cache County Clerk

Publication Date: \_\_\_\_\_, 2011

## **EXHIBIT A**

1. Service Fee Schedule
2. Floodplain Development Permit
3. Right-of-Way Encroachment Permit Application
4. Right-of-Way Encroachment Permit
5. Project Application
6. Subdivision Application Checklist and Acknowledgment
7. Conditional Use Permit Application Checklist and Acknowledgment
8. Boundary Line Adjustment Application Checklist and Acknowledgment
9. Rezone Application Checklist and Acknowledgment
10. Subdivision Amendment Application Checklist and Acknowledgment



**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

JOSH RUNHAAR, AICP  
 DIRECTOR / ZONING ADMINISTRATOR  
 PAUL BERNTSON  
 CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

**Fee Schedule**

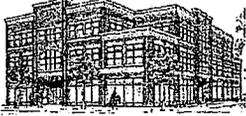
*Fees may be adjusted by the Director of Development Services on a case by case basis. Additional fees may be assessed based on the need for external consulting or engineering review by the Director of Development Services and must be approved by the County Executive.*

Application	Fee
<b>Review for Parcel Legality</b>	No cost
<b>Zoning Clearance for Building Permits</b>	
Farm Building/Accessory Structure	\$25
Single Family Dwellings	\$75
Sign Permits	\$50
Commercial Buildings <sup>1</sup>	\$300
Zoning Clearance for Business License	\$50
<b>Conditional Use Permit</b>	
Conditional Use	\$450
Master Plan <sup>2</sup>	\$2,000
Resort Recreation Zone Development	\$15,000
<b>Subdivision Applications</b>	
First 10 lots	\$350 per Lot
10+ lots	\$250 per Lot
Engineering review	\$20 per Lot
<b>Subdivision Amendment or Boundary Line Adjustment<sup>3</sup></b>	
Requiring a public meeting	\$100 per Lot
Administrative	\$50 base fee + \$50 per lot
<b>Engineering Review</b>	
Per Hour Cost	\$75 per hour
<b>Rezone</b>	\$450
<b>Amendment to the General Plan</b>	Fee as determined
<b>Ordinance Amendment</b>	Fee as determined
<b>Board of Adjustment</b>	
Special Exception (Variance)	\$250
Appeal	\$250
<b>B&amp;W Copies</b>	\$.25 (per 8.5 x 11)
<b>Color Copies</b>	\$1.00 (per 8.5 x 11)

<sup>1</sup> Reduced to \$75 if applicable Conditional Use Permit currently exists.

<sup>2</sup> A master plan is required for projects requiring longer than 3 years for construction and/or multiple phases.

<sup>3</sup> Fee may be waived by the Director of Development Services if done concurrently with a subdivision.



# CACHE COUNTY CORPORATION DEVELOPMENT SERVICES DEPARTMENT

JOSH RUNHAAR, AICP  
DIRECTOR / ZONING ADMINISTRATOR  
PAUL BERNTSON  
CHIEF BUILDING OFFICIAL

179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

## Floodplain Development Permit

Permit #: FP #-YR

This Floodplain Development Permit is issued in conformance with Title §15.28 of the Cache County Ordinance.

## Floodplain Determination

The proposed floodplain is located on FIRM panel No. \_\_\_\_\_.

The proposed development:

- Is partially located in the Special Flood Hazard Area, but the building/development is not. *No permit or further information required.*
- Is located in a Special Flood Hazard Area. *A permit is required.*

The FIRM zone designation is \_\_\_\_\_.

The 100 year flood elevation at the site is \_\_\_\_\_ ft. NGVD (MSL).

- Is located in the floodway. *A permit is required.*

FBFM Panel No. \_\_\_\_\_ (If different from FIRM panel and date)

## Requirements

*The following must be submitted with each permit:*

- A certification provided by a registered professional engineer or licensed land surveyor that the proposed activity in a regulatory floodway will not result in any increase in the height of the 100 year flood
- A copy of all data and hydraulic/hydrologic calculations supporting this finding.
- Plans showing the extent of watercourse relocation and/or landform alterations.
- The proposed finish elevations are as follows\*:
  1. Proposed Elevation of the top of the lowest floor, including basement will be: \_\_\_\_\_ ft. NGVD (MSL).
  2. Proposed Elevation of flood proofing protection will be \_\_\_\_\_ ft. NGVD (MSL).

*\*As-Built elevations must be provided to obtain a Certificate of Occupancy.*

## Permit Determination

I have determined that the proposed activity is in conformance with Title §15.28 of the Cache County Ordinance.

This permit is issued subject to the conditions attached to and made part of this permit.

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
Cache County Floodplain Administrator

## Project Completion: As-Built Elevations

*The following documents have been submitted and reviewed:*

As completed and provided by a registered professional engineer or licensed land surveyor, the elevations are as follows:

1. As-Built Elevation of the top of the lowest floor, including basement is: \_\_\_\_\_ ft. NGVD (MSL).
2. As-Built Elevation of flood proofing protection is \_\_\_\_\_ ft. NGVD (MSL).

Approved by: \_\_\_\_\_ Date: \_\_\_\_\_  
Cache County Floodplain Administrator



**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

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**Application: Right-of-Way Encroachment Permit**

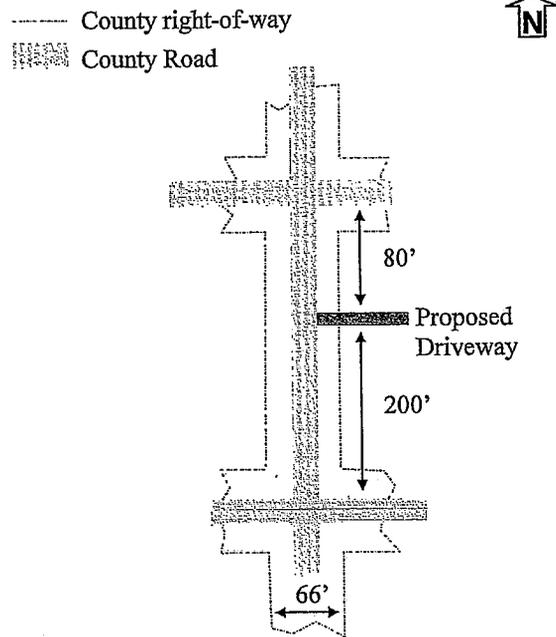
*The following information must accompany this application:*

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Plat map   | 5. <input type="checkbox"/> Evidence of insurance or bond                 |
| 2. <input type="checkbox"/> Legal description & Current Taxation Certification | 6. <input type="checkbox"/> Project description and/or complete plan sets |
| 3. <input type="checkbox"/> Agent Letter, Trust, LLC, etc. paperwork           | 7. <input type="checkbox"/> MUTCD type traffic control plan               |
| 4. <input type="checkbox"/> Permit fee   | 8. <input type="checkbox"/> Site Plan (see example)                       |

**Contractor Information**

CONTRACTOR: \_\_\_\_\_  
 LICENSE #: \_\_\_\_\_  
 CONTACT #: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_  
 MAILING ADDRESS: \_\_\_\_\_  
 CITY, STATE, ZIP: \_\_\_\_\_

**Example Site Plan**



**Location Information**

LOCATION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 PROPERTY ID: \_\_\_\_\_  
 ZONE: \_\_\_\_\_ ACRES: \_\_\_\_\_  
 PROPERTY OWNER(S): \_\_\_\_\_  
 \_\_\_\_\_

**Permit Fee**

- |   |  |
|---|--|
| <input type="checkbox"/> <b>\$20: Minor work</b> - Work in the right-of-way that does not impact the traveled way | <input type="checkbox"/> <b>\$1,000: Major work*</b> - Work in the right-of-way that impacts the traveled way: |
| <input type="checkbox"/> Agricultural or residential driveway access  | <input type="checkbox"/> Road rebuild, widening, or resurfacing  |
| <input type="checkbox"/> Landscaping (no fee)   | <input type="checkbox"/> Shoulder or drainage work   |
| <input type="checkbox"/> Fence (no fee)   | <input type="checkbox"/> New road construction   |
| <input type="checkbox"/> Mailbox (no fee)   | <input type="checkbox"/> Road cut for utilities  |

*\*\$750 will be refunded on Major Work with the satisfactory completion of construction (Engineer approval and compaction test results required to obtain refund)*

## Insurance and Bond Requirements for Major Work

The contracting party shall procure and maintain for the duration of the contract insurance and bonds against claims or liability which arises out of or in connection with the performance of the work hereunder by the Contracting party, his agents, representatives, employees, or subcontractors. The cost of such insurance and bonds shall be included in the Contracting party's bid or proposal. Cache County reserves the right to increase or decrease the required insurance limits depending on the specific scope, nature, and risk of each project.

### **A. Minimum Limits of Insurance –**

Contracting party shall maintain limits not less than:

1. **General Liability:** \$2,000,000 combined single limit per occurrence, personal injury and property damage, \$3,000,000 aggregate. Broad Form Commercial General Liability is required (ISO 1993 or better) to include Products – Comp/OP aggregate of \$3,000,000. Limits apply to this project individually.
2. **Professional Liability (for bonds):** \$1,000,000 per occurrence, \$2,000,000 aggregate coverage is required.
3. **Automobile Liability:** \$1,000,000 per occurrence. "Any Auto" coverage is required.
4. **Workers' Compensation and Employers Liability:** Workers' Compensation statutory limits as required by the Workers' Compensation Act of the State of Utah and Employers Liability limits at a minimum of \$1,000,000 per occurrence.
5. **Payment and Performance of Bonds:** If this is a construction contract, Contracting party shall provide payment and performance bonds in a form acceptable to the City and in the full amount of the contract.

### **B. Deductibles and Self-Insured Retentions –**

Any deductibles or self-insured retention exceeding 5% of the policy limits must be declared to and approved by Cache County. At the option of Cache County, either (1) the insurer may be required to reduce or eliminate such deductibles or self-insured retention as respects Cache County, its officers, officials, and employees; or (2) the Contracting party may be required to procure a bond guaranteeing payment of losses and related investigations, claim distribution, and defense expenses.

### **C. Notice of Incident or Accident –**

Contracting party shall agree to promptly disclose to Cache County, all incidents or occurrences, of injury, and/or property damage covered by the insurance policy or policies.

### **D. Other Insurance Provisions –**

The policies are to contain, or be endorsed to contain, the following provisions:

#### **1. General Liability and Automobile Liability Coverages**

- a. Cache County, its officers, officials, employees, and volunteers are to be covered as additional insureds as respects: liability arising out of activities performed by or on behalf of the Contracting party; products and completed operations of the Contracting party; premises owned, leased, hired, or borrowed by the Contracting party. The coverage shall contain no special limitations on the scope of protection afforded to Cache County, its officers, officials, employees, and volunteers.
- b. The Contracting party's insurance coverage shall be a primary insurance as respects to Cache County, its officers, officials, employees, or volunteers. Any insurance or self-insurance maintained by Cache County, its officers, officials, employees, or volunteers shall be in excess of the Contracting party's insurance and shall not contribute with it.
- c. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to Cache County, its officers, officials, employees, or volunteers.
- d. The Contracting party's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respects to the limits of the insured's liability.

**2. All Coverages**

Each insurance policy required by this clause shall be endorsed to state that coverage shall not be suspended, voided, canceled by either party, reduced in coverage or in limits except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to Cache County.

**E. Acceptability of Insurers –**

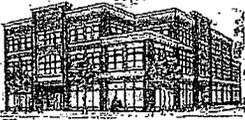
Insurance and bonds are to be placed with insurers admitted in the State of Utah with an A.M. Best rating of not less than A-: IX, and in the limits as listed in this document.

**F. Verification of Coverage –**

Contracting party shall furnish Cache County with certificates of insurance and with original endorsements effecting coverage required by this clause. The certificates and endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificate and endorsements are to be on forms acceptable to Cache County before work commences. Cache County reserves the right to require complete, certified copies of all required insurance policies, with all endorsements, at any time.

**G. Subcontractors –**

Contracting party shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.



**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

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179 NORTH MAIN, SUITE 305 LOGAN, UTAH 84321 ♦ (435)755-1640 ♦ FAX (435)755-1987

**Right-of-Way Encroachment Permit**

Permit #: ROW #YR

This encroachment permit is issued in conformance with the Cache County Manual of Roadway Design and Construction Standards.

**Contractor Information**

Contractor: \_\_\_\_\_

License #: \_\_\_\_\_

Contact #: \_\_\_\_\_

email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

**Location Information**

Location: \_\_\_\_\_

Property ID:        -        -

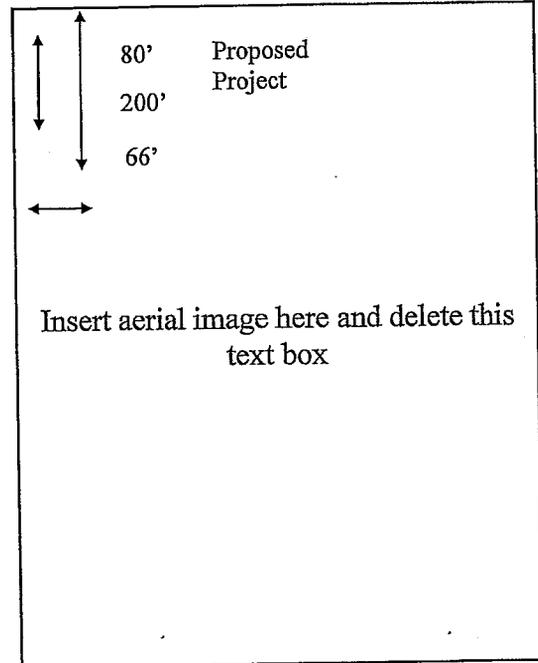
Zone:                Acres:

Property Owner(s): \_\_\_\_\_

Work type: \_\_\_\_\_

*\*\$750 will be refunded on satisfactory completion of construction. Engineer approval and/or compaction test results required to obtain a refund.*

**Proposed Site Plan**



**Conditions:**

- 1.
- 2.
- 3.

**General**

The commencement of said work is understood to indicate that the contractor/applicant will comply with the Cache County Manual of Roadway Design and Construction Standards, all conditions, requirements, and restrictions listed herein, other general safety requirements, and the approved plans with respect to performance of said work. The contractor/applicant will properly safeguard said work to prevent accidents and shall indemnify and hold harmless Cache County from all damages arising out of any and all operations performed under this permit. The contractor/applicant shall not perform any work on County right-of-way beyond those areas or operations stipulated herein.

If the contractor/applicant fails to comply with the conditions, requirements, and restrictions listed herein, other general safety requirements, and the approved plans of this permit, the County Engineer may, by verbal order, suspend the work until the violation(s) is corrected. If the applicant fails or refuses to comply promptly, the County Engineer may issue a written order stopping all or any part of the work. When satisfactory corrective action is taken, the County Engineer may order resumption of work.

In the event that the contractor/applicant fails to meet the conditions of this permit and legal action becomes necessary, the contractor/applicant agrees to pay reasonable attorney fees and court costs incurred in said action.

### Work Notification

After obtaining a right-of-way encroachment permit, the contractor shall notify the Cache County Development Services Office two (2) working days before work is commenced (755-1640).

**Construction will begin on or after:** \_\_\_\_\_, 20 \_\_\_\_.

**Construction will be completed on or before:** \_\_\_\_\_, 20 \_\_\_\_.

### Permit Approval

A Right-of-Way Encroachment Permit for the above described work is hereby granted, subject to the conditions, requirements, and restrictions listed herein, the other general safety requirements, and the approved plans.

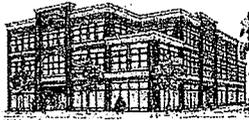
\_\_\_\_\_  
Contractor or Applicant

**Permit approved by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Director of Development Services**

### Project Completion

The applicant has met all conditions of this permit and has satisfactorily completed all necessary requirements in the construction of the

**Approved by:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Cache County Engineer**



**CACHE COUNTY CORPORATION**  
**DEVELOPMENT SERVICES DEPARTMENT**

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**Project Application**

Date Received:	By:	Receipt #:	Amount/Check #:
----------------	-----	------------	-----------------

SUBDIVISION  CONDITIONAL USE PERMIT  BOUNDARY LINE ADJUSTMENT  REZONE  SUBDIVISION AMENDMENT  CODE AMENDMENT

**Project Information:**

Request Type: \_\_\_\_\_ Project Name: \_\_\_\_\_  
 Project Address: \_\_\_\_\_  
 Property ID Number(s): \_\_\_\_\_  
 Zone: \_\_\_\_\_ Acres: \_\_\_\_\_ Area: \_\_\_\_\_

**Agent Contact Information**

Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ email: \_\_\_\_\_

**Owner Contact Information:**

Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ email: \_\_\_\_\_

1. Applications are due by 3:00 pm on the day of the application deadline.
2. Late applications will be held for the next meeting's agenda.
3. Incomplete applications will not be accepted.
4. The application fee is not refundable.

**The Project Review Process:**

For your convenience the following information will assist you in understanding the project review process:

- 1) The applicant should meet with staff prior to the deadline date to discuss the project and ensure that the information submitted is sufficient to completely review the project.
- 2) After the application is accepted, information packets are sent to various departments and agencies that provide comments to planning staff. These will be included within the staff report.

- 3) A development review meeting is held with planning staff and representatives from the departments and agencies that provide comments on the project review. Any issues present on a project will be discussed with the appropriate department or agency.
- 4) The staff reviews the application and prepares a written report.
- 5) Notices are mailed to surrounding property owners, placed in the Herald Journal, and at [www.CacheCounty.org](http://www.CacheCounty.org).
- 6) A staff report and other applicable information is made available to the applicant, Board/Commission members, relevant staff, and the public.
- 7) If a project requires County Council approval in addition to Planning Commission recommendation, the project is placed on the next available Council Agenda after the Planning Commission meeting. Staff forwards a memo, the Planning Commission's recommendation, project packets, and any other pertinent information for County Council's review.

<b>2011 Meeting Dates and Application Deadlines:</b>						
<b>Planning Commission</b> (1 <sup>st</sup> Thursday of each month)			<b>County Council</b> (2nd & 4th Tuesday)		<b>Board of Adjustment</b> (3 <sup>rd</sup> Thursday)	
Survey Deadline	Application Deadline 3:00 PM	MEETING DATE 5:30 PM	MEETING DATE 5:00 PM		Application Deadline 3:00 PM	MEETING DATE 4:00 PM
1-Dec	8-Dec	6-Jan	11-Jan	25-Jan	29-Dec	20-Jan
29-Dec	5-Jan	3-Feb	8-Feb	22-Feb	27-Jan	17-Feb
26-Jan	2-Feb	3-Mar	8-Mar	22-Mar	24-Feb	17-Mar
2-Mar	9-Mar	7-Apr	12-Apr	26-Apr	31-Mar	21-Apr
30-Mar	6-Apr	5-May	10-May	24-May	28-Apr	19-May
27-Apr	4-May	2-Jun	14-Jun	28-Jun	26-May	16-Jun
1-Jun	8-Jun	7-Jul	12-Jul	26-Jul	30-Jun	21-Jul
29-Jun	6-Jul	4-Aug	9-Aug	23-Aug	28-Jul	18-Aug
3-Aug	10-Aug	1-Sep	13-Sep	27-Sep	25-Aug	15-Sep
31-Aug	7-Sep	6-Oct	11-Oct	25-Oct	29-Sep	20-Oct
28-Sep	5-Oct	3-Nov	8-Nov	22-Nov	27-Oct	17-Nov
26-Oct	2-Nov	1-Dec	6-Dec	13-Dec	23-Nov	15-Dec

## Subdivision - Application Checklist and Acknowledgement:

*A completed application must include the following unless specified otherwise:*

- 1)  A completed, notarized application form and *non-refundable* review fee:  
The first 10 lots: \$350 per lot  
10+ lots: \$250 per lot  
Engineering Review: \$20 per lot
- 2)  A plat map for each property.
- 3)  The Legal Description with any existing covenants & deed restrictions and a Current Taxation Certification for each property.
- 4)  A septic tank feasibility letter or copy of septic tank permits for all lots as deemed necessary by the Bear River Health Department.
- 5)  An agent letter, *if* the owner of record is not the acting agent. Also, if the owner of record is an LLC, Corporation, or Trust, appropriate paperwork must be included.
- 6)  Provide a letter from the municipality(ies) in regards to annexation of property and also provide documentation of the results of any pre-application conference with municipality officials, *if* the property is contiguous to a municipality, located within an unincorporated island or peninsula, or receiving or proposed to receive services from a municipality.
- 7)  The name(s) and full mailing address(es) for all owner(s) of the property.
- 8)  The name and contact information of any irrigation/canal company for any ditch/canal that cross the site. Further approvals may be required based on the proposed use.
- 9)  The current or proposed Homeowner's Association, CC&R's, or other restrictions, right-of-way/easement information, etc.
- 10)  A survey of the property. (2 - 24" x 36" paper copies, 1 digital copy)
  - a) An optional survey waiver can be obtained in certain circumstances.
- 11)  Culinary water right verification for each lot proposed. (State Water Engineer or City/Town)
  - a) Lots designated as Dry Lots must be reviewed by the Zoning Administrator and will not require a water right.
- 12)  A current Letter Report from a title company for all lots within the subdivision dated within 30 days of when the application is filed.

*\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

### Acknowledgment

I, \_\_\_\_\_ the undersigned agent and/or owner of the property  
for the proposal known as \_\_\_\_\_, acknowledge that I  
have read and understand the information and requirements presented in this application.

\_\_\_\_\_  
Property Owner or Agent

## Conditional Use Permit - Application Checklist and Acknowledgement:

A completed application must include the following unless specified otherwise:

- 1)  A completed, notarized application form and *non-refundable* review fee:

Conditional Use	\$450
Master Plan	\$2,000
Resort Recreation Zone Development	\$15,000
- 2)  A plat map for each property.
- 3)  The Legal Description with any existing covenants & deed restrictions and a Current Taxation Certification for each property.
- 4)  A septic tank feasibility letter or copy of septic tank permits for all lots as deemed necessary by the Bear River Health Department.
- 5)  An agent letter, *if* the owner of record is not the acting agent. Also, if the owner of record is an LLC, Corporation, or Trust, appropriate paperwork must be included.
- 6)  Provide a letter from the municipality(ies) in regards to annexation of property and also provide documentation of the results of any pre-application conference with municipality officials, *if* the property is contiguous to a municipality, located within an unincorporated island or peninsula, or receiving or proposed to receive services from a municipality.
- 7)  The name(s) and full mailing address(es) for all owner(s) of the property.
- 8)  The name and contact information of any irrigation/canal company for any ditch/canal that cross the site. Further approvals may be required based on the proposed use.
- 9)  The current or proposed Homeowner's Association, CC&R's, or other restrictions, right-of-way/easement information, etc.
- 10)  Culinary water right verification for each lot. (State Water Engineer or City/Town)
  - a) Lots designated as Dry Lots must be reviewed by the Zoning Administrator and will not require a water right.
- 11)  A completed letter of intent (See the form titled "Letter of Intent - *Conditional Use Permit*").
- 12)  A Site Plan (1 paper copy - 8.5"x11" or 11"x17 and 1 digital copy) - that must include the following:
  - a) North arrow.
  - b) Street names and numbers (within and adjacent to your property).
  - c) Existing and proposed buildings.
  - d) Fences, landscaping, parking, utility/service areas, and similar.
  - e) Any existing easements or rights-of-way on the site.
  - f) Complete dimensions indicated using engineering scale.
  - g) Necessary explanatory notes.
  - h) Title (Project name, request, agent/owner name and contact information).
- 13)  If new construction, building elevations (1 paper copy - 8.5"x11" or 11"x17 and 1 digital copy) that must include the following:
  - a) Elevations of all sides of the proposed building(s).
  - b) Proposed building materials.

- c) Complete dimensions indicated using architectural scale.
- d) Necessary explanatory notes.
- e) Title (Project name, request, agent/owner name and contact information).

All plans (site plan and building elevations) must convey sufficient detail to explain the issue and nature of the request clearly and must include any information which will clarify the requirements.

- 14)  Refer to Title §17.14 of the Cache County Ordinance for additional requirements for any Resort Recreation (RR) Zone development.

*\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

### Acknowledgment

I, \_\_\_\_\_ the undersigned agent and/or owner of the property  
for the proposal known as \_\_\_\_\_, acknowledge that I  
have read and understand the information and requirements presented in this application.

\_\_\_\_\_  
Property Owner or Agent

**Boundary Line Adjustment - Application Checklist and Acknowledgement:**

***A completed application must include the following unless specified otherwise:***

- 1)  A completed, notarized application form and ***non-refundable*** review fee:  
Requiring a public meeting: \$100 base fee and \$50 per lot  
Administrative Review - \$50 base fee and \$50 per lot
- 2)  A plat map for each property.
- 3)  The Legal Description with any existing covenants & deed restrictions and a Current Taxation Certification for each property.
- 4)  An agent letter, ***if*** the owner of record is not the acting agent. Also, if the owner of record is an LLC, Corporation, or Trust, appropriate paperwork must be included.
- 5)  Provide a letter from the municipality(ies) in regards to annexation of property and also provide documentation of the results of any pre-application conference with municipality officials, ***if*** the property is contiguous to a municipality, located within an unincorporated island or peninsula, or receiving or proposed to receive services from a municipality.
- 6)  The name(s) and full mailing address(es) for all owner(s) of the property.
- 7)  ***If*** applicable, the name and contact information of any irrigation/canal company for any ditch/canal that cross the site. Further approvals may be required based on the proposed use.
- 8)  The current or proposed Homeowner's Association, CC&R's, or other restrictions, right-of-way/easement information, etc., ***if*** applicable.
- 9)  A survey of the property. (2 - 24" x 36" paper copies, 1 digital copy)  
a) An optional survey waiver can be obtained in certain circumstances.
- 10)  A current Letter Report from a title company for all lots proposed for adjustment dated within 30 days of when the application is filed.
- 11)  A paper and a digital copy of the old and new legal descriptions for each adjusted lot.

***\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.***

**Acknowledgment**

---

I, \_\_\_\_\_ the undersigned agent and/or owner of the property  
for the proposal known as \_\_\_\_\_, acknowledge that I  
have read and understand the information and requirements presented in this application.

\_\_\_\_\_  
Property Owner or Agent

**Rezone - Application Checklist and Acknowledgement:**

*A completed application must include the following unless specified otherwise:*

- 1)  A completed, notarized application form and *non-refundable* review fee:  
Rezone: \$450 – additional fees may apply.
- 2)  A plat map for each property.
- 3)  The Legal Description with any existing covenants & deed restrictions and a Current Taxation Certification for each property.
- 4)  An agent letter, *if* the owner of record is not the acting agent. Also, if the owner of record is an LLC, Corporation, or Trust, appropriate paperwork must be included.
- 5)  Provide a letter from the municipality(ies) in regards to annexation of property and also provide documentation of the results of any pre-application conference with municipality officials, *if* the property is contiguous to a municipality, located within an unincorporated island or peninsula, or receiving or proposed to receive services from a municipality.
- 6)  The name(s) and full mailing address(es) for all owner(s) of the property.
- 7)  The name and contact information of any irrigation/canal company for any ditch/canal that cross the site. Further approvals may be required based on the proposed use.
- 8)  The current or proposed Homeowner's Association, CC&R's, or other restrictions, right-of-way/easement information, etc.
- 9)  As necessary, a survey of the property. (2 - 24" x 36" paper copies, 1 digital copy)
- 10)  A current Letter Report from a title company for all lots within the subdivision dated within 30 days of when the application is filed.

*\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

**Acknowledgment**

---

I, \_\_\_\_\_ the undersigned agent and/or owner of the property  
for the proposal known as \_\_\_\_\_, acknowledge that I  
have read and understand the information and requirements presented in this application.

\_\_\_\_\_  
Property Owner or Agent

**Subdivision Amendment - Application Checklist and Acknowledgement:**

*A completed application must include the following unless specified otherwise:*

- 1)  A completed, notarized application form and *non-refundable* review fee:  
Requiring a public meeting: \$100 base fee and \$50 per lot  
Administrative Review - \$50 base fee and \$50 per lot
- 2)  A plat map for each property.
- 3)  The Legal Description with any existing covenants & deed restrictions and a Current Taxation Certification for each property.
- 4)  A septic tank feasibility letter or copy of septic tank permits for all lots as deemed necessary by the Bear River Health Department.
- 5)  An agent letter, *if* the owner of record is not the acting agent. Also, if the owner of record is an LLC, Corporation, or Trust, appropriate paperwork must be included.
- 6)  Provide a letter from the municipality(ies) in regards to annexation of property and also provide documentation of the results of any pre-application conference with municipality officials, *if* the property is contiguous to a municipality, located within an unincorporated island or peninsula, or receiving or proposed to receive services from a municipality.
- 7)  The name(s) and full mailing address(es) for all owner(s) of the property.
- 8)  The name and contact information of any irrigation/canal company for any ditch/canal that cross the site. Further approvals may be required based on the proposed use.
- 9)  The current or proposed Homeowner's Association, CC&R's, or other restrictions, right-of-way/easement information, etc.
- 10)  A survey of the property. (2 - 24" x 36" paper copies, 1 digital copy)  
a) An optional survey waiver can be obtained in certain circumstances.
- 11)  *If* creating a new lot, culinary water right verification for each lot proposed. (State Water Engineer or City/Town)  
a) Lots designated as Dry Lots must be reviewed by the Zoning Administrator and will not require a water right.
- 12)  A current Letter Report from a title company for all lots within the subdivision dated within 30 days of when the application is filed.

*\*Further information may be required by staff, other departments and agencies, and/or the Board/Committee/Council that reviews the application based on the proposed use/development.*

Acknowledgment

I, \_\_\_\_\_ the undersigned agent and/or owner of the property  
for the proposal known as \_\_\_\_\_, acknowledge that I  
have read and understand the information and requirements presented in this application.

\_\_\_\_\_  
Property Owner or Agent