

APPROVED

**CACHE COUNTY
COUNCIL MINUTES
MARCH 27, 2012**

CACHE COUNTY COUNCIL
March 27, 2012

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CACHE COUNTY COUNCIL MEETING
March 27, 2012

The Cache County Council convened in a regular session on March 27, 2012 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

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

The following individuals were also in attendance: Janeen Allen, Mayor Ed Cottle, Janet Cottle, Jeff Dzikowski, Mayor Kendon Godfrey, Joe Hansen, Katie Henderson, Craig Hidalgo, Kristi Hidalgo, Sharon L. Hoth, Lieutenant Brian Locke, Dave Nielsen, Kate Spears, Annette G. Summers, Justin Taylor, Melody Taylor, Steven C. Taylor, Terryl Warner, **Media:** Jennie Christensen (KVNU), Charles Geraci (Herald Journal).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

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

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Council member Yeates to approve the amended agenda. Zilles seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Yeates to approve the minutes of the March 13, 2012 Council Meeting as amended. Robison seconded the motion. The vote was unanimous, 7-0.

REPORT OF THE COUNTY EXECUTIVE: M. LYNN LEMON

APPOINTMENTS: There were no appointments.

WARRANTS: There were no warrants.

OTHER ITEMS

- Community Gardens** – Executive Lemon referred the Council to a memo he gave them concerning problems at the Community Gardens on St. Thomas Aquinas Catholic Church property. Lemon recommended assisting with the needed repairs. The Council concurred.

ITEMS OF SPECIAL INTEREST

- **Eccles Ice Center Update Report – Floyd Naegle** reported on financials, fundraising and marketing, and operations at the Ice Center. Off-season use of the center has increased with events such as the Home and Garden Show and an upcoming high school junior prom. Naegle encouraged Council members to attend this year's March 29, 2012 Spice on Ice which continues to be the Center's chief fundraising event. The main cooling motor at the Center had to be replaced for a cost of around \$10,000.00 and Naegle is having the old one rebuilt as a back-up.

UNIT OR COMMITTEE REPORTS

- ★ **VOCA and VAWA Grants Report – Terryl Warner** reported on two recent Child Abduction Response Team (CART) exercises and indicated a mock abduction is scheduled for Thursday, March 29, 2012 in Mendon. Troubling trends are a couple of armed robberies and two home invasions in the county. About 2,000 victims of crime were served in 2011 and Warner said they are beginning to see more problems related to heated custody battles. The Advocate's office receives funding from the VOCA grant. Jared Keller works primarily with domestic violence and assault cases through the office of the Special Prosecutor and Investigator which receives VAWA funding.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

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

THE COUNCIL CONVENED AS A BOARD OF EQUALIZATION

BOARD OF EQUALIZATION

- **Property Tax Exemption Requests** *(Details are on file in the office of the Cache County Auditor)*
Grace Baptist Church
Options for Independence

ACTION: Motion by Council member Yeates to approve the two requests for Property Tax Exemption. Robison seconded the motion. The vote was unanimous, 7-0.

- **Property Tax Exemption Requests** *(Details are on file in the office of the Cache County Auditor)*
Planned Parenthood Association of Utah

ACTION: Motion by Council member Petersen to approve the Property Tax Exemption request for Planned Parenthood Association of Utah. Potter seconded the motion. The motion passed, 6 aye – Buttars, Petersen, Potter, Robison, White & Zilles and 1 nay – Yeates.

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

THE COUNCIL ADJOURNED FROM THE BOARD OF EQUALIZATION

PUBLIC HEARING SET: APRIL 10, 2012 – 6:15 P.M. – OPEN 2012 BUDGET

PUBLIC HEARING SET: APRIL 10, 2012 – 6:30 P.M. – AMENDMENTS TO TITLE 8.40 SPECIAL EVENTS: Application, Permit-Application Process, Application Review, Application Fees, Clean Up Fee Assessed, Amendments to Special event Application Form

PUBLIC HEARING SET: APRIL 10, 2012 – 6:45 P.M. – JANET RYAN REZONE – Janet Ryan requesting approval for rezone of 13.1 acres from Agricultural (A-10 Zone to Rural 5 (RU-5) Zone located approximately at 1201 South 2000 West, Young Ward

Action: Motion by Council member Yeates to set **Public Hearings – April 10, 2012 at 6:15 p.m. – Open 2012 Budget; April 10, 2012 at 6:30 p.m.-Amendments to Title 8.40 Special Events; and April 10, 2012 at 6:45 p.m. – Janet Ryan Rezone.** White seconded the motion. The vote was unanimous, 7-0.

PENDING ACTION

- Council Approval – 2012 Polling Locations** – County Clerk Jill Zollinger provided Council members with the requested listing of approximate travel distances to several polling locations in the north county area and asked for the Council's decision on polling locations. Council member White commented that he talked with several residents of Avon who must drive to Paradise to vote. None of them considered it an imposition or problem. White advised Council members that their decision should be based on whether the Clerk's proposal is a good cost savings proposition or a bad proposition and should not be based simply on citizen complaints. White estimated that the county is spending \$10.00 a vote in a small precinct like Cornish. During a short discussion of complaints received from some residents of precincts where polling locations would be moved to a neighboring community, the Council suggested several possible changes to Zollinger's proposal. It was decided to approve Zollinger's proposal with the following changes: Clarkston, Cornish and Trenton precincts will continue to vote in their respective city offices.

(Attachment 1)

ACTION: Motion by Council member Robison to approve the following portions of Zollinger's proposed consolidating of polling places: Logan 04, 05, 06 & 25; Logan 02, 03, 33, 27 & 32, Logan 14, 22 & 29; Amalga & Benson; Nibley 01, 03, 17, 25 & College/Young; and Smithfield 01, 02, 03, 04, 05, 06 & 07. Potter seconded the motion. The motion passed, 6 aye – Buttars, Petersen, Potter, Robison, Yeates & Zilles and 1 nay – White.

INITIAL PROPOSAL FOR CONSIDERATION

- **Council Approval – Cache County Weed Policy** – Executive Lemon said this item will be moved to the April 10, 2012 Council meeting.

- **Council Approval – Proposed Gates on Mt. Pisgah Road** – Executive Lemon turned the time to Engineer Lynn Zollinger who proposed three separate gates on the road due to a limestone quarry that operates year-round. The quarry has a private road off of Mt. Pisgah Road that may be gated by them at times. Due to safety and erosion/damage concerns Zollinger recommended a gate at the summit, one near the LDS Church property and one at the intersection of Mt. Pisgah and Meridian Roads. Landowners who may feel inconvenienced can be given a key for access. Zollinger said he has not received any complaints from property owners in the area. Council member White said there are only a few property owners involved. The road will be gated from about mid-November to mid-May or first of June depending on the weather.

(Attachment 2)

ACTION: Motion by Council member Yeates to approve the gates on Mt. Pisgah Road as recommended by Engineer Zollinger. Zilles seconded the motion. The vote was unanimous, 7-0.

- **South Canyon Road Closure** – Executive Lemon noted the road is now closed and due for opening around mid-May, but closure has been recommended due to safety concerns. Lemon asked the Council to reconsider the seasonal closure of the South Canyon Road.

Director Josh Runhaar said that when the NRCS funding is approved, the road will probably be under construction in May or June through the summer. Runhaar and Engineer Zollinger both expressed grave concerns over the safety of the road due to erosion on the roadway. Runhaar and Attorney Ciebien reminded the Council that RAGNAR (a running relay race) is scheduled to use the road this summer. Ciebien indicated RAGNAR consists of about 1,000 fifteen-passenger rented vans that will be using the road carrying people participating in the relay. Zilles asked if the county is hugely liable for anything that might occur on the road? Ciebien said she will wait for County Attorney Swink's opinion, but feels that Engineer Zollinger's concerns carry weight.

Fire Chief Rod Hammer reminded the Council that this road is the primary access for fire protection for the entire south end of the valley and he will need access through any gate that might be closed. Timing on the proposed construction is critical because late summer is when fires will pop up in the area.

Potter recommended the county tell RAGNAR to find an alternate route because of problems and road construction. Runhaar reported his office has already contacted RAGNAR because of the proposed repair work on the road.

Gary Samples, a property owner east of the road, related that last year's RAGNAR had an accident involving the rollover of a vehicle.

Engineer Zollinger said the road has lost about one foot – it was measured at 13 feet 0 inches in September and is now 12 feet 0 inches. Zollinger gave the opinion that the road is not safe for any type of travel, but perhaps a cement barrier in the middle allowing for about four feet for a four-wheeler to pass would be acceptable.

Lemon asked the Council to ponder the issue and it will be on a future agenda for a decision.

(Attachment 3)

- **Ordinance No. 2012-02 – Pine Canyon Gravel Pit Rezone-Thomas G. Maughan and Dorcus M. Kleinschuster requesting approval for rezone of 135.51 acres from Agricultural (A-10) Zone to Mineral Extraction and excavation (ME) Zone located approximately 4870 West 4600 South, Wellsville** – Chris Harrild informed the Council this was discussed in depth at the March 13, 2012 Public Hearing and it is now before them in ordinance form.

(Attachment 4)

ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2012-02 – Pine Canyon Gravel Pit Rezone, etc. Zilles seconded the motion. The vote was unanimous, 7-0.

Ordinance No. 2012-02: The vote was 7-0.

| | BUTTARS | POTTER | PETERSEN | ROBISON | WHITE | YEATES | ZILLES | VOTES CAST |
|-----------|---------|--------|----------|---------|-------|--------|--------|------------|
| AYE | X | X | X | X | X | X | X | 7 |
| NAY | | | | | | | | 0 |
| ABSTAINED | | | | | | | | 0 |
| ABSENT | | | | | | | | 0 |

- **High Country Estates Subdivision – Steven & Justin Taylor requesting approval for a 29-lot subdivision on 70.07 acres of Rural 2 (RU-2) Zone located approximately 8150 West 1900 North, Petersboro** – Chairman Buttars asked if this was just rezoned a couple of months ago? Harrild said it was recently rezoned increasing the density allowed. Harrild referred the Council to Item 6 under Conditions of Approval which is a requirement that the road will be dedicated to the county and become a county road.

Lemon asked when the county would take over responsibility for maintenance of the road? Runhaar replied that when the county accepts the road as a county road it is eligible for maintenance at the lowest tier – a Tier 4 road. Once homes are developed the maintenance tier would be upgraded. Maintenance dollars come from Class B Road funding.

Council member White asked what type of road connects the subdivision road to the main access road? Runhaar said it is a paved road.

Steve Taylor confirmed that the first chip/seal of the road is the responsibility of the developer.

(Attachment 5)

ACTION: Motion by Council member Zilles to waive the rules and approve the High Country Estates Subdivision. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2012-06 – Amendments to Manual of Roadway Design and Construction Standards** – Director Runhaar stated that amendments consist of an index page that was added; a change to a table reducing required shoulder width, encroachment permitting wordage changes and the biggest change is Section 5.6 – an addition addressing the issue of city annexation policies. Presently, cities annex properties, but not the roads fronting the properties; thereby, receiving the taxes from the property development, but without the burden to maintain the road. This addition will correct that problem.

(Attachment 6)

ACTION: Motion by Vice Chairman Potter to waive the rules and approve Resolution No. 2012-06-Amendments to Manual of Roadway Design and Construction Standards. White seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2012-07 – Amendment to Board of Adjustment Bylaws** – Director Runhaar commented this amendment is a minor change to the meeting time of the Board.

(Attachment 7)

ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2012-07 – Amendment to Board of Adjustment Bylaws. Petersen seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2012-08 – Amendments to the Development Services Applications and Permits** – Director Runhaar said these amendments aim at making the applications more understandable with an eye to becoming digital. Much of the information has been converted to simple checklists which are more user friendly.

(Attachment 8)

ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2012-08-Amendments to the Development Services Applications and Permits. Zilles seconded the motion. The vote was unanimous, 7-0.

- **Resolution No. 2012-09 – Amendments to Building Department Fees** – Runhaar said this consists of collectively placing all the fees in a fee schedule and changing the Certificate of Occupancy Bond from \$525.00 to \$1,525.00. Currently \$500.00 of the bond fee is refundable when work is completed, but people are not completing the work, moving in and forfeiting the \$500.00. Runhaar anticipates correcting the problem with the heftier refundable fee.

(Attachment 9)

ACTION: Motion by Vice Chairman Potter to waive the rules and approve Resolution No. 2012-09 – Amendments to Building Department Fees. Yeates seconded the motion. The vote was unanimous, 7-0.

- **Tax Deferral Requests** – Executive Lemon met with the two applicants and payment plans have been set up for payment to be completed in a year without waiving of penalties and interest. *(Details are on file in the Cache County Auditor's Office.)*

ACTION: Motion by Council member Yeates to approve the tax deferral requests. Zilles seconded the motion. The vote was unanimous, 7-0.

OTHER BUSINESS

- ✓ **Council members' Meeting with Logan Regional Hospital and Sunshine Terrace** will be April 10, 2012. Logan Regional Hospital at 2:00 p.m. and Sunshine Terrace at 3:15 p.m.

COUNCIL MEMBER REPORTS

Gordon Zilles reported he and Vice Chairman Potter have been meeting with the Employee Compensation Committee and will bring the Council an update next month. This is a more complicated issue than originally thought.

Val Potter concurred with Council member Zilles' report.

Kathy Robison asked what issues the county is looking at with health benefits next year? Lemon said he is hopeful the increase in medical won't be as large this year, but is not sure.

Jon White stated he is glad the Council is addressing employee compensation as he considers it the number one issue facing the county.

Craig "W" Buttars told the Council that there is a Mini Water Users Conference tomorrow at the Space Dynamics Lab.

ADJOURNMENT

The Council meeting adjourned at 6:52 p.m.

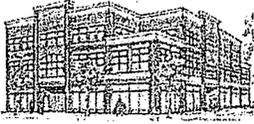
ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: Craig "W" Buttars
Chairman

2012 PRECINCTS/POLLING PLACES

| Precinct | Polling Place |
|----------------------|--|
| Logan 01/07/08/10 | Logan Senior Citizen Center (gym) 240 N 100 East Logan, UT 84321 |
| Logan 02/03/33/27/32 | Logan River Golf Course Banquet Room 575 W 1000 S Logan, UT 84321 |
| Logan 04/25/05/06 | Willow Valley Church Logan City Offices Meeting Rm 825 N 200 West OR 290 N 100 W Logan, UT 84321 Logan, UT 84321 |
| Logan 09/24 | Wilson Elementary School 89 S 500 East Logan, UT 84321 |
| Logan 11/15/23 | Logan 10 th Ward LDS Church 792 N 500 E Logan, UT 84321 |
| Logan 12/13/19/20/21 | Lundstrom Student Center 1295 E 1000 North Logan, UT 84341 |
| Logan 14/22/29 | 8 th - 25 th Ward LDS Church 325 Lauralin Drive Logan, UT 84321 |
| Logan 16/18/26/28 | Central Stake Center 1255 N 600 East Logan, UT 84341 |
| Logan 17/30/31 | Cache Stake Center 250 W 1200 North Logan, UT 84341 |
| Amalga/Benson | Town Hall 6590 N 2400 West Amalga, UT 84335 |
| Clarkston | Town Hall 50 S Main Clarkston, UT 84305 |
| Cornish | Town Hall 14300 N 4800 W Cornish, UT 84308 |
| Hyde Park 01/02 | City Office 113 E Center Hyde Park, UT 84318 |
| Hyrum 01/02/03/04/05 | City Office 83 W Main Hyrum, UT 84319 |
| Lewiston 01/02 | City Office 29 S Main Lewiston, UT 84320 |
| Mendon 01/02 | Historic Mendon Station 95 N Main Mendon, UT 84325 |
| Millville 17/25 | Millville City Pavilion 415 N 100 East Millville, UT 84326 |

| | |
|---------------------------------|---|
| Newton | Town Hall 51 S Center Newton, UT 84327 |
| Nibley 01/03/17/25/C/Y | Nibley City Office 455 W 3200 South Nibley, UT 84321 |
| North Logan 01/05/06 | Professional Development and Technology Center 2035 N 1200 East North Logan, UT 84341 |
| North Logan 02/03/04 | North Logan Library 475 E 2500 North North Logan, UT 84341 |
| Paradise | Town Hall 9035 S 100 West Paradise, UT 84328 |
| Providence 01/02/03/04/05 | Providence 1 st Ward LDS Church 420 W 100 North Providence, UT 84332 |
| Richmond 01/02/Cove | Community Building 6 W Main Richmond, UT 84333 |
| River Heights 01/02 | City Office 520 S 500 East River Heights, UT 84321 |
| Smithfield 01/02/03/04/05/06/07 | Smithfield Armory 50 E 100 North Smithfield, UT 84335 |
| Trenton | Trenton City Office 17 E Main Trenton, UT 84338 |
| Wellsville 01/02/03/04 | 4 th – 8 th Ward LDS Church 49 W 200 South Wellsville, UT 84339 |



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

Memorandum

To: Lynn Lemon
Cache County Executive

From: Lynn Zollinger, P.E.
Cache County Engineer

Date: March 14, 2012

Subject: Mt Pisgah Road Closure Gates

A proposal was brought before the March 2012 roads committee meeting to place road closure gates at three locations to prevent travel on the Mt Pisgah Road during designated time periods. The proposed gate locations are as shown in the attached map drawing. The purpose of the gates is to close the road to public travel in response to the following conditions:

- Recent development of a limestone rock quarry has resulted in improvements to about 2400 feet of the south end of the Mt Pisgah Road extending from SR-91 to the Mt Pisgah Road summit. This section of the road will be available to travel on a year round basis. Beyond this point the public road returns to the unimproved condition, and further travel on the private improved road is prohibited by the property owner. As such, the public may elect to continue travel on the unimproved portion resulting in stranded motorists.
- Areas of the Mt Pisgah Road area not suitable for travel in wintertime weather due to muddy conditions.
- Areas of the Mt Pisgah Road are subject to flooding related to stream flows on the roadway in snowmelt conditions.
- Some steep hillside areas attract abusive off road vehicle travel use resulting in vegetation damage and stream siltation due to erosion.

The designated time periods for annual road closure would be following the deer hunting season in November to a time around the end of May when reasonable travel and road conditions are restored. The road committee approved the proposed gate placement. This proposal is forwarded to you for consideration by the County Council.



Wellsville

89/91

4000 W

680 S-1600 S

3200 W

2800 W

680 S

2400 W

OLD HWY

820 S

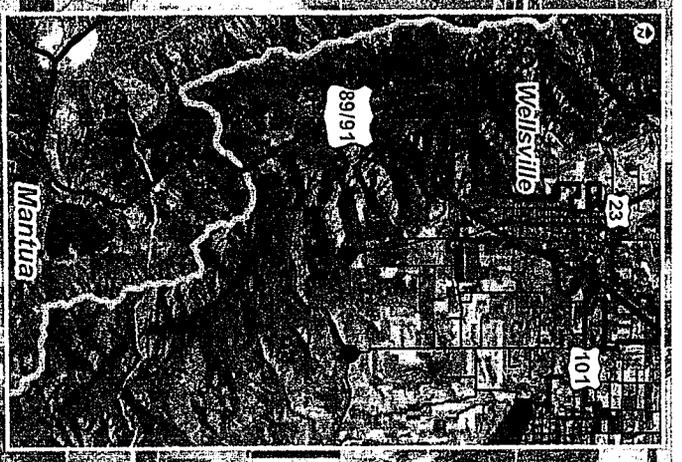
3600 W

8500 S

3200 W

MOUNTAIN

89/91



Wellsville

89/91

Mantua

23

101

Legend

- Proposed Gate Locations
- ~ Highways
- ~ Roads
- ▭ Cache County Boundary
- ▭ Municipal Boundary



Map Created: February 2012





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

Memorandum

To: Lynn Lemon
Cache County Executive

From: Lynn Zollinger, P.E.
Cache County Engineer

Date: March 13, 2012

Subject: South Canyon Slide

A field review of the conditions of the South Canyon Slide was made on March 13, 2012. The site inspection revealed continuing erosion of the roadway surface width has occurred since the road was closed to public travel in November 2011 due to seasonal weather conditions. Measurement of the roadway surface width a narrow point was 11 feet 11 inches. This measurement was taken from the east side embankment to the west side at a point where the embankment falls sharply to the stream below the roadway. The width measurement included an area of somewhat unstable material on the west edge of the roadway, as the roadway width continuous to degrade.

Based on the current minimum measured width I have determined that the South Canyon Road at location of the slide does not meet nationally recognized standards and does not provide a reasonable degree of safety for continued public travel. I recommend that the South Canyon Road **not be opened to travel** as customarily allowed when acceptable travel conditions return in the Spring. South Canyon Road should remain closed to all public travel until the roadway conditions at the slide area restored to an acceptable level. In connection of the closure the following should be accomplished:

- The lock on the South Canyon gate should be changed so that the County holds the only key to operate the gate, and duplicate keys not be issued.
- Signs should be placed on the Weber County side at the control gate near Eden notifying road users of the road closure at the slide area.
- Concrete barriers include appropriating road closed signs be placed to positively block the road on each end of the slide area.
- A sign placed at the East Canyon Road junction notifying that South Canyon Road is closed at gate to all motorized travel.

From: Lynn Zollinger
To: Lynn Lemon
Date: 3/14/2012 2:49 PM
Subject: South Canyon Closure

Lynn-
An alternative road closure plan would be to place 120 feet of concrete barrier along the center of the road separating the slide area from the traveled way. This would allow passage of trailing livestock, off road four wheeler, pedestrian, bicycle, and motor bike traffic while preventing car or truck passage.

Lynn Zollinger

CC: Darrell Erickson; Don Linton; James Swink; Josh Runhaar; Larry Brunson; Preston Ward

CACHE COUNTY, UTAH
ORDINANCE NO. 2012-02

REZONE – PINE CANYON GRAVEL PIT

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

AN ORDINANCE AMENDING THE CACHE COUNTY ZONING MAP

WHEREAS, the “County Land Use Development and Management Act,” Utah Code Ann. §17-27a-101 *et seq.*, as amended (the “Act”), provides that each municipality may enact a land use ordinance and a zoning map establishing regulations for land use and development; and

WHEREAS, pursuant to the Act, the County’s Planning Commission (the “Planning Commission”) shall prepare and recommend to the County’s legislative body, following a public meeting, a proposed land use ordinance and a zoning map, or amendments thereto, that represent the Planning Commission’s recommendations for zoning the area within the county; and

WHEREAS, the Act also provides certain procedures for the County’s legislative body to adopt or amend the land use ordinance and zoning map for the County; and

WHEREAS, the County Council caused notice of the hearing 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 2, 2012, the Planning Commission held a public meeting for a rezone from the Agricultural (A-10) Zone to the Mineral Extraction and Excavation (ME) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on February 2, 2012, the Planning Commission recommended the approval of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, on March 13, 2012, at 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Code. The County Council accepted all comments; and

WHEREAS, after careful consideration of the recommendation of the Planning Commission, comments at the public hearing and other public meetings where such proposed rezone was discussed, and recommendation of County staff, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of Cache County to approve such rezone;

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

1. Statutory Authority.

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3, and 17-53 Part 2 (1953, as amended to date).

2. Approval of Rezone.

The County Council hereby rezones Lot # 11-075-0008 described within Exhibit A from the Agricultural (A-10) Zone to the Mineral Extraction and Excavation (ME) Zone.

3. Adoption of Amended Zoning Map.

The County Council hereby amends the County's zoning map to reflect the rezone of the Property effected by this ordinance and hereby adopts the amended zoning map that is attached as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

4. Findings.

- A. The location of the subject property is compatible with the purpose of the proposed Mineral Extraction and Excavation (ME) Zone.
- B. The subject property is suitable for development within the Mineral Extraction and Excavation (ME) Zone without increasing the need for variances or special exceptions.
- C. The subject property is suitable as a location for all permitted uses within the proposed Mineral Extraction and Excavation (ME) Zone.
- D. The subject property, when used for the permitted uses in the Mineral Extraction and Excavation (ME) Zone, would be compatible with the adjoining land uses as there are existing gravel pits in the surrounding area.

5. Severability.

All parts of this ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

6. Prior Ordinances, Resolutions, Policies and Actions Superseded.

This ordinance amends and supersedes the Zoning Map of Cache County, 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.

7. Exhibits.

Exhibit A: Affected lot of the Cache Valley View Estates rezone:

Parcel ID# 11-075-0008

Exhibit B: Zoning Map of Cache County

8. Effective Date.

This ordinance takes effect on April 10, 2012. 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 this 27th day of March, 2011.

| | In Favor | Against | Abstained | Absent |
|----------|----------|---------|-----------|--------|
| Potter | X | | | |
| Buttars | X | | | |
| White | X | | | |
| Petersen | X | | | |
| Robison | X | | | |
| Yeates | X | | | |
| Zilles | X | | | |
| Total | 7 | 0 | 0 | 0 |

CACHE COUNTY COUNCIL

Craig Buttars

Craig Buttars, Chair
Cache County Council

ATTEST:

Jill Zollinger

Jill Zollinger
Cache County Clerk



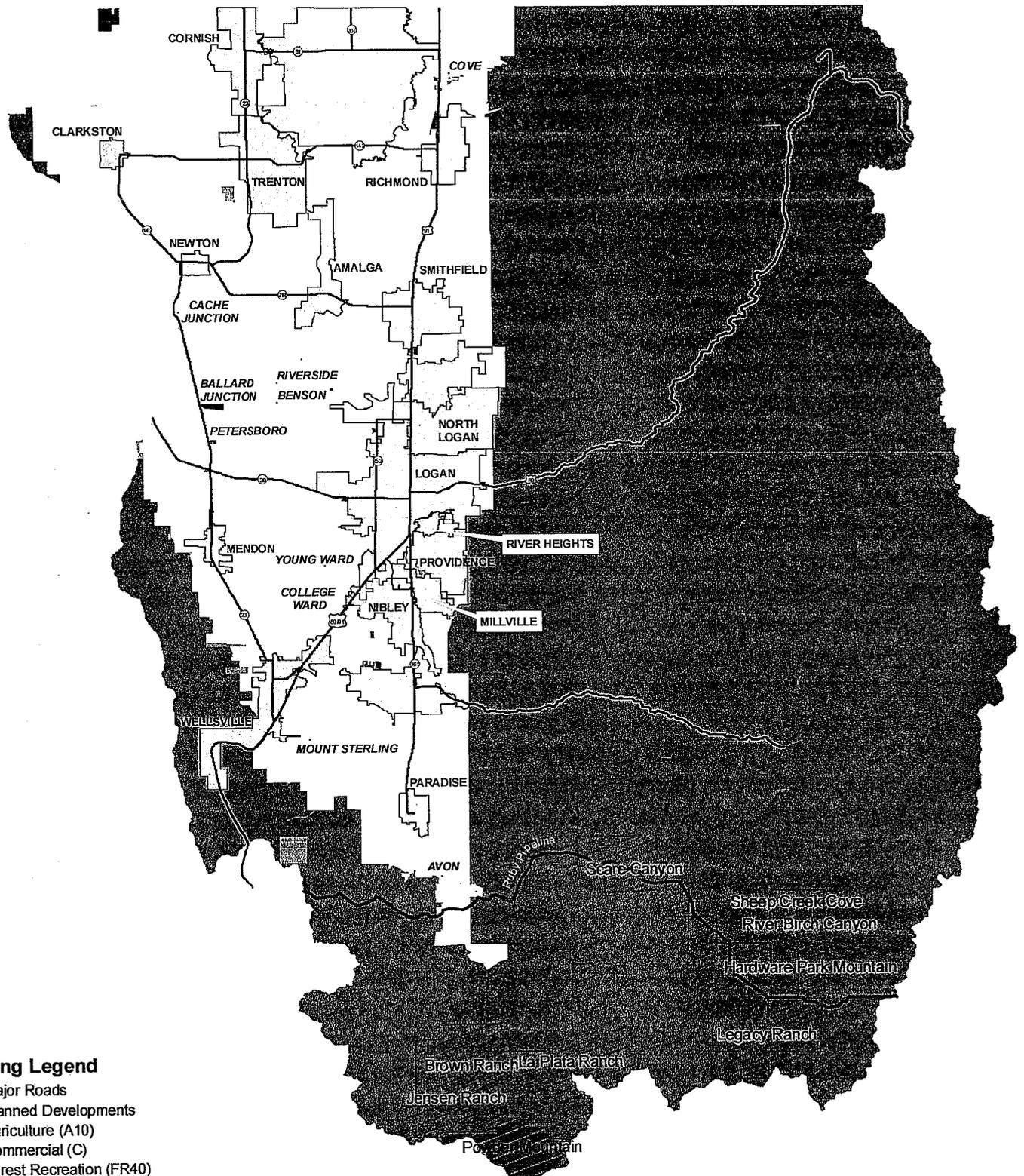
Publication Date: April 10, 2012

Exhibit A



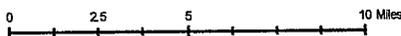


EXHIBIT B



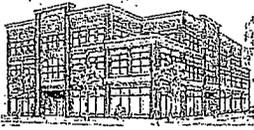
Zoning Legend

- ~ Major Roads
- ▨ Planned Developments
- Agriculture (A10)
- Commercial (C)
- Forest Recreation (FR40)
- Industrial/Manufacturing (IM)
- Mineral Extraction (ME)
- Resort Recreation (RR)
- Rural 2 (RU-2)
- Rural 5 (RU-5)
- Public Infrastructure Overlay Zone (PI)



Map produced March 2012 by Cache County Development Services





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

Project Application

Date Received: 1 FEB 2012 By: CHRS Receipt #: 6234 Amount/Check #: \$8,830.00 / 1010

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

Project Information:

Request Type: Subdivision (29 LOT) Project Name: High Country ^{Estates} Phase #2
 Project Address: 8150 W 1900 N. Petersboro, UT
 Property ID Number(s): 12-046-0002
 Zone: AU 2 (AU-2) Acres: 70.07 Area: Petersboro

Agent Contact Information

Name: Steven & Justin Taylor Mailing Address: 83 Canterbury Cir. Logan UT 84302
 Phone: 435-232-3890 email: stevencraig.taylor@gmail.com
435-232-2889 jt.realstate@gmail.com

Owner Contact Information:

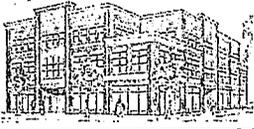
Name: Alton Veibell Mailing Address: 14015 N. 400 West Beaver Dam, UT 84306
 Phone: 435-3429 email: alton.veibell@gmail.com

1. Applications are accepted by appointment only.
2. Incomplete applications will not be accepted.
3. Late applications will be held for the next meeting's agenda.
4. The application fee is not refundable.
5. Any information submitted with this application becomes public record.

The Project Review Process:

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

- 1) The applicant must contact the Development Services Office at (435) 755-1640 and schedule an appointment to submit an application. Staff will review the application with the applicant to ensure that the information submitted is sufficient to completely review the project.
- 2) If the application is complete, information packets are sent to various departments and agencies that provide comments to planning staff. These will be included within the staff report to be submitted to the land use authority.



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

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

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

Project Name: High Country Estates

Agent: Steven and Justin Taylor

Request: 29-lot subdivision

Tax ID: 12-046-0002

Current Zoning: Rural 2 (RU-2)

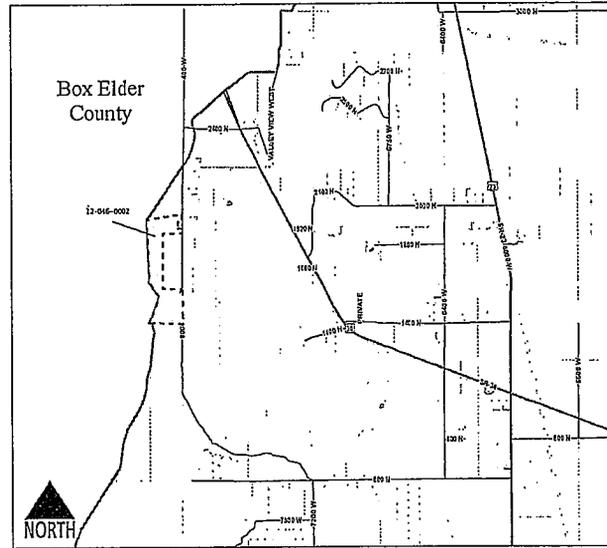
Project Address: 8150 West 1900 North
 Petersboro

Surrounding Uses: North – Agricultural/Box Elder County
 South – Agricultural/Residential
 East – Agricultural/Residential
 West – Box Elder County/Residential

Type of Action: Quasi-Judicial

Staff Advisement: Approval with conditions

Reviewed by: Christopher S. Harrild, Planner II



PURPOSE

To review and make a recommendation to the County Council regarding the proposed High Country Estates subdivision.

PROJECT SUMMARY

This proposal is to create a 29-lot subdivision located at approximately 14015 North 8000 West, Petersboro, in the Rural 2 (RU-2) Zone on 70.07 acres of property on parcel ID# 12-046-0002. The County Council approved the rezone of this property from the Agricultural (A-10) Zone to the Rural 2 (RU-2) Zone on July 26, 2011. As per §17.18.020 of the Cache County Zoning Ordinance the total developable acreage available is 59.51 acres, therefore the maximum number of lots available is 29.

Access:

- Access to this property from 8000 West is adequate. At this access point, county road 8000 West is a 20' wide paved surface.
- The roads within the subdivision will consist of a 66' wide right-of-way, 13' wide asphalt surface travel lanes, and 2' wide gravel shoulders. The road will consist of 8 inches of pit run, 4 inches of road base, and a 3" thick asphalt surface.

Water & Septic:

- An adequate, approved, domestic water right must be in place at the time of final plat recordation for all building lots within the proposed subdivision.
- Culinary water will be provided by the Willow Creek Water Company.
- The proposed lots are feasible for on-site septic tank systems with the requirement that lot specific soil information and percolation tests shall be required in the evaluation and sizing for each individual septic system. Lots that cannot pass the percolation test shall be declared unsuitable for septic tank systems.
- Septic systems shall not be installed on more than a 25% slope.

Service Provision:

- All refuse and recycling containers shall be placed along the side of the interior roads.
- The residents shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane.

- A school bus stop would be located 2400 North 8000 West approximately 6.5 blocks from the proposed subdivision.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.
- The proposed subdivision is in an area that has an adequate water supply for fire suppression. There are currently hydrants every 500' throughout the subdivision area. Access roads are also adequate.

STAFF DETERMINATION

It is staff's determination that the High Country Estates subdivision, a 29-lot subdivision for property located at approximately 14015 North 8000 West with parcel ID# 12-046-0002, is in conformance with the Cache County Ordinance requirements and should be forwarded to the County Council with a recommendation of approval. This determination is based on the following findings of fact:

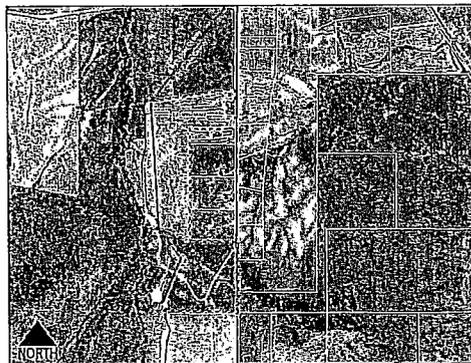
FINDINGS OF FACT (4)

1. The High Country Estates subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The High Country Estates subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The High Country Estates subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The High Country Estates subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

CONDITIONS OF APPROVAL (7)

The following conditions must be met for the developments to conform to the County Ordinance and the requirements of county service providers.

1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. Prior to final plat recordation, adequate, approved, domestic water rights shall be in place for all building lots within the subdivision.
3. Prior to final plat recordation, the design of all roads within the development shall be reviewed and approved by the County Engineer for compliance with applicable codes. A full set of engineered design and construction plans shall be submitted and shall address issues of grade, drainage, base preparation and construction, and surfacing for the road as described in this staff report.
4. An encroachment permit must be obtained for any work within the Cache County right-of-way.
5. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
6. All roads within the development shall be dedicated to Cache County and must also obtain Cache County's post construction approval.
7. A master plan for the open space areas that addresses use, maintenance, ownership, and vegetation shall be submitted to the Cache County Director of Development Services for review and approval.



1 **Janet Ryan** I bought the property from Eddie Gossner, Jr. The Gossner's own most of the plot
2 and ran cattle. I once owned 18 acres and then I split it off for someone else to build a home. So
3 I don't understand this.

4
5 **Larson** if you could coordinate with everyone who owns the property from the original 1970
6 parcel...

7
8 Staff and commission members discussed different options for allowing more lots without going
9 back to the original 1970 parcel.

10
11 **Ms. Ryan** Gossners won't sell. There are a few things held really dear in Young Ward, water
12 and land.

13
14 Staff and commission discussed the reason for a legislative decision on this item and the
15 compatibility of this rezone for the surrounding area. Locations for the RU designation are
16 spelled out through the need for adequate roads, water, and services. If a denial were to happen
17 it was stated that it would be on the grounds that there isn't current access to good roads.
18 Reasons for denial are pretty specific and identified in the ordinance. Many members felt that
19 denial of the project would be justified if the project were larger.

20
21 *Sands motioned for a recommendation of approval of the Janet Ryan Rezone to the County*
22 *Council with the 2 findings of facts and the conditions of approval with the noted changes to*
23 *condition #3; Ellis seconded;*

24
25 Condition of approval #3 was discussed and reworded to read: "The subject property is suitable
26 as a location for all of the permitted uses within the proposed Rural 5 zoning district as there is
27 an existing cluster of homes in the immediate area."

28
29 *Original motion Passed 5, 0.*

30
31 **7:11:00**

32
33 **#3 High County Estates Subdivision (Steven & Justin Taylor)**

34
35 **Sands** informed the commission of an existing conflict of interest with this item and had to leave
36 early.

37
38 **Harrild** reviewed Steven & Justin Taylor's request for a recommendation of approval to the
39 County Council for a 29-lot subdivision on 70.07 acres of property in the Rural 2 (RU-2) Zone
40 located at approximately 8150 West 1900 North Petersboro. This property was rezoned to the
41 RU-2 zone recently. Access for the property is from 8000 West and is adequate. The road
42 within the subdivision will consist of a 66' wide right-of-way and exceeds the county's
43 standards. The water rights will be provided by the existing water company Willow Creek. The
44 lots are feasible for onsite septic systems. All refuse and recycling containers shall be placed
45 along the side of the interior roads. Hydrants every 500 feet are planned for the subdivision and
46 meet the fire code requirements and the roads are feasible for emergency service vehicles. Based

1 on the review, staff is recommending approval of the subdivision with the noted findings of fact
2 and conditions of approval.

3
4 Staff and Commission discussed the project. The water will be a unified culinary system. Staff
5 does not know the requirements the school district uses to decide where bus stops are. There is a
6 bus stop for this subdivision 6 ½ blocks away. Staff doesn't have the information regarding
7 density for the Box Elder side of the county line, but the Cache side density is very sparse. The
8 location of this subdivision is not on prime agriculture ground. Also the 13 foot wide travel
9 lanes are larger than what is required. The road does follow the same standard as the Box Elder
10 side of the subdivision. As far as road plowing is concerned there will be a tradeoff with Box
11 Elder County. There will be times when Box Elder reaches the subdivision first and times when
12 Cache County will. In regards to trash collection, Box Elder will handle their side and Cache
13 will do their side. The open space in the subdivision may remain as it is now but there will need
14 to be recourse with the HOA to take care of problems if they arise. The county isn't requiring a
15 park be built or anything like that, but doesn't want to see a bed of weeds. The road will need to
16 be dedicated to the county and that will occur with the final approval from the County Council.
17 There are lots near this subdivision and they are zoned A-10. There are further phases of that
18 subdivision but they have not been recorded or developed.

19
20 **Justin Taylor** I represent the owner of the property. Of the adjacent 38 lot subdivision, there are
21 only 2 homes that have been built but 5 of those have transferred ownership. The flaw with the 5
22 acres lots is that this is a dry farm area and they do not have irrigation rights for more than ¼
23 acre of irrigation. There is a farmer that has leased the ground back and produces dry farm crops
24 on it. For those that have not allowed the farmer to farm, the land just sits there. Just a couple of
25 comments, in the open spaces there is a trail planned through that space that is planned and will
26 be maintained by the HOA. 2/3 of the road is completed and in use and the rest of the road is
27 developed as well. The L shaped road in the middle of the subdivision is the only piece left to
28 develop and would be developed to the same standards. Just to let you know, out of the 27 lots
29 on the Box Elder side we have 19 sold and there are about 12 new homes that have gone up in
30 the last few years. On completion of the rezone went out we already have lots reserved on the
31 condition of subdivision approval. I think there is a desire to be up on that hill side. The water
32 company has 83 hook ups available. They just finished a 1000 foot well that was approved by
33 the State of Utah and there is a proposal in place for another large tank. The state looks at that
34 water company as solving several of the problems that Beaver Water Company has. This is a
35 great thing for Cache Valley and the area. The group that has purchased the 38 undeveloped lots
36 are private owners in this water company and they are going to come back and redevelop those
37 lots. The public sets the demand for what development is needed and where development should
38 happen. We want to benefit the county and the surrounding neighbors. There are other things in
39 discussion with Lynn Lemon about needs and such in regards to roads in this area and other
40 things to help create solutions for the needs in this area. We've had a good response from the
41 public.

42
43 **Ellis** are there any covenants regarding construction, building techniques, set backs from the
44 roads, etc?

45
46 **Mr. Taylor** we do require setbacks like in the county, and they are the standard 33 feet. There
47 are covenants in regards to the types of homes that can be built and the building materials that

1 can be used. There is a covenant for 1400 square feet finished and 40% of the façade of the
2 buildings has to be masonry product. We've got everything from large families to retirement
3 couples and this is attracting lots of diversity.
4

5 **Ellis** now's the time to get those covenants done.
6

7 **Mr. Taylor** right, the covenants need to be done up front.
8

9 **Larson** I've seen a number of subdivisions lately that discuss the footprint of the home and they
10 don't allow the building to disturb surrounding home. Is that something that you've done?
11

12 **Mr. Taylor** most of it has been dry farm/Ag land. The sensitive areas tend to reside at the tail
13 end of properties or in the open space. It's nice. There is a spring that flows there for most of
14 the year. It's been dry farm to prevent weeds, but hasn't been a high yield type of dry farming.
15

16 **Ellis** neighbors have been notified?
17

18 **Mr. Taylor** they should have. I believe the typically notification happened.
19

20 *Ellis motioned to recommend approval to the County Council for the High Country Estates*
21 *subdivision with the stated findings of facts and conditions of approval; Allen seconded; Passed*
22 **4, 0.**
23

24 **7:40:00**
25

26 **#4 Amendments to Manual of Roadway Design and Construction Standards**
27

28 **Runhaar** reviewed the amendments to the Manual of Roadway Design and Construction
29 Standards. Many of the needed changes are minor changes. However, after discussions with the
30 county engineer we've decided to reduce the shoulder requirement to 2 feet and that is the edit
31 needed in Table 2.2 also. The clear zone will still remain in effect with this, but the county
32 doesn't need a 5 foot shoulder. The language under major work has been cleaned up and now
33 states: "Any work that disrupts the roadway surface or structure including but not limited to road
34 rebuild, resurface, excavation, shoulder or drainage work, installation of utilities, or other items
35 as determined by the permit authority." Anything that impacts the road is going to be
36 considered major work and will need to be handled appropriately. If they have to close lanes of
37 traffic to work on utilities or projects in the shoulder of the road it will be considered major
38 work. The county is trying to push utilities to the furthest extent of the County's right of way
39 and that is to protect the County. The biggest change comes under section 5.6. Typically when
40 cities have annexed land, they annex only the land and leave the road in the county. Staff is
41 trying to address that issue road by road. The County is going to start appealing any annexation
42 that does not include the road because the County cannot maintain roads where the County has
43 no development. Part A of section 5.6 comes into play when a development in the county
44 directly accesses the city's road, ex. a driveway or a private road to a subdivision.
45

46 *Allen motioned to recommend approval to County Council; Watterson seconded; Passed 4, 0.*
47

1 7:59:00

2

3 **#5 Amendments to Title 17**

4

5 **Runhaar** reviewed the amendments to Title 17 section 17.07 and section 17.09. The biggest
6 change occurs in definitions. There are many uses that are not currently defined in the
7 definitions. There is now a use related definitions section and a general definitions section. The
8 terms in the definitions section have also been broadened and generalized to help simplify the
9 definitions section. Staff is also looking at eliminating the small business section and drafting it
10 into a home based business section. When it comes to small business, the commission has liked
11 to see the businesses be a conditional use and not a rezone, however, it is more appropriate to
12 address commercial business with proper zoning and not with conditional use permits.

13

14 **8:21:00**

15

16 **Adjourned**

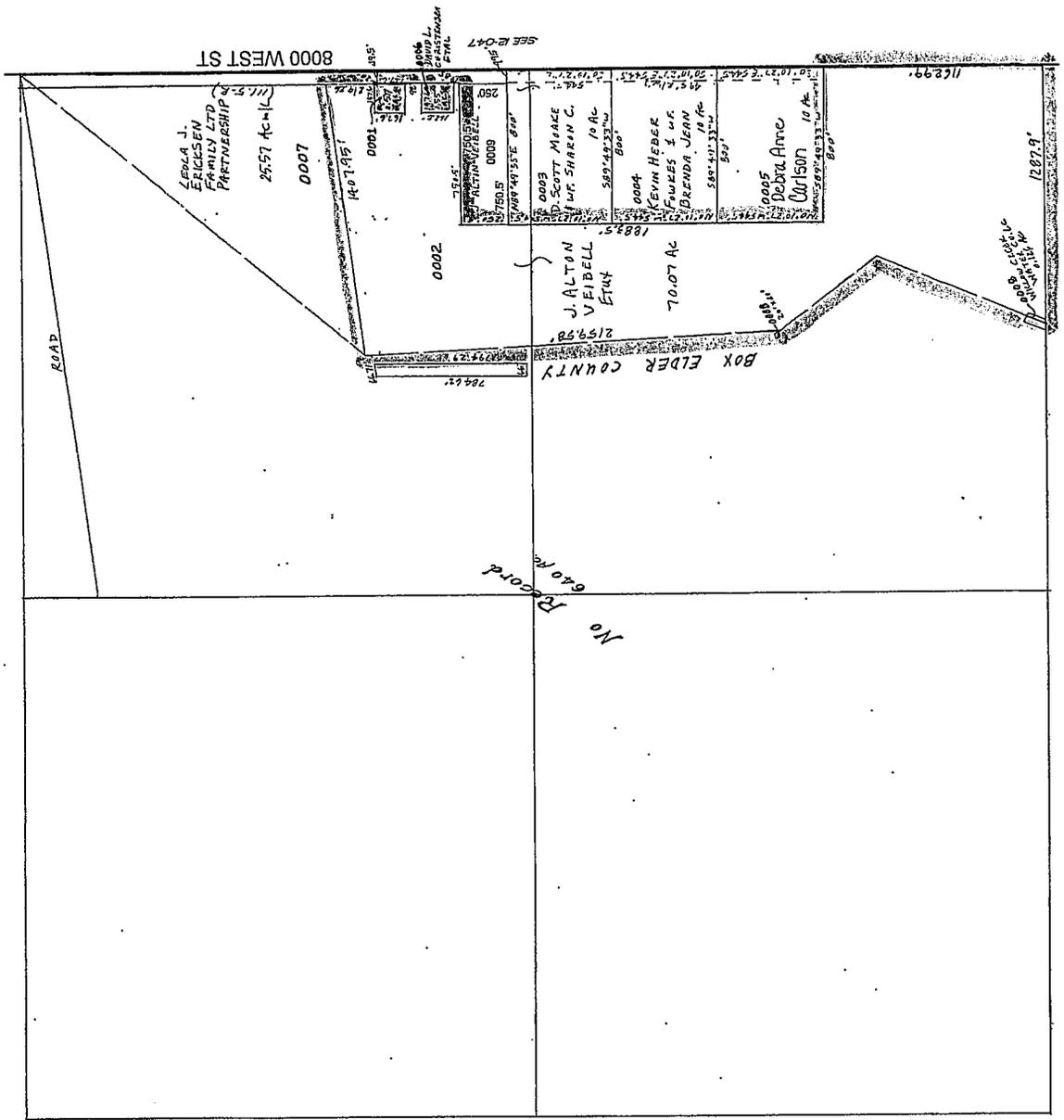
DRAFT

12-046

SECTION 23, TOWNSHIP 12 NORTH, RANGE 2 WEST.

SCALE 1 INCH = 6 CHAINS.

TAX UNIT 28





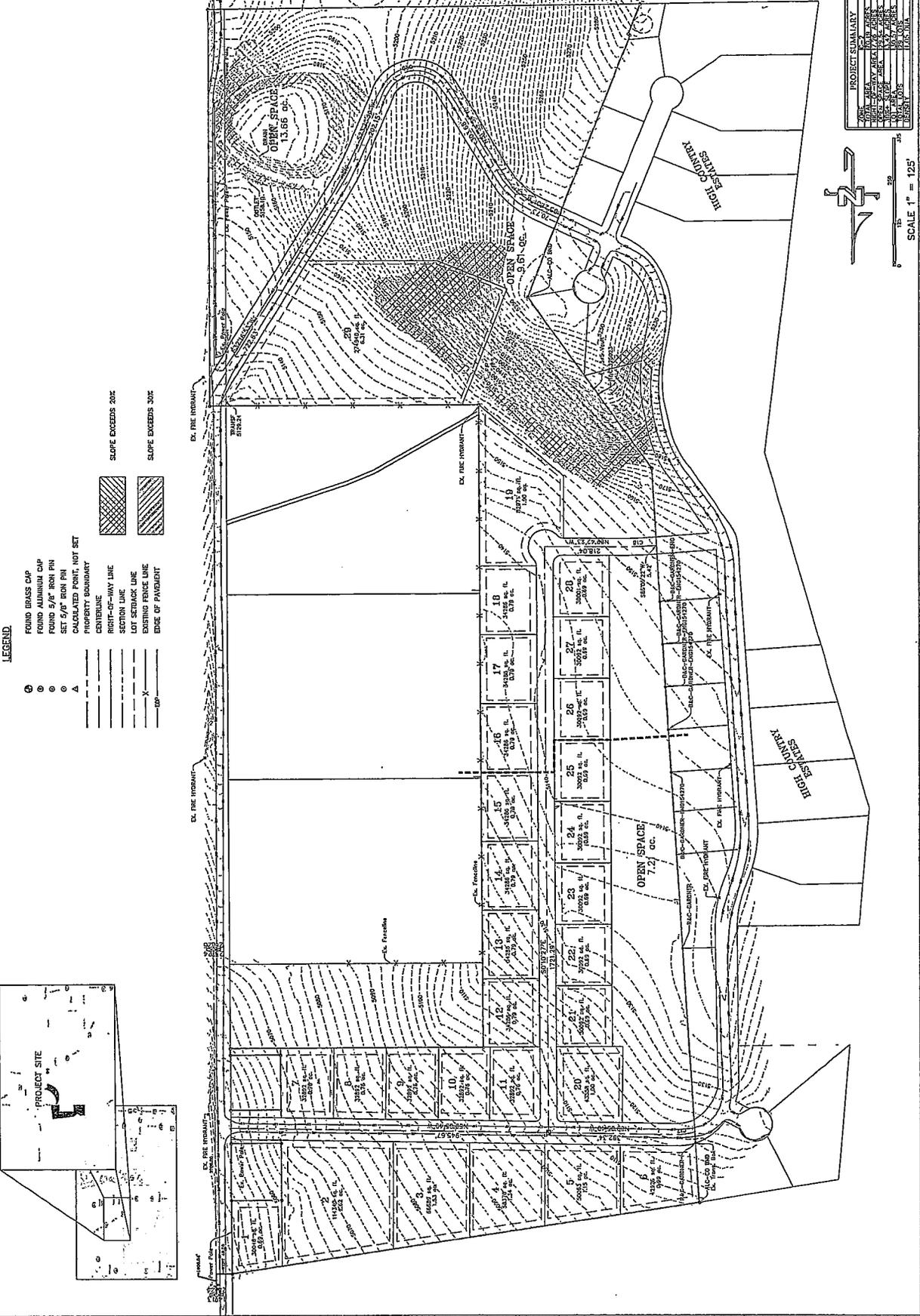
DSI
ENGINEERING
1800 NORTH 8000 WEST
PETERSBORO, UTAH 84202
PHONE: 435-735-1111
FAX: 435-735-1112

| MARK | DATE | DESCRIPTION |
|------|------|-------------|
| A | | |
| A | | |
| A | | |
| A | | |
| A | | |

PROJECT # :
SCALE: 1" = 125'
DATE: AUGUST, 2011
APPROVALS
DESIGNED BY: SH
DRAWN BY: SH
CHECKED BY: RE

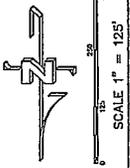
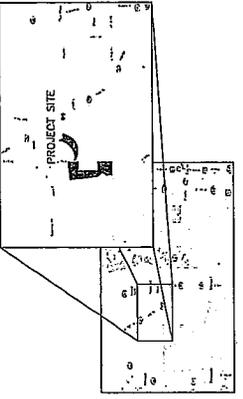
SHEET TITLE
CONCEPT PLAN

SHEET NUMBER
1 OF 1



LEGEND

- FOUND BRASS CAP
- FOUND ALUMINUM CAP
- FOUND 3/4" IRON PIN
- SET 3/4" IRON PIN
- △ SAGGATED POINT, NOT SET
- PROPERTY BOUNDARY
- CENTERLINE
- RIGHT-OF-WAY LINE
- SECTION LINE
- LOT SETBACK LINE
- EXISTING FENCE LINE
- EDGE OF PAVEMENT
- SLOPE EXCEEDS 30%
- SLOPE EXCEEDS 30%



PROJECT SUMMARY

| | |
|----------|-------------------------|
| DATE | 10/11/11 |
| AREA | 1800 NORTH 8000 WEST |
| PROJECT | RESIDENTIAL DEVELOPMENT |
| OWNER | 1800 NORTH 8000 WEST |
| DESIGNER | DSI ENGINEERING |
| DATE | 10/11/11 |
| BY | SH |
| CHECKED | RE |
| DATE | 10/11/11 |
| BY | RE |
| CHECKED | RE |
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| BY | RE |
| CHECKED | RE |

**CACHE COUNTY, UTAH
RESOLUTION**

RESOLUTION NO. 2012-06

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 OF CACHE COUNTY APPROVING AMENDMENTS TO THE
CACHE COUNTY MANUAL OF ROADWAY DESIGN AND CONSTRUCTION
STANDARDS**

WHEREAS, the Cache County Council has adopted Title 12: Roadways and Public Places; and

WHEREAS, the amendments to the Manual of Roadway Design and Construction Standards has been reviewed by members of the Cache County Council; and

WHEREAS, Cache County has developed consistent standards for the development of roads in the interest of the health, safety, and welfare of persons travelling County roadways; and

WHEREAS, the amendments to the Manual of Roadway Design and Construction Standards was submitted to the Cache County Planning Commission ("Planning Commission") and on March 1st, 2012, the Planning Commission recommended approval of the proposed amendments to the Manual of Roadway Design and Construction Standards to 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 amendments to the Manual of Roadway Design and Construction Standards.

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

The amendments to the Cache County Manual of Roadway Design and Construction Standards attached as Exhibit A are hereby approved, superseding the prior Cache County Manual of Roadway Design and Construction Standards.

APPROVED AND ADOPTED this 27th day of March, 2012.

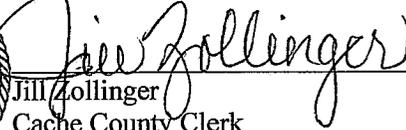
CACHE COUNTY COUNCIL



Craig Buttars, Chair
Cache County Council



ATTEST:



Jill Zollinger
Cache County Clerk

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| A 6.0 | PLANNED ROAD CONDITIONS CLASSIFICATION | <u>40A13</u> |

**Table 2.2
Roadway Typical Sections**

| | | Private ⁶ | Mountain Road ^{1,2,6} | Rural ⁶ | Local | Collector | Arterial |
|---------|---|----------------------|--------------------------------|--------------------|----------------|-----------|-----------|
| Planned | Planned Design Limits - Approximate ADT | Under 30 | Under 30 | Under 30 | 30-1500 | 1500-5000 | Over 5000 |
| | Minimum Width (feet) | | | | | | |
| | Travel Lane ³ | 10 | 12 | 10 | 10 | 11 | 12 |
| | Right-of-Way | 33 | 66 | 66 | 66 | 80 | 100 |
| | Median/Turn Lane ⁴ | - | - | - | 12 | 12 | 14 |
| | Shoulder (each side) | 0 | 0 | 2 | 5 ₂ | 6 | 8 |
| | Paved Shoulder | 0 | 0 | 0 | 1 | 3 | 3 |
| | Road Surface Material ⁵ | Gravel (A) | Gravel (A) | Gravel (A) | Paved (B) | Paved (B) | Paved (C) |

¹ Single lane roads may be permitted for Mountain roadways.

² Single lane roads do not provide adequate levels of service to development and may be required to meet the Rural road standard, provide pullouts, or other improvements as deemed necessary to provide adequate service provision in compliance with this standard, the County Code, and the latest edition of the International Fire Code.

³ Minimum roadway is 2 lanes of traffic unless otherwise specified.

⁴ Provided only where needed as determined by the County Engineer or a Traffic Impact Study

⁵ Refer to Appendix Table A-8 Typical Cross Section Structural Values

⁶ No commercial or industrial development shall be permitted.

B. Roadway standard structural cross sections shall comply with standard sections as shown in Table A-8 in the Appendix. The applicable structural section may be amended based on a review of the roadway by the Director. Consideration will be given to traffic volumes and general knowledge of site conditions. As an alternative, the proposed roadway structural section thickness design may be based on subsurface soil conditions and design year traffic volumes. Structural section thickness shall be determined by a licensed geotechnical engineer and approved by the County Engineer. A soils investigation shall be submitted that includes but is not necessarily limited to:

1. Soil borings along roadway centerline and other areas as needed.
2. Analysis on the overall bearing capacity of the soil.
3. Recommendation for structural road cross section.
4. Recommendation as to the requirements for land drains to adequately collect groundwater that may adversely affect development.
5. Cut and fill slope requirements.
6. Compaction requirements.

2.4 Improvements to County Roadways

A. Any and all improvements made to County roads or within County rights-of-way or roadway easements shall meet the minimum standards as adopted within the County Manual of Roadway Design and Construction Standards.

1. Basic Improvement Requirements

conditions and stipulations of the encroachment permit. The County may require that the contractor's bond or other financial surety be utilized to finish the project, correct deficiencies created by the contractor, or to return the infrastructure to its pre-construction status.

- D. Any person maintaining facilities within County rights-of-way may proceed with emergency work on said facilities if the circumstances demand the work be done immediately; provided that a permit cannot be reasonably and practicably obtained prior to commencing the work. Any emergency work shall conform to these Standards, and the person(s) doing the work shall immediately contact the County Road Superintendent or the County Engineer.
- E. Inspection of Construction: The County shall cause the inspection of roadway, access, utility, or other development to be inspected as deemed necessary. Any costs associated with the inspection process shall be paid by the developer of the improvements. The County has the right to require the correction of construction deficiencies that fail to meet this standard or generally accepted construction standards. The County may refuse to accept any infrastructure improvements that fail to meet this standard and can cause the correction or reconstruction of said infrastructure.
- F. Licensed and Bonded Contractor Required:
 - 1. The contractor performing the proposed work shall be licensed and bonded to perform the type of work proposed. A performance bond for a one year term in the amount equivalent to the value of the proposed work shall be posted naming the County as owner.
 - 2. If corrective action pertaining to permitted work is necessary, the County shall request the contractor to perform such work at no cost to the County. If a favorable response is not received in a reasonable time frame the County will call upon the bond to complete the work.
 - 3. The County may inspect and approve project components as deemed necessary.
 - 4. The County may waive this requirement if it is deemed to not be necessary.

**Table 2.3
Encroachment Permit Requirements**

| | Permit Required | Traffic Control | Inspection | L/B Contractor Required |
|--------------------------------------|-----------------|-----------------|------------|-------------------------|
| Mountain Road | | | | |
| Minor Work | Yes | TBD | TBD | TBD |
| Major Work | Yes | Yes | Yes | Yes |
| Rural Road | | | | |
| Minor Work | Yes | TBD | TBD | TBD |
| Major Work | Yes | Yes | Yes | Yes |
| Local, Collector, or Arterial | | | | |
| Minor Work | Yes | TBD | TBD | TBD |
| Major Work | Yes | Yes | Yes | Yes |

| | |
|------------|---|
| Minor Work | Agricultural Access, Driveway Access, placement of mailboxes/fences etc., other work that does not impact the traveled way. |
| Major Work | <u>Any work that disrupts the roadway surface or structure including but not limited to Road road rebuild or /widening, resurface/excavation, shoulder or drainage work, new road construction, road cut for installation of utilities, or other items as determined by the permit authority.</u> |
| TBD | The County Engineer shall provide a determination as to the need for various portions of the permit based on the work being performed. |

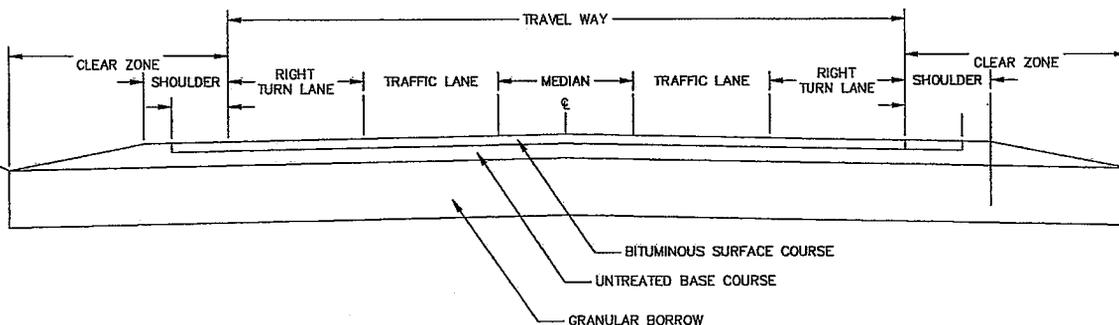
5.6 Access Requirements for Multi-Jurisdictional Development

- A. County Developments Accessing City Roadways: No development within the unincorporated County shall be permitted to utilize a roadway for direct access that is under the jurisdiction of a municipality without express written approval from the affected municipality. Unincorporated development shall be required to meet all standards and requirements as established by the municipality as part of the conditions for development. Direct access shall constitute driveway or private road access from a public roadway.
- B. Municipal Development Accessing County Roadways: No municipal development shall be permitted to access a County roadway without the express written approval from the Cache County Council. It is the policy of Cache County that no service shall be provided to municipal developments from County roadways unless extreme circumstances provide no alternative and annexation or acceptance of ownership of the roadway by the municipality is not possible.

Table A-6
Typical Cross Section Minimum Standards

| | | Minimum Width of Traffic Lanes (ft) for Specified Design Volume (ADT) | | | | |
|------------------------|--------------------|---|-----------|----------------|--------------|-----------|
| Roadway Classification | Design Speed (mph) | Mountain | Rural | Local | Collector | Arterial |
| | | Under 50 | Under 200 | 200 to 1500 | 1500 to 5000 | Over 5000 |
| | 15/20 | 12 | 10 | - | - | - |
| | 25 | 12 | 10 | 10 | - | - |
| | 30 | 12 | 10 | 10 | 11 | - |
| | 40 | - | 10 | 10 | 11 | 12 |
| | 45/50 | - | 10 | 11 | 11 | 12 |
| | 55 + | - | 11 | 11 | 12 | 12 |
| Minimum | R/W Width | 66 | 66 | 66 | 80 | 100 |
| | Median Width | - | - | 12 | 12 | 14 |
| | Right Turn Lane | - | - | 12 | 12 | 12 |
| | Shoulder Width | 0 | 2 | 5 ₂ | 6 | 8 |

Figure A-7
Typical Cross Section



N. Gravel Road Structural Construction

1. All work shall be verified by an independent soils testing materials technician acceptable to the County. The materials technician shall provide certification of each phase of the completed work to the County.
2. Topsoil and organic material shall be excavated from the roadway alignment area to a depth and width to accommodate the placement of sub base materials.
3. Underlying soils shall be proof rolled with a vibratory compactor roller. Adequate rolling and compaction of soft areas shall be verified by observation by the materials technician.
4. Geotextile reinforcement shall be placed in saturated or soft soil areas as deemed necessary by the County Engineer.
5. Compacted granular borrow shall be placed to the specified depth and width in accordance with Table A-8. The soils technician shall verify proper gradation, placement, and compaction of the material.

**CACHE COUNTY, UTAH
RESOLUTION**

RESOLUTION NO. 2012-07

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 AMENDING THE CACHE COUNTY BOARD OF ADJUSTMENTS
BYLAWS AND RULES OF PROCEDURE**

WHEREAS, Title 17.02.020 establishes the Cache County Board of Adjustment ("Board") and requires that said Board shall adopt bylaws and rules of procedure, and;

WHEREAS, the proposed amendments to the Board bylaws and rules of procedure have been reviewed by the Cache County Council, and;

WHEREAS, the proposed amendments were approved by the Board on March 15th, 2012, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to implement the amendments.

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

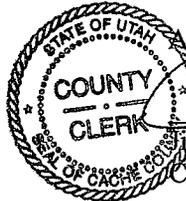
The amendments to the Cache County Board of Adjustments bylaws and rules of procedure attached as Exhibit A are hereby approved, superseding all prior bylaws and rules of procedure of the Cache County Board of Adjustments.

APPROVED AND ADOPTED this 27th day of March, 2012.

CACHE COUNTY COUNCIL

Craig W Butters

Craig Butters, Chair
Cache County Council



ATTEST:

Heidi Zollinger

Heidi Zollinger
Cache County Clerk

**Cache County Board of Adjustments
By-Laws and Rules of Procedure
Adopted March 27th, 2012**

ARTICLE 1 - OBJECTIVES

1-1. This Board, established in conformance with the motion adopted by the Cache County Council on the 6th day of December, 1958, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of State Code Ann. §17-27a Part 3.

1-2. The official title of this Board shall be the "Cache County Board of Adjustments".

ARTICLE 2 - MEMBERS

2-1. The Cache County Board of Adjustments shall consist of (5) voting members.

2-2. As the term of the members first appointed to this Board, or their replacements, expire, their successors shall be appointed for terms of three (3) years or to fulfill the previously designated term. Each member shall be recommended by the County Executive and evaluated and confirmed by the County Council prior to their appointment or reappointment to the Board of Adjustments.

2-3. Any appointed member may be removed by the County Council for inefficiency, neglect of duty, or malfeasance in office. Such removal may be made only after a public hearing when the member is given an opportunity to appear and be heard on the charges against him.

2-4. The Council may provide for the payment of expenses and a reasonable compensation for members of the Board who are not County employees.

ARTICLE 3 - OFFICERS AND THEIR SELECTION

3-1. The officers of the Board of Adjustments shall consist of a Chair, a Vice-Chair, and a Secretary. With consent of the Board, the Director of Development Services, the Zoning Administrator, or similar official may serve as Secretary of the Board; otherwise, the Secretary shall be selected from the membership.

3-2. Nomination of officers shall be made by the general membership of the Board of Adjustments at the regularly scheduled November meeting of the Board each year. The election of officers shall follow immediately.

3-3. A candidate receiving a majority vote of the entire membership of the Board of Adjustments shall be declared elected. He/She shall take office January 1st, the following year and serve for one (1) year or until their successor shall take office.

ARTICLE 4 - DUTIES OF OFFICERS

4-1. The Chair shall be an appointed member of the Board and shall:

4-1-1. Preside at all meetings.

4-1-2. Appoint committees, special and/or standing and liaisons.

4-1-3. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote of the members present).

4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.

- 4-1-5. Represent the Board before the County Council and other public bodies except when this responsibility has been delegated to an appropriate official or Board member.
- 4-1-6. Carry out other duties as assigned by the Board.
- 4-1-7. Fill any vacancies in the offices of Vice-Chair or Secretary by appointment lasting through January 1st of the following year.
- 4-2. The Vice-Chair shall be an appointed member of the Board and shall:
 - 4-2-1. Act in the absence or inability of the Chair to act.
 - 4-2-2. Have the powers to function in the same capacity as the Chair in cases of the Chair's inability to act.
 - 4-2-3. Fill immediately any vacancy in the office of Chair through January 1st of the following year.
 - 4-2-4. Be responsible for the orientation of new members of the Board.
- 4-3. The Secretary shall:
 - 4-3-1. Keep a written record of all business transacted by the Board.
 - 4-3-3. Keep a file of all official records and reports of the Board.
 - 4-3-4. Certify all minutes of the Board.
 - 4-3-5. Give notice of all hearings and public meetings.
 - 4-3-6. Attend to the correspondence of the Board.
 - 4-3-7. Keep a set of minutes.
 - 4-3-8. Prepare and be responsible for the publishing of all advertisements relating to public hearings.
 - 4-3-9. If the Secretary is an appointed member of the Board, the Secretary may, with the consent of the Board, delegate any of the above responsibilities of the Secretary to the Director of Planning, Zoning Administrator or similar official, except that the certification of minutes of the Board may not be delegated.

ARTICLE 5 - STANDING AND SPECIAL COMMITTEES

- 5-1. Any standing committees may be appointed by the Chair. Necessary standing committees should be appointed within thirty (30) days after the Chair takes office.
- 5-2. Any special committees may be appointed by the Chair and shall function for a duration as set by the Chair. The duties and responsibilities of any special committee shall be clearly defined and outlined at a regularly schedule Board of Adjustments meeting.
- 5-3. Each standing and special committee shall prepare a written report of meetings held to become a part of the permanent records of the Board.

ARTICLE 6 - MEETINGS

- 6-1. Regular meetings of the Board shall be held on the third Thursday of each month, commencing at 6:00 p.m. and ending at 7:00 p.m. Meetings may be extended beyond 7:00 p.m. with the approval of two-thirds (2/3) of the members present. When a meeting date falls on a legal holiday, the meeting shall be held on the week following unless otherwise designated by the Board.

6-2. Special meetings shall be called at the request of the Chair or at the request of any two members of the Board. Written notice which states the time and purpose of the special meeting shall be given to each member at least five (5) days prior to such meetings. Noticing of special meetings shall be made in compliance with State Code Ann. §17-27a Part 2 and §17-53 Part 4.

6-3. A majority of the membership of the Board shall constitute a quorum. When a quorum is present, a majority vote of the entire Board of Adjustments (a minimum of three (3) votes) is sufficient for the adoption of any motion. Voting may be a roll call, in which case a record shall be kept as part of the minutes. Any member shall have the right to demand a roll call vote.

6-4. Meetings shall be open to the public except when deemed necessary, in which case the Board may go into Executive (closed) Session, when the provisions of the Utah Open and Public Meetings Act, State Code Ann §17-53 Part 4, shall be in effect.

ARTICLE 7 - ORDER OF BUSINESS

7-1. The order of business for a Regular Meeting shall be:

7-1-1. Call to Order by the Chair

7-1-2. Opening Remarks

7-1-3. Roll call by the Secretary

7-1-3-1. Determination of a quorum

7-1-4. Approval of agenda

7-1-5. Approval of minutes

7-1-6. Report of the Secretary

7-1-7. Agenda Items

7-1-8. Report of Special Committees

7-1-9 Liaison Reports

7-1-10 Zoning Administrator's Report

7-1-11 Adjournment

7-2. The applicant comment portion of the meeting will be limited to 30 minutes for each agenda item unless otherwise specified by the Chair.

ARTICLE 8 – COMMUNICATION AND CORRESPONDENCE

8-1. To ensure that the decision-making process is fair and impartial, the Board of Adjustments is to abide by certain standards regarding "ex parte" communication on cases under review.

8-1-1. Ex parte communication is defined as "oral or written, off-the record communication made to or by a Board member or Board decision-making personnel, without notice to parties, that is directed to the merits or outcome of an on-the-record proceeding."

8-1-2. If prohibited ex parte communication is attempted, the Board member involved should first attempt to stop the party from engaging in prohibited behavior, then document the attempt and notify the Secretary. The Secretary will then enter a statement into the public file and make copies of the statement available to other parties in the case.

8-2. If the Board of Adjustments and/or a Board member determines that there is a conflict of interest on an agenda item, that Board member shall not participate in the discussion or action on that agenda item. In such event, the Board member shall seat themselves in the audience or leave the room. For purposes of determining the existence of a quorum or a vote determination, that Board member shall not be counted.

8-3. It shall be the duty of the Secretary to communicate by telephone or other means when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

8-4. All official papers and plans involving the authority of the Board shall bear the signature of the Chair or Vice-Chair.

ARTICLE 9 - AMENDMENTS

9-1. These by-laws may be changed by a recorded two-thirds (2/3) vote of the entire Board of Adjustments and approval by the County Council.

**CACHE COUNTY, UTAH
RESOLUTION**

RESOLUTION NO. 2012-08

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 PERMITS OF THE
CACHE COUNTY DEVELOPMENT SERVICES DEPARTMENT**

WHEREAS, Title 16.01.080 and Title 17.06.030 requires application for subdivision and land use permitting, and the Manual of Roadway Design and Construction Standards, section 2.6 requires encroachment permitting in county rights-of-way, and;

WHEREAS, the proposed application forms and permits have been reviewed by the Cache County Council, and;

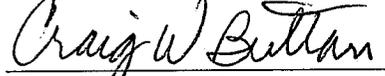
WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to implement the application forms and permits.

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

The application forms attached as Exhibit A are hereby approved for the Development Services Department, superseding all prior application forms and permits.

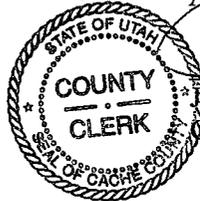
APPROVED AND ADOPTED this 27th day of March, 2012.

CACHE COUNTY COUNCIL



Craig Butters, Chair
Cache County Council

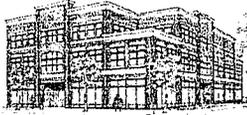
ATTEST:




Jill Zollinger
Cache County Clerk

EXHIBIT A

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



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

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: _____ Email: _____

Phone: _____ Mailing Address: _____

Owner Contact Information:

Name: _____ Email: _____

Phone: _____ Mailing Address: _____

1. Applications are accepted by appointment only.
2. Incomplete applications will not be accepted.
3. Late applications will be held for the next meeting's agenda.
4. The application fee is not refundable.
5. Any information submitted with this application becomes public record.
6. Your greenbelt taxation status and value of your property may change by proceeding with this application. Please contact the County Assessor's Office for more information.

The Project Review Process:

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

- 1) The applicant must contact the Development Services Office at (435) 755-1640 and schedule an appointment to submit an application. Staff will review the application with the applicant to ensure that the information submitted is sufficient to completely review the project.

- 2) If the application is complete, information packets are sent to various departments and agencies that provide comments to planning staff. These will be included within the staff report to be submitted to the land use authority.
- 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 department reviews to prepare the staff report.
- 5) Notices are mailed to the owner(s), surrounding property owners, placed in the Herald Journal, and posted online at 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 the staff report, the Planning Commission's recommendation, and any other pertinent information for County Council's review.

| 2012 Meeting Dates and Application Deadlines | | | | | | |
|--|---|-------------------------------------|--|---------------|--|-------------------------------------|
| Planning Commission (1 st Thursday of each month) | | | County Council (2 nd & 4 th Tuesday) | | Board of Adjustment (3 rd 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 6:00 PM |
| 30 Nov | 7 Dec | 5 Jan | 10 Jan | 24 Jan | 28 Dec | 19 Jan |
| 28 Dec | 4 Jan | 2 Feb | 7 Feb | 28 Feb | 25 Jan | 16 Feb |
| 25 Jan | 1 Feb | 1 Mar | 13 Mar | 27 Mar | 22 Feb | 15 Mar |
| 29 Feb | 7 Mar | 5 Apr | 10 Apr | 24 Apr | 28 Mar | 19 Apr |
| 28 Mar | 4 Apr | 3 May | 8 May | 22 May | 25 Apr | 17 May |
| 2 May | 9 May | 7 Jun | 12 Jun | 26 Jun | 30 May | 21 Jun |
| 30 May | 6 Jun | 5 Jul | 10 Jul | 31 Jul | 27 Jun | 19 July |
| 27 Jun | 3 Jul | 2 Aug | 14 Aug | 28 Aug | 25 Jul | 16 Aug |
| 1 Aug | 8 Aug | 6 Sep | 11 Sep | 25 Sep | 29 Aug | 20 Sep |
| 29 Aug | 5 Sep | 4 Oct | 9 Oct | 23 Oct | 26 Sep | 18 Oct |
| 26 Sep | 3 Oct | 1 Nov | 13 Nov | 27 Nov | 24 Oct | 15 Nov |
| 31 Oct | 7 Nov | 6 Dec | 4 Dec | 11 Dec | 28 Nov | 20 Dec |

Boundary Line Adjustment - Application Checklist and Acknowledgement:

A completed application must include the following unless specified otherwise:

- 1) A completed application form and **non-refundable** review fee (cash or check only):
Administrative Review - \$50 base fee and \$50 per lot
Requiring a public meeting: \$100 base fee and \$50 per lot
- 2) A plat map for each adjusted property.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for each adjusted property.
- 4) The name(s) and full mailing address(es) for all owner(s) of each adjusted property.
- 5) *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6) A digital copy (text file) of the old and new legal descriptions for each adjusted lot.
- 7) A survey of the property. (Submit a digital pdf copy to: chris.harrild@cachecounty.org)
a) An optional survey waiver can be obtained in certain circumstances.
- 8) A current letter report from a title company for each adjusted property dated within 30 days of when the application is filed.
- 9) *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, 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.
- 10) *If* any company owned ditch/canal crosses the site, provided the name and contact information of the irrigation/canal company. Further approvals may be required based on the proposed use.

****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 - Application Checklist and Acknowledgement:

A complete application must include the following unless specified otherwise:

- 1) A completed application form and **non-refundable** review fee (cash or check only):
The first 10 lots: \$350 per lot
>10 lots: \$250 per lot
Engineering Review: \$20 per lot
- 2) A plat map for each property to be subdivided.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for each property to be subdivided.
- 4) The name(s) and full mailing address(es) for all owner(s) of the property.
- 5) A septic tank feasibility letter or copy of septic tank permits for all proposed lots as deemed necessary by the Bear River Health Department.
- 6) Verification of an approved, domestic water right in the owner's name for each lot. (Obtained from the State Water Engineer, State approved culinary water system, or a City/Town)
a) Lots designated as Dry Lots must be reviewed by the Zoning Administrator and will not require a water right.
- 7) A survey of the property. (Submit a digital pdf copy to: chris.harrild@cachecounty.org)
- 8) A current Letter Report from a title company for all parcels within the subdivision dated no more than 30 days prior to the submittal of the application.
- 9) **If** the owner of record is not the acting agent, an agent letter must be included; **Also**, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 10) **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, 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.
- 11) **If** any company owned ditch/canal crosses the site, provided the name and contact information of the irrigation/canal company. Further approvals may be required based on the proposed use.
- 12) **If** applicable, the current or proposed Homeowner's Association, CC&R's, other restrictions, right-of-way/easement information, or similar.

****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 application form and *non-refundable* review fee(cash or check only):
Administrative Review - \$50 base fee and \$50 per lot
Requiring a public meeting: \$100 base fee and \$50 per lot
- 2) A plat map for each property.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for each property to be subdivided.
- 4) The name(s) and full mailing address(es) for all owner(s) of the property.
- 5) *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6) *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, 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.
- 7) *If* any company owned ditch/canal crosses the site, provided the name and contact information of the irrigation/canal company. Further approvals may be required based on the proposed use.
- 8) *If* applicable, a septic tank feasibility letter or copy of septic tank permits for all lots as deemed necessary by the Bear River Health Department.
- 9) *If* applicable, the current or proposed Homeowner's Association, CC&R's, other restrictions, right-of-way/easement information, or similar.
- 10) A survey of the property. (Submit a digital pdf copy to:chris.harrild@cachecounty.org)
 - a) An optional survey waiver can be obtained in certain circumstances.
- 11) *If* creating a new lot, verification of an approved, domestic water right in the owner's name for each lot. (Obtained from the State Water Engineer, State approved culinary water system, or a 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 application form and **non-refundable** review fee (cash or check only):

| | |
|------------------------------------|----------|
| Conditional Use | \$450 |
| Master Plan | \$2,000 |
| Resort Recreation Zone Development | \$15,000 |
- 2) A plat map for each property for the proposed conditional use.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for the proposed conditional use.
- 4) The name(s) and full mailing address(es) for all owner(s) of the property.
- 5) *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6) A completed letter of intent (See the form titled "Letter of Intent – Conditional Use Permit"; for proposed conditional uses that will require phasing to accomplish development, a master plan for all phases of development is required.)
- 7) A site plan that must include the following:
(Submit a digital pdf copy to: chris.harrild@cachecounty.org)
 - 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).
- 8) *If* new construction is proposed, building elevations that must include the following:
(Submit a digital pdf copy to: chris.harrild@cachecounty.org)
 - 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.

- 9) *If* culinary water is needed, verification of an approved, domestic water right in the owner's name for each lot. (Obtained from the State Water Engineer, State approved culinary water system, or a City/Town)
 - a) Lots designated as Dry Lots must be reviewed by the Zoning Administrator and will not require a water right.
- 10) *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, 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.
- 11) *If* any company owned ditch/canal crosses the site, provided the name and contact information of the irrigation/canal company. Further approvals may be required based on the proposed use.
- 12) *If* applicable, a septic tank feasibility letter or copy of septic tank permits for all lots as deemed necessary by the Bear River Health Department.
- 13) *If* applicable, the current or proposed Homeowner's Association, CC&R's, other restrictions, right-of-way/easement information, or similar.
- 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

Rezone - Application Checklist and Acknowledgement:

A complete application must include the following unless specified otherwise:

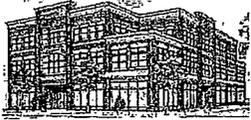
- 1) A completed application form and *non-refundable* review fee (cash or check only):
Rezone: \$450 – additional fees may apply.
- 2) A plat map for each property proposed for rezone.
- 3) The legal description with any existing covenants & deed restrictions and current taxation certification for each property proposed for rezone.
- 4) The name(s) and full mailing address(es) for all owner(s) of the property.
- 5) *If* the owner of record is not the acting agent, an agent letter must be included. *Also*, further information is required if the owner of record is an LLC, Corporation, Trust, or similar. Paperwork identifying the name of the LLC, Corporation, Trust, or similar, the listed owners or members, and assigned agent must be included.
- 6) A current Letter Report from a title company for all lots proposed for rezone dated within 30 days of when the application is filed.
- 7) *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, 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.
- 8) *If* any company owned ditch/canal crosses the site, provided the name and contact information of the irrigation/canal company. Further approvals may be required based on the proposed use.

**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



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

Application: Right-of-Way Encroachment Permit

The following information must accompany this application:

- 1. Site plan, project description, and/or complete plan sets.
- 2. MUTCD compliant traffic control plan.
- 3. Evidence of insurance or bond for major work.

Contractor Information

CONTRACTOR & AGENT: _____

LICENSE #: _____

CONTACT #: _____ EMAIL: _____

MAILING ADDRESS: _____

Project Information

PROJECT DESCRIPTION: _____

LOCATION: _____

APPROXIMATE START DATE: _____

APPROXIMATE COMPLETION DATE: _____

ADJACENT PROPERTY ID(S): _____

Permit Fee

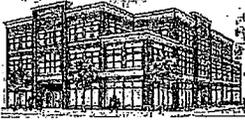
\$20: Minor work - Work in the right-of-way that does not impact the traveled way:

- Agricultural or residential driveway access
- Landscaping (*no fee*)
- Fence (*no fee*)
- Mailbox (*no fee*)
- Other

\$1,000: Major work* - Work in the right-of-way that impacts the traveled way:

- Any alteration of the roadway surface including rebuilding, widening, resurfacing, or excavation
- Shoulder or drainage work
- Utility Installation
- Other

** All major work must be completed by a licensed, and insured or bonded contractor. \$750 will be refunded on Major Work with the satisfactory completion of construction (Engineer approval and compaction test results required to obtain refund)*



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DEVELOPMENT SERVICES DEPARTMENT**

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PAUL BERNTSON
CHIEF BUILDING OFFICIAL

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

Right-of-Way Encroachment Permit: Minor work: \$20.00

EP#-2012

Date:

Receipt #:

Amount/Check #:

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

Contractor Information

Contractor Name

License #: #####

Contact #: #####

#####

email: email

Mailing Address: address

City, State, Zip: address

Agent/Applicant Information

Agent Name

Contact #: #####

email: email

Mailing Address: address

City, State, Zip: address

Location Information

Location: address

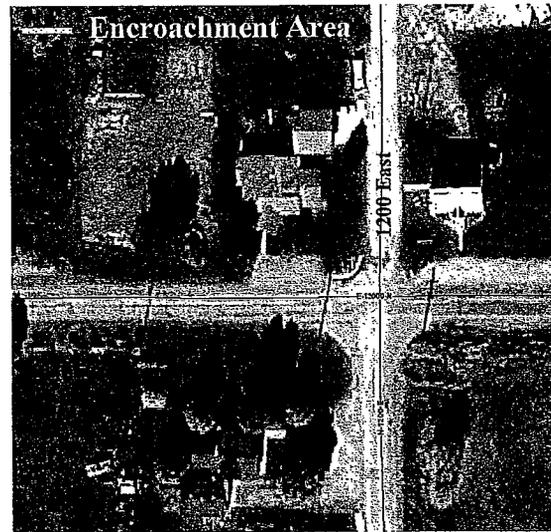
Cache County right-of-way

Work type: Minor or Major and description

description continued

Company Job#: #####

Encroachment Area



See attached site plans for more detail

Conditions:

1. Engineer approval and/or compaction test results shall be required to obtain the release of the \$750 refund.
2. Additional conditions as necessary.

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:

Construction will be completed on or before:

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, UTAH
RESOLUTION**

RESOLUTION NO. 2012-09

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 AMENDMENTS TO THE BUILDING DEPARTMENT
FEE SCHEDULE OF THE CACHE COUNTY DEVELOPMENT SERVICES DEPARTMENT**

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

WHEREAS, the County Code Title 15 requires that plan review fees shall be based on the total valuation of the proposed project and be adopted by a resolution of the County Council, and;

WHEREAS, the fees being charged by the Building Department of the Development Services Office are reasonable, and;

WHEREAS, the proposed amendments to the Building Department Fee Schedule has 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 adopt the proposed amendments to the Building Department Fee Schedule.

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

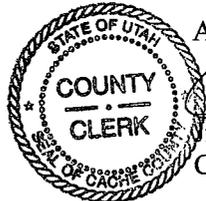
The Building Department Fee Schedule attached hereto as Exhibit A is hereby approved for the Building Department of the Development Services Department, superseding all prior Building Department service fee schedules.

APPROVED AND ADOPTED this 27th day of March, 2012.

CACHE COUNTY COUNCIL



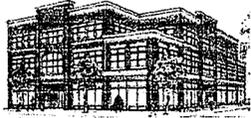
Craig Butters, Chair
Cache County Council



ATTEST:



Will Zollinger
Cache County Clerk



CACHE COUNTY CORPORATION
DEVELOPMENT SERVICES DEPARTMENT

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

Exhibit A

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

Fee Schedule: Building Department

Fees may be adjusted by the Chief Building Official on a case by case basis; additional fees may be assessed based on the need for external consulting or engineering review by the Chief Building Official.

| Action | Fee |
|--------------------------------------|---|
| Plan Review | |
| Residential | 1/10 of 1% of the Building Permit Base Fee ¹ (Min. \$20) |
| Commerical | 65% of Building Permit Base Fee ¹ |
| Building Permit | |
| Structure | As established by the 1997 Uniform Building Code: Table 1A (Building Permit Base Fees) ² |
| Plumbing | \$7.00 per fixture |
| Mechanical | \$15 per unit |
| Electrical | \$0.04 per square foot of structure |
| Electrical/Mechanical Service | \$40.40 |
| Certificate of Occupancy Bond | |
| Residential | \$1,525 (\$1,500 Refundable) |
| Garage or Shed (300+ square feet) | \$525 (\$500 Refundable) |

¹May be reduced by the Chief Building Official based on the size and scope of the project.

²Valuation amounts shall be set by square foot and reviewed annually by the Chief Building Official.