

**APPROVED**

**CACHE COUNTY  
COUNCIL MEETING  
MINUTES  
FEBRUARY 26, 2013**

**CACHE COUNTY COUNCIL  
FEBRUARY 26, 2013**

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|  |   |
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**CACHE COUNTY COUNCIL MEETING**  
**February 26, 2013**

The Cache County Council convened in a regular session on February 26, 2013 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

**ATTENDANCE:**

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

**The following individuals were also in attendance:** Janeen Allen, Richard Anderson, Shawni Bastian, Richard Beal, Kristina Blaiser, Mark Blaiser, Wally Bloss, Debbie Bronson, Paul Christiansen, Denise Ciebien, Bonnie Clark, Nathan Clarke, Marlene Conner, Lupine Cramer, Dixie Crook, Jim D., Renee Daly, Elizabeth C. Dennison, Henry Easterling, Jerry Fuhriman, Sherry Funke, Christian Geiser, Jeffrey Gilbert, Kay Gilbert, Marilyn Glatfleter, Jim Goodwin, Daniel Grange, David Grange, Deborah Green, Josh Green, Jack Greene, Robert Hamlin, E. Matthew Hansen, Chris Harrild, Dan Hayes, Robert Hellstern, Noel H. Holmgren, Patricia Holmgren, Sharon L. Hoth, Allen Q. Howard, Jr., Lowell Huber, Kyne Jensen, Betsy Judd, Hisako Kure, Alexi Lamm, Samuel Lewis, Jean Lown, Dan Miller, Kori Moore, Floyd C. Naegle, M. Nelsen, Peggy Neuber, Jane Nicholson, Gavin Niederhauser, Amy Odum, Cindy Olsen, Darren Olsen, DeAnn Olsen, Janet Osborne, Adison Pace, Jill Parker, Jennifer Pemberton, Lynne Peterson, Margaret Pettis, Jeb Potterf, Aaron Preston, Terry Reery, Brent Roberts, Carol Rosenthal, Director Josh Runhaar, Pat Sadoski, Sue Sanborn, Breanna Sanders, Jennifer Sapp, Beth Saul, Megan Schwender, Brad Thompson, Stephanie Tomlin, Aubree Udy, Randy Udy, Barbra Utley, Randy Worth, Desaree Yelton, Connie Yerden, **Media:** Charles Geraci (Herald Journal), Jennie Christensen (KVNU).

**OPENING REMARKS AND PLEDGE OF ALLEGIANCE**

Council member Petersen 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 agenda as written. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**REVIEW AND APPROVAL OF MINUTES**

**ACTION:** Motion by Council member Robison to approve the minutes of the February 12, 2013 Council Meeting as written. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

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

|                             |                   |                              |
|-----------------------------|-------------------|------------------------------|
| <b><u>APPOINTMENTS:</u></b> | Jim Lundahl       | Cache Valley Visitors Bureau |
|                             | Barbara Watterson | Cache Valley Visitors Bureau |
|                             | Todd Johnson      | Cache Valley Visitors Bureau |
|                             | Debbie Harvey     | Cache Valley Visitors Bureau |
|                             | Wesley Allen      | Cache County Deputy Sheriff  |
|                             | Liz Vargas        | Cache County Deputy Sheriff  |

**ACTION:** Motion by Council member Yeates to approve the recommended appointments. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**WARRANTS:** Warrants for the period 02-01-2013 to 02-21-2013 were given to the Clerk for filing.

**OTHER ITEMS:**

- Health Department Air Quality Summit** – Executive Lemon reported the Air Quality Summit will be held April 25, 2013 from 9:00 a.m. to 2:00 p.m. at the Riverwoods Conference Center. Dr. Arden Pope and a panel of five physicians will be on the agenda.
- SNOTEL Report** – Executive Lemon distributed the SNOTEL report and said it is frustrating that the valley is receiving more snow than the mountains. The snow water equivalent is 75% of normal in the mountains.
- Cache Valley Cowboy Rendezvous** – Lemon said Dale Majors asked him to remind the Council of the Rendezvous.
- House Bill 210** – Lemon said Representative Redd emailed him that HB 210 passed the House, 70-0, and Senator Hillyard will sponsor it in the Senate. Redd expects it to pass within a week.
- Letter from Congressman Bishop** – Lemon received a mailing from UAC with a letter from Congressman Bishop asking Cache County if it wants to be a part of a new lands bill. Lemon says Bishop stated that opposite sides have haggled over this forever and his position is that if Cache County wants some lands it can control, the county will have to give up some lands for wilderness. Bishop wants a response by March 15, 2013. The item will be on the March 12, 2013 Council agenda and Lemon urged the Council to review the letter carefully.
- Boomerang Systems, Inc.** – Executive Lemon received a letter from Boomerang Systems requesting an extension on their taxes. There was a mix-up between Boomerang and their landlord concerning who was to make the payment. Lemon said he thought the Council was agreeable to letting Boomerang pay the 2008 taxes with penalties and interest and allow them one additional year to pay the remaining debt. This will be on the March 12, 2013 Council agenda for formal action.

**CONSENT AGENDA**

- ◇ **Kelly Spackman Subdivision Amendment** – Floyd Naegle requesting approval for a subdivision amendment that includes the addition of one (1) lot to the existing subdivision boundary and a boundary line adjustment of the subdivision boundary on 58.19 acres of property in the Agricultural (A-10) Zone located approximately 3033 North 2400 West, Benson.
- ◇ **Halo Subdivision** – Hal Olsen requesting approval for a 1-lot subdivision with a remainder parcel and a boundary line adjustment on 34 acres of property in the Agricultural (A-10) Zone located approximately 2400 South 2000 West, College Ward.

**(Attachment 1)**

**ACTION: Motion by Council member Yeates to approve the Consent Agenda items-Kelly Spackman Subdivision Amendment and Halo Subdivision. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

**ITEMS OF SPECIAL INTEREST**

- **Eccles Theater Bond Retirement – Wally Bloss** thanked the Council for its support for over twenty years and reported the last payment was made on the \$1,000,000.00 bond.

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

**PUBLIC HEARING SET: MARCH 12, 2013 – 5:30 P.M. – SMITHFIELD CANYON ESTATES** – Jake Young requesting approval for a rezone of 40 acres of property from the Agricultural (A-10) Zone to the Rural-5 (RU-5) Zone located approximately 2100 Canyon Road, east of Smithfield

**ACTION: Motion by Council member Zilles to set a Public Hearing March 12, 2013 at 530 p.m.-Smithfield Canyon Estates Rezone request. White seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

**PUBLIC HEARING SET: NOVEMBER 26, 2013 – 6:00 P.M. – BUDGET HEARING AND/OR TAX INCREASE HEARING**

**ACTION: Motion by Council member Yeates to set a Public Hearing November 26, 2013 at 6:00 p.m.-Budget Hearing and/or Tax Increase Hearing. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Hardship Application** – Executive Lemon reviewed the particulars of the request. *(Details are on file in the office of the Cache County Auditor.)*

**ACTION:** Motion by Council member Robison to approve the Hardship Application for 14-032-0017 and have a payment plan established for payment of the remaining 50%. White seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**INITIAL PROPOSAL FOR CONSIDERATION**

- **Hardship Application** – Executive Lemon reviewed the particulars of the request. *(Details are on file in the office of the Cache County Auditor.)*

**ACTION:** Motion by Council member White to deny the Hardship Application for 02-113-0017 and have a payment plan established for payment of the taxes, penalties and interest. Zilles seconded the motion. The vote was unanimous, 6-0. Buttars absent.

- **Ordinance No. 2013-05 – A T & T Hyrum Rezone – Justin Hadley requesting approval for a rezone to include the Public Infrastructure (PI) Overlay Zone on a .083 acre leased portion of an approximately 128 acre property in the Agricultural (A-10) Zone located approximately 5800 South 2400 West, Hyrum –**  
Chris Harrild reminded the Council there was a Public Hearing held on this request on February 12, 2013 where it was discussed in depth.

(Attachment 2)

**ACTION:** Motion by Council member Zilles to waive the rules and approve Ordinance No. 2013-05 – A T & T Hyrum Rezone, etc. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.

**Ordinance No. 2013-05:** The vote was 6-0. Buttars absent.

|           | BUTTARS | PETERSEN | POTTER | ROBISON | WHITE | YEATES | ZILLES | VOTES CAST |
|-----------|---------|----------|--------|---------|-------|--------|--------|------------|
| AYE       |         | X        | X      | X       | X     | X      | X      | 6          |
| NAY       |         |          |        |         |       |        |        | 0          |
| ABSTAINED |         |          |        |         |       |        |        | 0          |
| ABSENT    | X       |          |        |         |       |        |        | 1          |

- **Ordinance No. 2013-06 – Amendments to Title 17 – 17.05-Supplementary and Qualifying Regulations; 17.08-Zoning Districts; 17.09-Schedule of Zoning Uses; 17.10-Site Development Standards; 17.13-Mineral Extraction and Excavation Overlay Zone; 17.15-Sand and Gravel Overlay Zone; 17.17-Airport Limitation Overlay Zones; 17.18-Sensitive Areas Overlay; 17.19-Public Infrastructure Overlay Zone** – Harrild noted that these amendments were reviewed in depth at a prior Council meeting. Zilles asked what a sensitive area overlay is and Harrild responded it includes steep slopes, wetlands, open water, etc. anything that might impact the application.

(Attachment 3)

**ACTION: Motion by Council member Yeates to waive the rules and approve Ordinance No. 2013-06 – Amendments to Title 17, etc. Robison seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

**Ordinance No. 2013-05:** The vote was 6-0. Buttars absent.

|           | <u>BUTTARS</u> | <u>PETERSEN</u> | <u>POTTER</u> | <u>ROBISON</u> | <u>WHITE</u> | <u>YEATES</u> | <u>ZILLES</u> | <u>VOTES CAST</u> |
|-----------|----------------|-----------------|---------------|----------------|--------------|---------------|---------------|-------------------|
| AYE       |                | X               | X             | X              | X            | X             | X             | 6                 |
| NAY       |                |                 |               |                |              |               |               | 0                 |
| ABSTAINED |                |                 |               |                |              |               |               | 0                 |
| ABSENT    | X              |                 |               |                |              |               |               | 1                 |

- **Bid Awards – McMurdie Slide and South Canyon Slide** – Chairman Potter turned the time to Director Runhaar who reported the bid opening produced a low bid by Geneva Rock at just under \$1,000,000.00 for both projects. Runhaar observed he had a Notice of Award letter prepared for Executive Lemon's signature if the Council approves the Geneva Rock bid. June 15, 2013 is the anticipated completion date.

(Attachment 4)

**ACTION: Motion by Council member White to approve the Geneva Rock bid for the McMurdie Slide and South Canyon Slide projects. Yeates seconded the motion. The vote was unanimous 6-0. Buttars absent.**

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

**PUBLIC HEARING: FEBRUARY 26, 2013 – 5:30 P.M. – ORDINANCE NO. 2013-04 – Receive public input on Ordinance No. 2013-04-Implementation of a Vehicle Emissions and Maintenance Program in Cache County** – Chairman Potter explained that Cache County has been discussing the air quality issue for several years. The Council is awaiting the passage of House Bill 210 which will put this ordinance in compliance with the state code. Chairman Potter directed attendees to raise their hands and wait to be called on to speak. He asked them to state their names and use only 2-3 minutes each and not be repetitive in their comments.

Chairman Potter opened the Public Hearing and invited public comment.

The following spoke in favor of vehicle emissions testing citing health issues as their main concerns and were aware that emissions testing will only produce a very small benefit but feel that it is worth the effort:

Debra Green  
Jean Lown  
Mark Blaiser  
Kristina Blaiser  
Henry Easterling  
Todd Beal  
Betsy Judd  
Marlene Connor

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Beth Saul  
Megan Schwender  
Bonnie Clark  
Jim Goodwin  
Randy Worth  
Terry Marasco (email)  
Carol Rosenthal (email)

The following spoke in opposition to or questioned the benefits of a vehicle emissions testing program:

Brent Roberts  
Richard Anderson (Vice Chairman Petersen asked Anderson to send him a copy of his figures concerning gas furnaces and water heaters contribution to NOx)  
Andy Beutler (email – cited financial hardship concerns)

There was no other public comment.

**ACTION: Motion by Council member White to close the Public Hearing – Ordinance No. 2013-04-Receive Public Input on Implementation of a Vehicle Emissions and Maintenance Program in Cache County. Yeates seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

Chairman Potter thanked the participants and attendees and briefly reviewed the history of the proposed vehicle emissions testing program and read portions of Ordinance No. 2013-04 to the audience. Potter commented that the ordinance is a start but it is not a solution.

Vice Chairman Petersen explained that the Council cannot vote on Ordinance No. 2013-04 until the state legislature approves House Bill 210 amending the state code. Petersen is confident the ordinance will be approved by the Cache County Council.

**PUBLIC HEARING: FEBRUARY 26, 2013 – 6:00 P.M. – OPEN 2013 BUDGET –**  
Executive Lemon reviewed adjustments to the budget stating that they generally deal with land purchase, homeland security money and the canal project.

**Vice Chairman Petersen left the meeting.**

Chairman Potter opened the Public Hearing and invited public comment. There was none.

**ACTION: Motion by Council member Yeates to close the Public Hearing – February 26, 2013-6:00 p.m.-Open 2013 Budget. Robison seconded the motion. The vote was unanimous, 5-0. Buttars & Petersen absent.**

#### **INITIAL PROPOSAL FOR CONSIDERATION**

- **Resolution No. 2013-03 – Amendments to 2013 Cache County Budget** *(Details are on file in the office of the Cache County Auditor.)*

(Attachment 5)

**ACTION: Motion by Council member Yeates to waive the rules and approve Resolution No. 2013-03 – Amendments to 2013 Cache County Budget. White seconded the motion. The vote was unanimous, 5-0. Buttars & Petersen absent.**

- **Ordinance No. 2013-04 – Implementation of a Vehicle Emissions and Maintenance Program in Cache County (NO ACTION TAKEN)** – Council member White asked that the number of years new vehicles are exempted be changed back to four years instead of six years. White agrees with the DAQ statement that most warranties are good for five years so any repairs needed would be covered under warranty so it makes sense to exempt new vehicles for the first four years.

**Vice Chairman Petersen returned to the meeting.**

Other Council members are comfortable with the six-year exemption.

- **DD Auto & Salvage – Discussion** – Chairman Potter invited David Grange to address the Council. Grange said that he has met all the requirements except the 8-foot fence. The permit for the fence can't be approved until the Army Corps of Engineers approves a portion of the project. Grange is also waiting on Lance Anderson concerning water. Grange's conditional use permit expires in a few days and he asked the Council to waive the requirement that the fence be completed before he can begin construction of buildings, etc.

The Council expressed concerns with waiving the fence completion requirement.

Director Runhaar recommended an extension be granted on Grange's conditional use permit.

**ACTION: Motion by Council member Zilles to extend DD Auto & Salvage's conditional use permit for one year. Petersen seconded the motion. The vote was unanimous, 6-0.**

- **Authorize County Executive to sign Interlocal Agreement Creating the Utah Local Government Trust** – Executive Lemon apologized that the document was not before the Council and explained that the agreement does not create the Trust, it just makes Cache County part of the Trust. Lemon will wait until the next meeting if the Council wants to see the document.

**ACTION: Motion by Council member Yeates to authorize the County Executive to sign Interlocal Agreement with the Utah Local Government Trust. White seconded the motion. The vote was unanimous, 6-0. Buttars absent.**

#### **OTHER BUSINESS**

- ✓ **Meeting with Legislators during Legislative Session – Saturdays @ 7:30 a.m. beginning February 2, 2013 and continuing through March 9, 2013 – County Administration Building, Multipurpose Room** – Lemon said there are only two more meetings and there has been good participation from the public; however, some individuals tend to lecture the legislators or raise issues that are not within the realm of the state legislature.

Council member White suggested that Lemon raise the issue of a gas tax with the legislators.

Vice Chairman Petersen asked Executive Lemon how many bills are before the legislature that will significantly impact counties? Lemon replied there are about thirty. Petersen and Potter suggested that Lemon inform the audience at the next two meetings which bills are being considered that affect Cache County and ask for opinions on those bills.

Executive Lemon remarked that HB199 which changes the county fiscal year to the same as a city fiscal year and HB159 which requires an extension of the Board of Equalization another forty-five days are a little "crazy." Petersen said that those issues should be focused on during the Saturday meeting.

### **COUNCIL MEMBER REPORTS**

**Kathy Robison** asked when the Council will be able to tour the canal project. Denise Ciebien said she will check with Zan Murray about a tour next Tuesday or Wednesday.

Robison asked when a workshop/discussion can be set up to address the RU-2 Zone issue. Director Runhaar said that April will probably be good.

**Cory Yeates** reported that the gate at the west end of Mt. Pisgah Road (McMurdie Hollow) is too close to a rock for snowmobiles to get through. Lemon will check on it.

**Craig Petersen** asked what the RAPZ application schedule is. Lemon said applications are due Friday, March 1, 2013 by 5:00 p.m.

**Val Potter** asked when a Council picture will be taken. Allen said it is set for the March 12, 2013 meeting.

### **ADJOURNMENT**

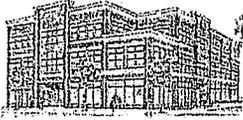
The Council meeting adjourned at 7:10 p.m.

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

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**APPROVAL:** Val Potter  
Chairman



**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

**Staff Report: Kelly Spackman Subdivision 2<sup>nd</sup> Amendment**

07 February 2013

**Agent:** Floyd Naegle

**Parcel ID#:** 12-016-0004, 12-0016-0025

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by: Christopher S. Harrild, Planner II*

**Project Address:**

3033 North 2400 West

Benson

**Current Zoning:**

Agricultural (A-10)

**Acres:** 58.19

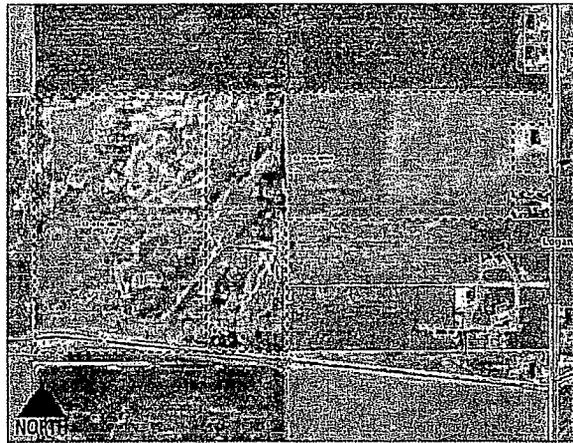
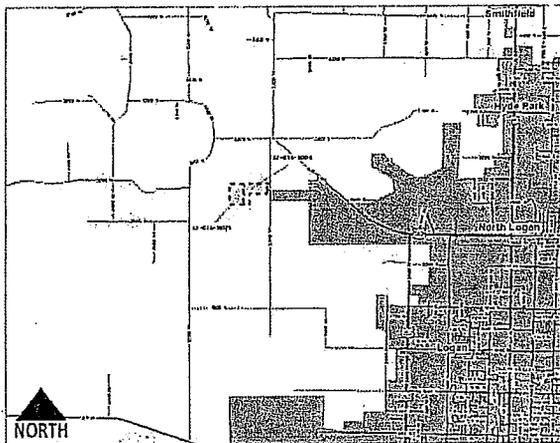
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Logan City

West – Agricultural



**Purpose and Summary**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Kelly Spackman Subdivision 2<sup>nd</sup> Amendment.

**Ordinance:**

As per the Cache County Zoning Ordinance Table 17.10.010 Site Development Standards, this subdivision qualifies for a development density of one (1) unit per ten (10) acres as it is located within the Agricultural (A-10) Zone.

**Summary:**

This proposal is a request to amend the existing 3-lot subdivision and agricultural remainder. This includes the addition of one developable lot, Lot #4. To create an additional developable lot required a boundary line adjustment to include additional acreage into the subdivision boundary in order to meet the one unit per ten acre density requirement of the A-10 Zone.

*Access:*

- Access to this property is from county road 2400 West. At this point 2400 West consists of a 20 foot wide paved surface with 2 foot wide gravel shoulders. This access meets the county standard.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes. This includes the placement of a culvert in existing drainages for access to a county road.
- Due to seasonal flooding issues, driveway access to the proposed Lot #4 must be to the same grade as County Road 2400 West.

*Water & Septic:*

- The Benson Culinary Water Improvement District has approved a new culinary connection for the proposed Lot #4.
- A septic system permit has been issued for the proposed Lot #4.

*Service Provision:*

- 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 is located 2400 West 3400 North approximately 3.5 blocks from the proposed subdivision amendment.
- Access to this property for emergency response is adequate. Existing hydrants on 2400 West provide water supply for fire suppression

Staff Determination and Findings of Fact (4)

It is staff's determination that the Kelly Spackman Subdivision 2<sup>nd</sup> Amendment, a 4-lot subdivision and agricultural remainder and boundary line adjustment for property located at approximately 3033 North 2400 West with parcel numbers 12-016-0004 and 12-016-0025, 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:

1. The Kelly Spackman Subdivision 2<sup>nd</sup> Amendment 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 Kelly Spackman Subdivision 2<sup>nd</sup> Amendment 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 Kelly Spackman Subdivision 2<sup>nd</sup> Amendment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Kelly Spackman Subdivision 2<sup>nd</sup> Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

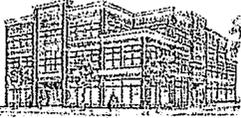
Conditions of Approval (3)

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 recordation the proponent shall:
  - a) Meet all applicable standards of the Cache County Ordinance.
  - b) Provide evidence of adequate, approved, domestic water rights for all building lots within the subdivision.

- c) The applicant shall reaffirm their portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
2. Homes built in this area must have a finished floor elevation one foot above the established grade of county road 2400 West. The driveway or access to these homes must be to the same grade as county road 2400 West.
3. A minimum 18" culvert shall be constructed for the access to Lot #4. The existing barrow ditch must retain its existing functionality on completion of said access.





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

**Staff Report: Halo Subdivision**

07 February 2013

**Agent:** Hal Olsen

**Parcel ID#:** 03-009-0016, 0017

**Staff Determination:** Approval with conditions

**Type of Action:** Administrative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by: Chris Harrild, Planner II*

**Project Address:**

2400 South 2000 West  
College Ward

**Current Zoning:**

Agricultural (A-10)

**Acres:** 34

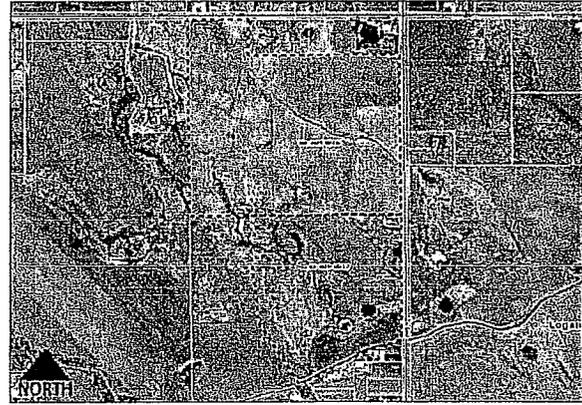
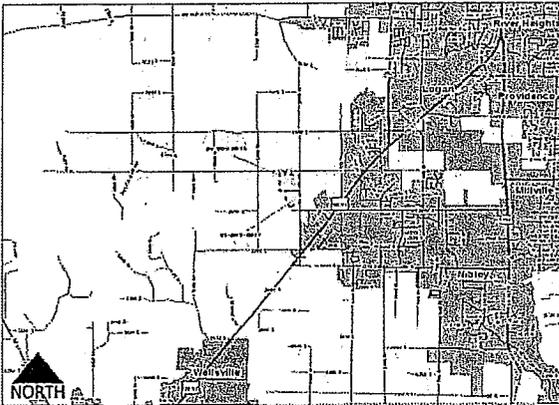
**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural/Residential

East – Agricultural/Residential/Logan City

West – Agricultural/Residential



**Purpose, Applicable Ordinance, and Summary**

**Purpose:**

To review and make a recommendation to the County Council regarding the proposed Halo subdivision and boundary line adjustment.

**Ordinance:**

As per the Cache County Zoning Ordinance Table 17.10.010 Site Development Standards, this proposed subdivision qualifies for a development density of one (1) unit per ten (10) acres as it is located within the Agricultural (A-10) Zone.

**Summary:**

This proposal is to create a 1-lot subdivision and agricultural remainder and adjust the southern boundary line of parcel 03-009-0016 to reflect the existing boundary of the historical fence line.

**Access:**

- Access to this property is from county road 2000 West. At this point 2000 West consists of a 20 foot wide paved surface with 2 foot wide gravel shoulders. This access meets the county standard.

### *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.
- The proposed lots are feasible for on-site septic tank systems with the requirement that a septic system permit be obtained prior to installation of a waste water system.

### *Service Provision:*

- 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 on 2000 West.
- A school bus stop is located 2331 South 2000 West approximately 0.5 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. This includes the placement of a culvert in existing drainages for access to a county road.
- Access to this property for emergency response is adequate. Water supply for fire suppression will be provided by the City of Logan Fire Department Station 72.

## Staff Determination and Findings of Fact (4)

It is staff's determination that the Halo subdivision and boundary line adjustment, a 1-lot subdivision with an agricultural remainder parcel and boundary line adjustment for property located at approximately 2400 South 2000 West with parcel numbers 03-009-0016 and 03-009-0017, 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:

1. The Halo subdivision and boundary line adjustment 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 Halo subdivision and boundary line adjustment 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 Halo subdivision and boundary line adjustment conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Halo subdivision and boundary line adjustment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

## Conditions of Approval (2)

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 recordation the proponent shall:
  - a) Meet all applicable standards of the Cache County Ordinance.
  - b) Provide evidence of adequate, approved, domestic water rights for all building lots within the subdivision.
  - c) The applicant shall reaffirm their portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
2. As necessary and as determined by the County Engineer, a culvert shall be installed at the point of the subdivision access to Lot #1 from 2000 West. The size of any required culvert shall also be determined by the Cache County Engineer.





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

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

**To:** Cache County Council  
**From:** Chris Harrild, Planner II, Development Services,  
**Subject:** Development Services agenda items for February 26, 2013

**SET FOR PUBLIC HEARING**

- 1. Smithfield Canyon Estates** – Jake Young is requesting approval for a rezone of 40 acres of property from the Agricultural (A-10) Zone to the Rural-5 (RU-5) Zone located at approximately 2100 Canyon Road, east of Smithfield.

Findings of Fact: 4

Planning Commission Recommendation: Approval (4, 0)

**CONSENT**

- 2. Kelly Spackman Subdivision Amendment** – Floyd Naegle is requesting approval for a subdivision amendment that includes the addition of 1 lot to the existing subdivision boundary and a boundary line adjustment of the subdivision boundary on 58.19 acres of property located in the Agricultural (A-10) Zone at approximately 3033 North 2400 West, Benson.

Findings of Fact: 4

Conditions of Approval: 3

Planning Commission Recommendation: Approval (4, 0)

- 3. Halo Subdivision** – Hal Olsen is requesting approval for a 1-lot subdivision with a remainder parcel and a boundary line adjustment on 34 acres of property located in the Agricultural (A-10) Zone at approximately 2400 South 2000 West, College Ward.

Findings of Fact: 4

Conditions of Approval: 2

Planning Commission Recommendation: Approval (4, 0)

**INITIAL CONSIDERATION**

- 4. Ordinance 2013-05: AT&T Hyrum rezone** – Justin Hadley is requesting approval for a rezone to include the Public Infrastructure (PI) Overlay Zone on a .083 acre leased portion of an approximately 128 acre property located in the Agricultural (A-10) Zone at approximately 5800 South 2400 West, Hyrum.

Findings of Fact: 2

Planning Commission Recommendation: Approval(6, 0)

- 5. Ordinance 2013-06: Amendments to Title 17 – §17.05** – Supplementary and Qualifying Regulations; **§17.08** – Zoning Districts; **§17.09** – Schedule of Zoning Uses; **§17.10** – Site Development Standards; **§17.13** – Mineral Extraction and Excavation Overlay Zone; **§17.15** – Sand and Gravel Overlay Zone; **§17.17** – Airport Limitation Overlay Zones; **§17.18** – Sensitive Areas Overlay; **§17.19** – Public Infrastructure Overlay Zone.

Planning Commission Recommendation: Approval(6, 0)

- 6. Bid Awards: McMurdy Slide and South Canyon Slide**

# ORDINANCE No. 2013-05

CACHE COUNTY, UTAH

## AT&T HYRUM REZONE

---

### AN ORDINANCE AMENDING THE 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 hearing, 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 January 3, 2013, at 5:45 P.M. the Planning Commission held a public hearing for a rezone in the Agricultural (A-10) Zone to include the Public Infrastructure (PI) Overlay 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 January 3, 2013 the Planning Commission recommended the approval of said rezone and forwarded such recommendation to the County Council for final action; and

WHEREAS, on February 12, 2013, 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed rezone. 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;

*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.*

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 the described portion of parcel number 01-061-0015 described within Exhibit A currently zoned as the Agricultural (A-10) Zone to include the Public Infrastructure (PI) Overlay 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 Public Infrastructure (PI) Overlay Zone.

B. The subject property is suitable for development within the Public Infrastructure (PI) Overlay Zone district without increasing the need for variances or special exceptions within this zone or the underlying Agricultural (A-10) Zone.

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: Description/map of the affected portion of parcel number 01-061-0015

Exhibit B: Zoning Map of Cache County

8. Effective Date.

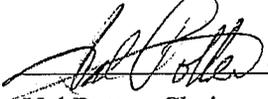
This ordinance takes effect on March 13<sup>th</sup>, 2013. Following its passage but prior to the effective date, a copy of the Ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

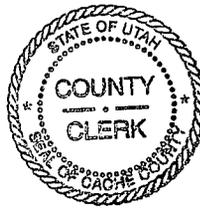
*Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.*

APPROVED AND ADOPTED this 26<sup>th</sup> day of February, 2013.

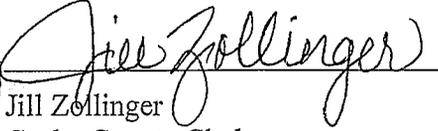
|          | In Favor | Against | Abstained | Absent |
|----------|----------|---------|-----------|--------|
| Potter   | X        |         |           |        |
| Buttars  |          |         |           | X      |
| White    | X        |         |           |        |
| Petersen | X        |         |           |        |
| Robison  | X        |         |           |        |
| Yeates   | X        |         |           |        |
| Zilles   | X        |         |           |        |
| Total    | 6        |         |           | 1      |

CACHE COUNTY COUNCIL

  
Val Potter, Chair  
Cache County Council



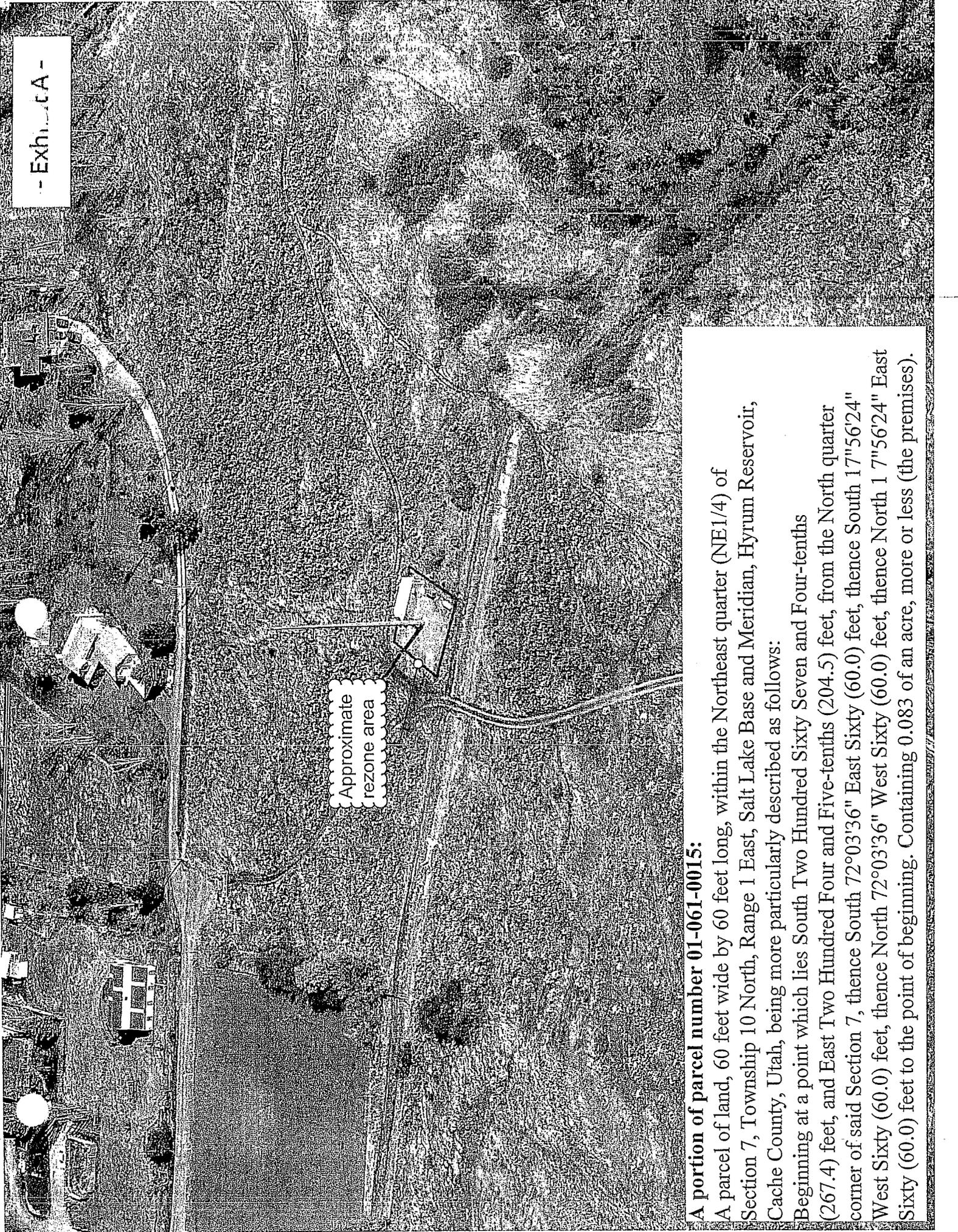
ATTEST:

  
Jill Zollinger  
Cache County Clerk

Publication Date:

March 13, 2013

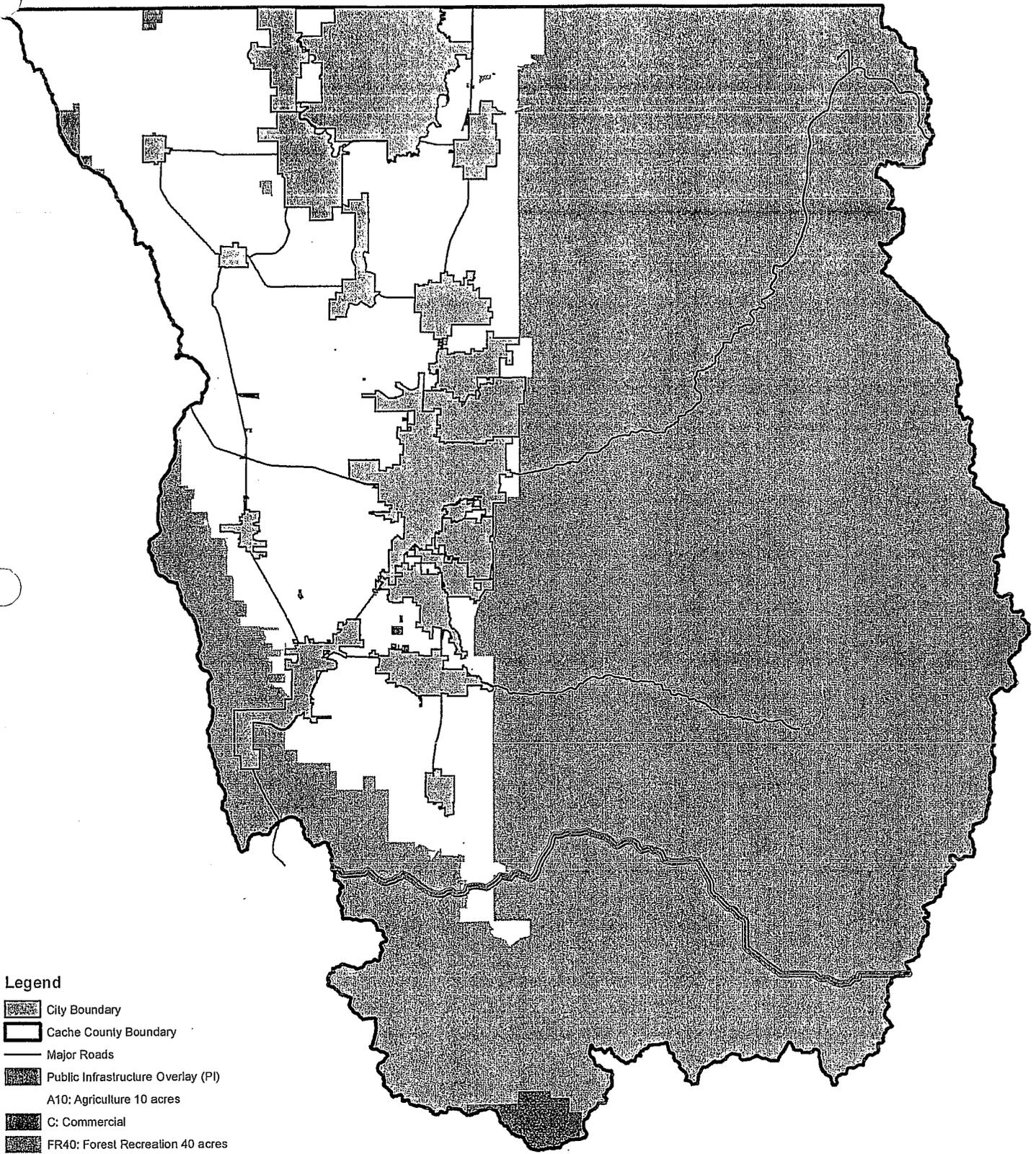
*Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.*



**A portion of parcel number 01-061-0015:**

A parcel of land, 60 feet wide by 60 feet long, within the Northeast quarter (NE1/4) of Section 7, Township 10 North, Range 1 East, Salt Lake Base and Meridian, Hyrum Reservoir, Cache County, Utah, being more particularly described as follows:  
Beginning at a point which lies South Two Hundred Sixty Seven and Four-tenths (267.4) feet, and East Two Hundred Four and Five-tenths (204.5) feet, from the North quarter corner of said Section 7, thence South 72°03'36" East Sixty (60.0) feet, thence South 17°56'24" West Sixty (60.0) feet, thence North 72°03'36" West Sixty (60.0) feet, thence North 1 7"56'24" East Sixty (60.0) feet to the point of beginning. Containing 0.083 of an acre, more or less (the premises).

# Ordinance 2013-05: Exhibit B Cache County Zoning Map



## Legend

-  City Boundary
-  Cache County Boundary
-  Major Roads
-  Public Infrastructure Overlay (PI)
-  A10: Agriculture 10 acres
-  C: Commercial
-  FR40: Forest Recreation 40 acres
-  IM: Industrial/Manufacturing
-  ME: Mineral Extraction
-  RR: Resort Recreation
-  RU-2: Rural - 2 Zoning District
-  RU-5: Rural - 5 Zoning District



# ORDINANCE NO. 2013-06

CACHE COUNTY, UTAH

## AMENDMENTS TO TITLE 17

---

AN ORDINANCE AMENDING AND SUPERSEDING CHAPTERS 5, 8, 9, 10, 13, 15, 17, 18, AND 19 OF TITLE 17 OF THE CACHE COUNTY ORDINANCE REGARDING BASE AND OVERLAY ZONING DISTRICTS, DEVELOPMENT STANDARDS, AND PARCEL LEGALITY

WHEREAS, the State of Utah has authorized Cache County to adopt Land Use Ordinances and Maps, and;

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

WHEREAS, the purpose of this ordinance is to provide clarity and ease of use of the County's Zoning Ordinance for all citizens, and;

WHEREAS, on January 3, 2013 at 6:00 P.M., the Planning Commission held a public hearing for the amendments to Title 17, 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 January 3, 2013, the Planning Commission recommended the approval of said amendments and forwarded such recommendation to the County Council for final action; and

WHEREAS, the County Council caused notice of the hearing and the amendments to Title 17 of the Cache County Ordinance to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, on February 12, 2013, at 5:45 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Ordinance. The County Council accepted all comments, and;

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

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapters 5, 8, 9, 10, 13, 15, 17, 18, and 19 of Title 17 of the Cache County Ordinance are hereby amended and superseded as follows:

### 1. STATUTORY AUTHORITY

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

*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.*

## 2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapters 5, 8, 9, 10, 13, 15, 17, 18, and 19 of Title 17 of the Cache County Ordinance regarding base and overlay zoning districts, development standards, and parcel legality, and to insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zones, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

## 3. FINDINGS

- A. The amendments to Title 17 of the Cache County Ordinance are in conformity with Utah Code Annotated, §17-27a Part 5 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.
- B. The amendments to Title 17 of the Cache County Ordinance are necessary to establish Zoning Districts and the correlated Development Standards and Use Charts that provide more options for flexibility of land owners throughout the County.
- C. The amendments to Title 17 of the Cache County Ordinance will insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zone, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare of the citizens of Cache County.
- D. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 17 of the Cache County Ordinance be approved.

## 4. EXHIBITS

- A. Title 17, Chapter 5 of the Cache County Ordinance is amended as follows:  
See Exhibit A
- B. Title 17, Chapter 8 of the Cache County Ordinance is amended as follows:  
See Exhibit B
- C. Title 17, Chapter 9 of the Cache County Ordinance is amended as follows:  
See Exhibit C
- D. Title 17, Chapter 10 of the Cache County Ordinance is amended as follows:  
See Exhibit D
- E. Title 17, Chapter 13 of the Cache County Ordinance is amended as follows:  
See Exhibit E
- F. Title 17, Chapter 15 of the Cache County Ordinance is amended as follows:  
See Exhibit F
- G. Title 17, Chapter 17 of the Cache County Ordinance is amended as follows:  
See Exhibit G

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H. Title 17, Chapter 18 of the Cache County Ordinance is amended as follows:  
See Exhibit H

I. Title 17, Chapter 19 of the Cache County Ordinance is amended as follows:  
See Exhibit I

5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.

This ordinance amends and supersedes Chapter 5, 8, 9, 10, 13, 15, 17, 18, and 19 of Title 17 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

6. EFFECTIVE DATE.

This ordinance takes effect on March 13<sup>th</sup>, 2013. 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.

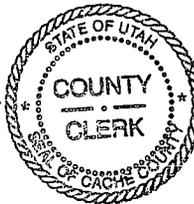
APPROVED AND ADOPTED this 26<sup>th</sup> day of February, 2013.

|          | In Favor | Against | Abstained | Absent |
|----------|----------|---------|-----------|--------|
| Potter   | X        |         |           |        |
| Buttars  |          |         |           | X      |
| White    | X        |         |           |        |
| Petersen | X        |         |           |        |
| Robison  | X        |         |           |        |
| Yeates   | X        |         |           |        |
| Zilles   | X        |         |           |        |
| Total    | 6        |         |           | 1      |

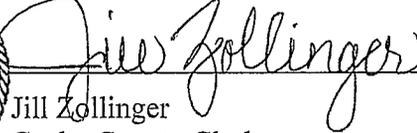
CACHE COUNTY COUNCIL:



Val Potter, Chair  
Cache County Council



ATTEST:



Jill Zollinger  
Cache County Clerk

Publication Date:

March 13, 2013

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The entirety or portions of the following titles are to be amended and have been identified in the following exhibits A-I:

Exhibit A: 17.05

Exhibit B: 17.08

Exhibit C: 17.09

Exhibit D: 17.10

Exhibit E: 17.13

Exhibit F: 17.15

Exhibit G: 17.17

Exhibit H: 17.18

Exhibit I: 17.19

**Chapter 17.05: RESERVED**

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**Chapter 17.08: ZONING DISTRICTS**

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17.08.010 General.....1  
17.08.020 Base Zoning Districts Established .....1  
17.08.030 Purpose of Established Base Zoning Districts.....1  
17.08.040 Overlay Zoning Districts Established .....3  
17.08.050 Purpose of Overlay Zoning Districts.....3

**17.08.010: General:**

This chapter contains regulations for the zoning districts of Cache County. It includes a list of base and overlay districts and a brief explanation of each district's purpose. The provisions of this chapter are supplemented by other regulations of the zoning ordinance that apply to particular uses and development types and to development within certain zoning districts.

**17.08.020: Base Zoning Districts Established:**

The following are the base zoning districts:

- Agricultural (A10)
- Rural 2 (RU2)
- Rural 5 (RU5)
- Forest Recreation (FR40)
- Commercial (C)
- Industrial (I)
- Resort Recreation (RR)

**17.08.030: Purpose of Base Zoning Districts:**

The following provide the purpose(s) of each of Cache County's established base zoning districts:

A. Agricultural Zone (A10):

1. To provide areas to promote and protect the opportunities for a broad range of agricultural uses and activities where farming is a viable component of the local economy.
2. To implement the policies of Cache countywide comprehensive plan, including those regarding agricultural promotion, prime farmlands, density based residential standards, and clustering.

B. Rural 2 Zone (RU2):

1. To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
2. To implement the policies of Cache countywide comprehensive plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.

C. Rural 5 Zone (RU5):

1. To allow for residential estate development in a low density pattern that can allow for rural subdivisions and smaller scale agricultural uses. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
2. To implement the policies of Cache countywide comprehensive plan, including those regarding agricultural promotion, prime farmlands, improved roadways, density based residential standards, clustering, moderate income housing and municipality standards.
3. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.

D. Forest Recreation Zone (FR40):

1. To permit the proper use of the forest areas of Cache County for grazing, forestry, mining, recreation, and other activities to the extent compatible with the protection of the natural and scenic resources of the forests for the benefit of present and future generations.

E. Commercial Zone (C):

1. To provide compatible locations for retail, office, and business/commerce activities, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values, and to strengthen the county's tax base.
2. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.

F. Industrial Zone (I):

1. To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and to broaden the tax base.
2. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.

G. Resort Recreation Zone (RR):

1. To allow mountain resort and recreation development within Cache County on privately held land. This zone allows for multiple mountain resort and recreation uses within a master planned area. The regulations of the zone are designed to:
  - a. Provide new recreation opportunities in northern Utah and create destination resort options for the county;
  - b. Promote interesting, creative, and indigenous mountain landscaping, design, and architecture that blends in with natural surroundings and follows project specified design guidelines;
  - c. Stimulate the local economy and increase the tax base of the county;
  - d. Protect the county's environment; and
  - e. Regulate and control development.

**17.08.040: Overlay Zoning Districts Established:**

The following are the overlay zoning districts:

- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)

**17.08.050: Purpose of Overlay Zoning Districts:**

The following provide the purpose(s) of each of Cache County's established overlay zoning districts:

A. Mineral Extraction and Excavation (ME) Overlay Zone:

1. The purpose of this zone is to establish locations and to protect the commercial mineral extraction and excavation industry while protecting the environment and county citizens. This zone is to assure that the operations of such sites do not impact adjoining uses and are not encroached upon by surrounding noncompatible land uses within Cache County.
2. This zone and provisions thereof are deemed necessary in the public interest to affect practices which will, for the economical use of vital materials necessary for our economy, give due consideration to the present and future use of land in the interest of promoting the public health, safety, and general welfare of the residents of Cache County.

B. Public Infrastructure (PI) Overlay Zone:

1. To provide for the siting and operation of public infrastructure in an environmentally sound and economically competitive manner.
2. To inform current and potential residents of the county of the possible location of future public infrastructure locations.
3. To ensure that any public infrastructure be designed, constructed, and operated in a safe and efficient manner, and in compliance with all Federal, State, and local laws and regulations for the protection of the general health, welfare, and safety of the citizens of the county.



**Chapter 17.10: DEVELOPMENT STANDARDS**

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17.10.010 Purpose.....1  
17.10.020 General Requirements.....1  
17.10.030 Development Density and Standards Specific to Base Zoning Districts.....2  
17.10.040 Site Development Standards .....3  
17.10.050 Supplemental Standards .....5

**17.10.010: Purpose:**

The regulations hereinafter set forth in this chapter supplement and/or qualify the zone regulations appearing elsewhere in this title.

**17.10.020: General Requirements:**

**A. Every Single Family Dwelling to be on a Legal Lot:**

1. Every single family dwelling shall be located and maintained on an approved lot, as defined in this title.

**B. Establishment of Legal Lots:**

1. Outside of a defined subdivision, a parcel may be determined to be a legal developable lot as per the conditions outlined in the "Development Services Policy for the Determination of Parcel Legality" dated November 29<sup>th</sup>, 2012.
2. The Cache County Director of Development Services shall make all final determinations of parcel legality.

**C. Combined Lots or Parcels:**

1. If combined lots/parcels have two (2) or more different zoning designations, the uses and regulations of the most restrictive zone will apply. (Ord. 2004-10)

**D. Sale or Lease of Required Space:**

1. Space needed to meet the width, setback, area, coverage, parking or other requirements of this title for a lot/parcel or building shall not be sold or leased away from such lot/parcel or building.

**E. Sale of Lots/Parcels Below Minimum Space Requirements:**

1. A parcel of land which has less than the minimum width and area required for the zone in which it is located shall not be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development.

**F. Restricted Lots:**

1. No permits or licenses will be issued for a use on any restricted lot.
2. A restricted lot which meets all the requirements of this title for a lot, but the creation of which has caused any adjacent lot from which it was severed to be insufficient in frontage, yard or other requirements may be considered legal by adding sufficient area to the adjacent lot to meet all of the requirements of this title for a lot in its zone. The added area must be duly platted and evidenced in the public records by a deed showing a single legal description in the office of the county recorder.

**17.10.030: Development Density and Standards Specific to Base Zoning Districts:**

- A. Agricultural (A10); the following site development densities shall be complied with in the agricultural zoning district (A10):
  - 1. 1970 Parcel Development Option: 1970 parcels may divide the first three (3) lots at a density of one lot per two (2) acres. All development beyond the first three (3) lots on a 1970 parcel shall conform to the minimum density of one lot per ten (10) acres.
    - a. 1970 parcels shall not be permitted to be adjusted through the means of boundary line adjustments to promote additional development potential under this option. Boundary line adjustments may be completed to deal with subdivision design issues, but shall not be permitted to obtain additional lots.
    - b. 1970 parcels that no longer exist or that have been substantially modified shall not be permitted to be re-created for the purpose of further subdivision under this development option.
- B. Forest Recreation (FR40) Zone; the following site development standards shall be complied with in the forest recreation zoning district (FR40):
  - 1. Year Round Occupancy Restriction: Year round residences are prohibited. The maximum occupancy period of any dwelling shall be limited to one hundred eighty (180) days per calendar year.
- C. Commercial (C) and Industrial (I) Zones: the following site development standards shall be complied with in the Commercial (C) and Industrial (I) Zoning Districts:
  - 1. Screening and Landscaping:
    - a. Where any commercial or industrial lot shares a common boundary with property zoned A10, RU5, or RU2, a screen shall be provided at least six feet (6') in height. The screen may be a fence, wall, berm or approved landscaping or some combination of the same.
    - b. All mechanical equipment related to the building, including heating and air conditioning units and trash dumpsters, shall be completely screened from surrounding properties by use of a solid screening fence or wall six feet (6') in height or shall be enclosed within a building. Trash dumpsters shall be located a minimum twenty five feet (25') from any property zoned A10, RU5, or RU2.
    - c. Wherever off street parking areas are situated across the roadway from property zoned A10, RU5, or RU2, a berm or retaining wall in conjunction with a berm, three feet (3') in height shall be constructed within the required setback to adequately screen the parking.
    - d. Landscaping shall be required on ten percent (10%) of the gross area of the proposed project site. Gross area is interpreted as the total project site area remaining after any required road right of way dedication.
    - e. All landscaping shall be maintained in a healthy, neat, and orderly condition free of weeds and litter. All paved areas, walls, or fences shall be in good repair without broken parts, holes, potholes, or litter.
    - f. The planning commission may modify any provision of the screening and landscaping sections of this chapter if strict adherence to a requirement should be delayed or is deemed unnecessary.

2. General Provisions: The land use authority may limit the hours of operation of a business located within the Commercial (C) and Industrial (I) zoning districts. This limitation may be a requirement of obtaining or renewing a business license. Any limitation on the hours of operation of an existing business shall require the land use authority to provide factual findings for the limitation.

**17.10.040: Site Development Standards:**

Table 17.10.040 of this section lists the site development standards that apply within all zoning districts. These are "base" standards, not entitlements. Other regulations of the zoning ordinance, the subdivision ordinance, other applicable county ordinances and policies, requirements imposed as conditions of permitting, or requirements from other local, state, and federal agencies may impose other development standards.

Table 17.10.040 Site Development Standards

| Setbacks                                    | Base Zoning Districts   |                  |                  |                  |       |                  |                  |
|---|---|------------------|------------------|------------------|-------|------------------|------------------|
|   | RU2   | RU5              | A10              | IR40             | C     | I                |                  |
| Primary Use                                 | Front yard  | 30'              | 30'              | 30'              | 50'   | 30'              | 30'              |
|   | Lots with multiple street frontage other than a declared "front"                                  | 30'              | 30'              | 30'              | 50'   | 30'              | 30'              |
|   | Side yard   | 12'              | 12'              | 12'              | 20'   | 30' <sup>1</sup> | 30' <sup>1</sup> |
|   | Rear yard   | 30'              | 30'              | 30'              | 30'   | 30' <sup>1</sup> | 30' <sup>1</sup> |
|   | Distance between two structures on same lot   | 10'              | 10'              | 10'              | 10'   | 10'              | 10'              |
|   | Maximum Height <sup>5</sup>   | 35' <sup>2</sup> | 35' <sup>2</sup> | 35' <sup>2</sup> | 35'   | 40'              | 40'              |
| Accessory Use                               | Distance required between any structure and/or fence and top of recognized irrigation canal bank. | 16.5'            | 16.5'            | 16.5'            | 16.5' | 16.5'            | 16.5'            |
|   | Front yard  | 30'              | 30'              | 30'              | 50'   | 30'              | 30'              |
|   | Side yard   | 5'               | 5'               | 5'               | 5'    | 30' <sup>1</sup> | 30' <sup>1</sup> |
|   | Rear yard   | 5'               | 5'               | 5'               | 5'    | 30' <sup>1</sup> | 30' <sup>1</sup> |
|   | Maximum Height <sup>5</sup>   | 35'              | 35'              | 35'              | 35'   | 35'              | 35'              |
| Distance between two structures on same lot | 10'   | 10'              | 10'              | 10'              | 10'   | 10'              |                  |

|   |       |       |                     |                |       |       |
|---|-------|-------|---------------------|----------------|-------|-------|
| Distance required between any structure and/or fence and top of recognized irrigation canal bank. | 16.5' | 16.5' | 16.5'               | 16.5'          | 16.5' | 16.5' |
| Minimum Residential Lot Size  | 0.5A  | 0.5A  | 0.5A                | 1A             | 0.5A  | 1A    |
| Maximum Residential Density <sup>4</sup>  | 1U/2A | 1U/5A | 1U/10A <sup>3</sup> | 1U/40A         | 2U/A  | NA    |
| Maximum Lot Coverage  | 60%   | 60%   | 60%                 | 10,000 sq. ft. | 50%   | 50%   |
| Minimum Lot Frontage  | 90'   | 90'   | 90'                 | 150'           | 150'  | 150'  |

**Notes:**

- <sup>1</sup> Setback may be reduced to 15 feet with a conditional use permit if the adjoining parcel is zoned commercial or industrial.
- <sup>2</sup> Maximum height for agricultural structures is 45 feet.
- <sup>3</sup> The density standard has an exception located in subsection 17.10.030 [A] of this chapter.
- <sup>4</sup> The land use authority shall have the authority to determine the total number of acres eligible for residential density (developable acreage).
- <sup>5</sup> Height restrictions exceptions may be granted in compliance with section 17.10.050[A][6] of this title.

**17.10.050: Supplemental Standards:**

A. The following site development standards shall be complied with in all zoning districts:

1. Parking Standards:

- a. Parking for each use shall conform to chapter 17.22 of this title.
- b. No required parking shall be permitted in any required setback area.

2. Animal Confinement:

- a. All areas used for animal confinement shall be set back fifty feet (50') from any natural waterway.
- b. All areas used for animal confinement shall be set back twenty feet (20') from any dwelling unit.

3. Agricultural Restrictive Covenant:

- a. Any person who chooses to site a nonagricultural use will be required to record a signed agricultural declaration against their property making it subject to a restrictive covenant in favor of all agricultural uses that may occur within the zone they are presently located or within an adjacent zone.
- b. The form of the declaration shall be substantially as follows and it may be incorporated verbatim or by reference:
  - i. **AGRICULTURAL DECLARATION:** The property described herein is subject to all adjacent Agricultural Uses allowed within or adjacent to this zone, specifically to the sights, sounds, smells, air quality, water use, animal use, hours of operation, etc., accompanying regular and customary agricultural uses now existing or which may exist in the future in an Agricultural zone. By this Declaration the undersigned, and their successors in interest, hereby waive any claim for nuisance or otherwise arising from regular and customary agricultural operations. Agricultural operations that are

consistent with sound agricultural practices are declared reasonable and shall not constitute a nuisance. Agricultural operations that are in conformity with federal, state and local laws and regulations are presumed to be operating within sound agricultural practices.

4. Water and Sewage Requirements:

- a. All proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River health department, the Utah Department of Environmental Quality, and the office of the state water engineer. These agencies shall be considered the county experts in evaluating the proposed sewage and culinary water supply system.
- b. No proposed septic system shall be permitted within a zone 1 or zone 2 as defined by the current drinking water source protection plan for any public culinary water system.

5. Setbacks:

a. Setbacks and Open Space for One Building Only:

No required setback or other open space around an existing or proposed building complying with the provisions of this title shall be considered as providing a setback or open space for any other building; nor shall any setback or other required open space on an adjoining lot be considered as providing a setback or open space on a lot whereon a building is to be erected or established. This section shall be construed to mean only one main building may be permitted on one lot, unless otherwise hereinafter provided.

b. Measurement of Setback:

- i. Wherever a front yard is required for a lot facing on a street for which an official map has been recorded in the office of the county recorder, the depth of such front yard shall be measured from the mapped road right of way line provided by the official map.
- ii. Where an official map has not been recorded, measurements shall be made from the existing right of way line or from the proposed right of way line, as required by this title or indicated in the transportation element of the Cache countywide comprehensive plan or indicated in the CMPO long range transportation plan for the Logan urbanized area.

c. Exceptions; the area of required setbacks shall be open to the sky and unobstructed, except for the following:

- i. The ordinary projections of roof eaves, bay windows, window wells, basement access ways, skylights, sills, belt courses, cornices, chimneys, flues, and other ornamental features which project into a setback not more than four feet (4'); provided, however, that there shall remain a minimum of eight feet (8') to side property lines;
- ii. Uncovered steps leading to the main entrance in the front yard which are no more than four feet (4') in height and do not cause any danger or hazard to traffic by obstructing the clear view of the street or intersection.

6. Exceptions to Height Limitations:

- a. Roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and/or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smoke stacks, water tanks, wireless or television masts, silos, solar collectors, windmills or similar structures, and public uses and utilities may be erected above the height limits herein prescribed, but no space above the height

limits shall be allowed for the purpose of providing additional floor space, and no height exception is permitted above the maximum allowed under applicable airport overlay zones. Height shall be measured from the average finished grade of the structure.

- B. Supplemental development standards specific to the Mineral Extraction and Excavation (ME) zoning district are located within chapter 17.13 of this Title.
- C. Supplemental development standards specific to the Resort Recreation (RR) zoning district are located within chapter 17.14 of this Title.
- D. Supplemental development standards regarding sensitive areas for all zoning districts are located within chapter 17.18 of this Title.

**Chapter 17.13: MINERAL EXTRACTION AND EXCAVATION (ME) OVERLAY**

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17.13.040 Site Development Standards .....1  
17.13.050 Operation Categories.....1  
17.13.060 Mineral Extraction and Excavation Master Plan .....2  
17.13.070 Minimum Requirements .....2  
17.13.080 Development and Reclamation Agreement .....3  
17.13.090 Compliance by Existing Operations.....3

**17.13.040: Site Development Standards:**

Site development standards for any mineral extraction or excavation operation shall conform to the base zoning district requirements as listed in Table 17.10.040 of this title. In the instance of conflicting or multiple Base zoning districts on a single parcel, the more restrictive zone shall be applied across the entire parcel. Base zoning districts may be combined with an overlay zoning district on all or a portion of a parcel to alter, restrict, or allow specific development regulations.

**17.13.050: Operation Categories:**

**17.13.060: Mineral Extraction and Excavation Master Plan:**

All applications for a mineral extraction and excavation master plan shall be accompanied by the following materials:

- A. A completed application form for a conditional use permit;
- B. Evidence of ownership or control over the land and a legal description of the property where the extraction operation will be located;
- C. A site plan showing the following:
  - 1. Dimensions of the excavation site and of the parcel;
  - 2. Locations of clearances, rights of way, easements, utility lines, existing watercourses and drainage;
  - 3. Property lines with names and parcel tax identification numbers of adjoining property owners;
  - 4. Proposed ingress and egress; and
  - 5. A contour map based on the USGS 7.5 minute quadrangle and estimate of materials to be removed.
  - 6. The location of the sand and gravel overlay area on the site.

**17.13.070: Minimum Requirements:**

**17.13.080: Development and Reclamation Agreement:**

**17.13.090: Compliance by Existing Operations:**

**Chapter 17.15: RESERVED**

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**Chapter 17.17: AIRPORT LIMITATION AREAS**

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**17.17.010: Purpose:**

The airport limitation areas are intended to establish standards assuring the long range, safe, and beneficial use of the Logan-Cache County airport.

**Chapter 17.18: SENSITIVE AREAS**

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**17.18.100 Areas of Potential Sand and Gravel Deposits .....5**

**17.18.030 Potentially Developable Sensitive Areas Defined**

The following areas are determined to be sensitive areas of Cache County and are subject to the requirements of this Chapter. These areas may be built upon based on the requirements of this section and other applicable County, State, and Federal requirements. All acreage encumbered by any of the following sensitive areas may be considered for development density at the discretion of the Cache County Council. Additional requirements within these areas are addressed within 17.18.070 Supplementary Development Standards.

- A. Steep Slopes: Where the rise or fall of the land is equal to or exceeds twenty (20) percent over a horizontal distance of twenty (20) feet or greater.
- B. Floodplains: As identified and defined by Federal Emergency Management Agency (FEMA) – Flood Insurance Rate Maps (FIRM).
- C. Crucial Wildlife Habitat: As identified by the State Division of Wildlife Resources (DWR).
- D. Geologic Hazards: Earthquake fault lines, or areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the U.S. Geological Survey (USGS).
- E. Wildfire Hazards: Areas of the County designated as having moderate to extreme potential for wildfires hazards as identified by the Bureau of Land Management (BLM).

**17.18.070 Supplementary Development Standards**

These standards are provided to ensure that any development proposed wholly, or in part, within a sensitive area recognizes the physical and environmental constraints of the development site. These standards shall supplement, and are in addition to, other development standards provided by this Title.

- A. Steep Slopes
- B. Mapped Floodplain
- C. Wildfire Hazards

**17.18.080 Engineering Geotechnical Report**

- A. An engineering geotechnical report shall be prepared by a licensed geotechnical engineer or licensed geologist. The report shall be signed and dated by the preparer and shall also include the qualifications of the preparer.

**17.18.100 Areas of Potential Sand and Gravel Deposits**

- A. Areas containing potential sand and gravel deposits have been identified and mapping is available when reviewing mineral extraction requests.

**Chapter 17.19: PUBLIC INFRASTRUCTURE (PI) OVERLAY**

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**B. Utility Facilities:**

1. Cache County requires no minimum lot area or width for utility facilities.
2. Setbacks: The setback requirement for a major utility corridor from property lines, rights of way, easements, natural and manmade water features, fault lines, built structures, or other features shall be determined by the land use authority based on the proposed facility type, size, and routing. The determination of a setback requirement shall be based on what is reasonable and necessary to preserve the ability to locate a utility corridor while preserving private property rights and access to community facilities.
3. Design Standards: The design and construction of major utility corridors and facilities shall be done to minimize the visual impact of the facility on surrounding residents and the community. Major utility corridors shall demonstrate that all structures or easements will not result in undesirable impacts and that they can be authorized as a conditional use, complying with the requirements of this title.  
Additionally, the land use authority shall consider the following when acting upon a major utility corridor:
  - a. Hydrologic impacts of surface and ground water systems,
  - b. Wildlife habitat areas and migration patterns,
  - c. Erosion control plans,
  - d. Vegetation plans,
  - e. Reclamation, decommissioning, and abandonment plans as applicable,
  - f. Construction plans, including phasing plans and the location of staging areas and traffic control plans, and
  - g. Other issues and impacts as may be applicable.
4. Fire Protection: Any development of a major utility corridor shall comply with the requirements of the wildland-urban interface code where applicable.
5. Land Use Application: All applications for major utility facilities must contain the following information in addition to the application materials required within chapter 17.06 of this title:
  - a. Engineered drawings of the proposed facility which include:
    - i. The exact location of any and all rights of way or easements, identifying the proposed width and alignment centerline, and
    - ii. Specific information on the facilities to be installed, including all above and below grade facilities and improvements,
    - iii. Coverage plans for the proposed tower and including neighboring towers providing coverage for the area.
    - iv. Phasing plans,
    - v. Any other necessary improvements or alterations including public and private infrastructure, grading or drainage alterations, removal of vegetation, etc.
  - b. Emergency and normal shutdown procedures.
  - c. Emergency response plans.

Cache County  
 Little Bear River Bank Protection (BP-1, BP-2)  
 J-U-B Project No. 57-12-28

Denotes an error in calculation on bidders form

| Item                     | Description  | Unit | Quantity                      | Engineer's Opinion of Probable Cost |                      | Geneva Rock                     |                        | Staker Parson                   |                        | Skyview Exc.                   |               |
|--------------------------|--|------|-------------------------------|-------------------------------------|----------------------|---------------------------------|------------------------|---------------------------------|------------------------|--------------------------------|---------------|
|                          |  |      |                               | Unit Price                          | Amount               | Unit Price                      | Amount                 | Unit Price                      | Amount                 | Unit Price                     | Amount        |
| 1                        | Mobilization & Demobilization  | LS   | 1                             | \$106,127.00                        | \$ 106,127.00        | \$ 45,000.00                    | \$ 45,000.00           | \$ 23,715.00                    | \$ 23,715.00           | \$ 65,000.00                   | \$ 65,000.00  |
| 2                        | Traffic Control  | LS   | 1                             | \$7,000.00                          | \$ 7,000.00          | \$ 3,000.00                     | \$ 3,000.00            | \$ 1,204.00                     | \$ 1,204.00            | \$ 30,000.00                   | \$ 30,000.00  |
| 3                        | Temporary Controls (Access Road)   | LS   | 1                             | \$16,000.00                         | \$ 16,000.00         | \$ 20,000.00                    | \$ 20,000.00           | \$ 16,325.00                    | \$ 16,325.00           | \$ 8,000.00                    | \$ 8,000.00   |
| 4                        | Site Clearing  | LS   | 1                             | \$17,500.00                         | \$ 17,500.00         | \$ 20,000.00                    | \$ 20,000.00           | \$ 9,327.00                     | \$ 9,327.00            | \$ 6,000.00                    | \$ 6,000.00   |
| 5                        | Dewatering   | LS   | 1                             | \$18,000.00                         | \$ 18,000.00         | \$ 30,000.00                    | \$ 30,000.00           | \$ 14,610.00                    | \$ 14,610.00           | \$ 60,000.00                   | \$ 60,000.00  |
| 6                        | Permanent Shoring  | SF   | 5200                          | \$80.00                             | \$ 416,000.00        | \$ 70.00                        | \$ 364,000.00          | \$ 72.60                        | \$ 377,520.00          | \$ 96.00                       | \$ 499,200.00 |
| 7                        | Gabion Scour Protection Wall   | EA   | 1400                          | \$140.00                            | \$ 196,000.00        | \$ 125.00                       | \$ 175,000.00          | \$ 177.50                       | \$ 248,500.00          | \$ 240.00                      | \$ 336,000.00 |
| 8                        | Gabions on Slope   | EA   | 2200                          | \$140.00                            | \$ 308,000.00        | \$ 100.00                       | \$ 220,000.00          | \$ 220.20                       | \$ 484,440.00          | \$ 240.00                      | \$ 528,000.00 |
| 9                        | Stream Channel Weir D50 24 inch  | TON  | 95                            | \$45.00                             | \$ 4,275.00          | \$ 95.00                        | \$ 9,025.00            | \$ 59.10                        | \$ 5,614.50            | \$ 50.00                       | \$ 4,750.00   |
| 10                       | Stream Channel Weir D50 36 inch  | TON  | 128                           | \$50.00                             | \$ 6,400.00          | \$ 95.00                        | \$ 12,160.00           | \$ 61.70                        | \$ 7,897.60            | \$ 52.00                       | \$ 6,656.00   |
| 11                       | Stream Bank Rip Rap D50 16 inch  | TON  | 140                           | \$40.00                             | \$ 5,600.00          | \$ 95.00                        | \$ 13,300.00           | \$ 61.25                        | \$ 8,575.00            | \$ 52.00                       | \$ 7,280.00   |
| 12                       | Rip Rap Channel D50 8 inch   | TON  | 17                            | \$40.00                             | \$ 680.00            | \$ 95.00                        | \$ 1,615.00            | \$ 100.60                       | \$ 1,710.20            | \$ 40.00                       | \$ 680.00     |
| 13                       | Traffic Sign   | EA   | 3                             | \$150.00                            | \$ 450.00            | \$ 200.00                       | \$ 600.00              | \$ 448.00                       | \$ 1,344.00            | \$ 150.00                      | \$ 450.00     |
| 14                       | W-Beam Guard Rail  | LF   | 180                           | \$25.00                             | \$ 4,500.00          | \$ 45.00                        | \$ 8,100.00            | \$ 39.20                        | \$ 7,056.00            | \$ 32.00                       | \$ 5,760.00   |
| 15                       | 2'x3' Precast Concrete Catch Basin   | EA   | 2                             | \$1,000.00                          | \$ 2,000.00          | \$ 2,500.00                     | \$ 5,000.00            | \$ 1,960.00                     | \$ 3,920.00            | \$ 700.00                      | \$ 1,400.00   |
| 16                       | 15" CMP Storm Drain Pipe   | LF   | 113                           | \$30.00                             | \$ 3,390.00          | \$ 50.00                        | \$ 5,650.00            | \$ 41.65                        | \$ 4,706.45            | \$ 38.00                       | \$ 4,294.00   |
| 17                       | Plant-Mix Asphalt Repair   | SF   | 110                           | \$10.00                             | \$ 1,100.00          | \$ 12.00                        | \$ 1,320.00            | \$ 14.00                        | \$ 1,540.00            | \$ 10.00                       | \$ 1,100.00   |
| 18                       | Pipe Anchor  | EA   | 3                             | \$250.00                            | \$ 750.00            | \$ 600.00                       | \$ 1,800.00            | \$ 756.00                       | \$ 2,268.00            | \$ 500.00                      | \$ 1,500.00   |
| 19                       | Granular Backfill Borrow   | TON  | 270                           | \$18.00                             | \$ 4,860.00          | \$ 30.00                        | \$ 8,100.00            | \$ 22.05                        | \$ 5,953.50            | \$ 15.00                       | \$ 4,050.00   |
| 20                       | Untreated Base Course  | TON  | 70                            | \$18.00                             | \$ 1,260.00          | \$ 40.00                        | \$ 2,800.00            | \$ 44.30                        | \$ 3,101.00            | \$ 35.00                       | \$ 2,450.00   |
| 21                       | Moment Slab and Barrier  | LF   | 100                           | \$235.00                            | \$ 23,500.00         | \$ 257.00                       | \$ 25,700.00           | \$ 180.77                       | \$ 18,077.00           | \$ 68.00                       | \$ 6,800.00   |
| 22                       | Site Restoration   | LS   | 1                             | \$24,000.00                         | \$ 24,000.00         | \$ 20,000.00                    | \$ 20,000.00           | \$ 22,410.00                    | \$ 22,410.00           | \$ 8,000.00                    | \$ 8,000.00   |
| <b>Total =</b>           |  |      |                               | <b>\$ 1,167,392.00</b>              | <b>\$ 992,170.00</b> | <b>\$ 85%</b>                   | <b>\$ 1,269,814.25</b> | <b>\$ 109%</b>                  | <b>\$ 1,587,370.00</b> | <b>\$ 136%</b>                 |               |
| Alternate/Substitution   |  |      |                               | Percent of Engineers Estimate       |                      |                                 |                        |                                 |                        |                                |               |
| 23                       | Permanent Shoring without Concrete Facing (Substitution for South Canyon for Pay Item 6) | SF   | Up to 1/2 of Shoring Quantity |                                     |                      | \$ 52.00                        | \$ 135,200.00          | \$ 53.02                        | \$ 137,852.00          | \$ 16.00                       | \$ 38,400.00  |
| Naming of Subcontractors |  |      |                               | Rowser Construction (Guardrail)     |                      | Rowser Construction (Guardrail) |                        | Rowser Construction (Guardrail) |                        | Jones Excavating (Shoring)     |               |
|                          |  |      |                               | Advanced Shoring (Shoring)          |                      | Storm Water Solution (Seeding)  |                        | Storm Water Solution (Seeding)  |                        | Cache Landmark Eng. (Surveyor) |               |
|                          |  |      |                               | Advanced Shoring (Shoring)          |                      | Cache Landmark Eng. (Surveyor)  |                        | Cache Landmark Eng. (Surveyor)  |                        | Advanced Shoring (Shoring)     |               |



RESOLUTION NO. 2013- 03

A RESOLUTION INCREASING THE BUDGET APPROPRIATIONS FOR CERTAIN COUNTY DEPARTMENTS.

The Cache County Council, in a duly convened meeting, pursuant to Sections 17-36-22 through 17-36-26, Utah Code Annotated, 1953 as amended, finds that certain adjustments to the Cache County budget for 2013 are reasonable and necessary; that the said budget has been reviewed by the County Auditor with all affected department heads; that a duly called hearing has been held and all interested parties have been given an opportunity to be heard; that all County Council has given due consideration to matters discussed at the public hearing and to any revised estimates of revenues; and that it is in the best interest of the County that these adjustments be made.

NOW THEREFORE, it is hereby resolved that:

Section 1.

The following adjustments are hereby made to the 2013 budget for Cache County:

**see attached**

Section 2.

Other than as specifically set forth above, all other matters set forth in the said budget shall remain in full force and effect.

Section 3.

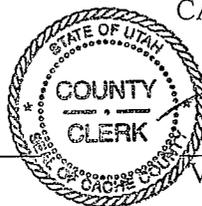
This resolution shall take effect immediately upon adoption and the County Auditor and other county officials are authorized and directed to act accordingly.

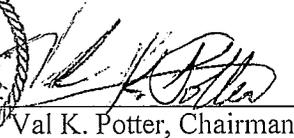
This resolution was duly adopted by the Cache County Council on the 26th day of February, 2013.

ATTESTED TO:

CACHE COUNTY COUNCIL

  
Jill N. Zollinger, Cache County Clerk



  
Val K. Potter, Chairman

FUND 100 GENERAL FUND REVENUES

| ACCOUNT      | DESCRIPTION                   | Current<br>Budget | Recommended       |                    | Amended<br>Budget | Reason for Change                 |
|--------------|-------------------------------|-------------------|-------------------|--------------------|-------------------|-----------------------------------|
|              |                               |                   | Increase<br>DEBIT | Decrease<br>CREDIT |                   |                                   |
| 100-33-10400 | FED GRANT - HOMELAND SECURITY | -                 |                   | (40,000)           | (40,000)          | 2011 HLS FUNDS REAPPROP           |
| 100-33-70104 | GRANTS OTHER LOCAL            | -                 |                   | (70,000)           | (70,000)          | FROM AWHF                         |
| 100-36-95000 | LEASE PROCEEDS                | -                 |                   | (500,000)          | (500,000)         | PROCEEDS FOR LAND PURCHASE        |
| 100-38-70000 | APPROP SURPLUS                | (2,045,000)       |                   | (4,000)            | (2,049,000)       | to purchase video evidence server |
| 100-38-76000 | TRANSFERS IN FROM RTA         | -                 |                   | (147,000)          | (147,000)         | TRANSFER FOR LAND PURCHASE        |
|              | Totals                        |                   |                   | (761,000)          |                   |                                   |
|              | Net Adjustment                |                   |                   |                    | (761,000)         |                                   |

FUND 100 GENERAL FUND EXPENDITURES

| ACCOUNT      | DESCRIPTION                         | Current<br>Budget | Recommended       |                    | Amended<br>Budget | Reason for Change              |
|--------------|-------------------------------------|-------------------|-------------------|--------------------|-------------------|--------------------------------|
|              |                                     |                   | Increase<br>DEBIT | Decrease<br>CREDIT |                   |                                |
| 100-4210-120 | Sheriff - temp employees            | 32,077            |                   | (1,500)            | 30,577            | transfer for CLEA support help |
| 100-4210-251 | Sheriff - Non Capitalized equipment | 30,000            | 4,000             |                    | 34,000            | video evidence server          |
| 100-4210-620 | Sheriff - Misc Services             | -                 | 1,500             |                    | 1,500             | transfer for CLEA support help |
| 100-4255-744 | EMG MNT - CAPITALIZED EQUIPMENT HLS | -                 | 40,000            |                    | 40,000            | APPROP UNUSED FUNDS PRIOR YEAR |
| 100-4960-710 | Sundry Exp - Land Purchase          | -                 | 717,000           |                    | 717,000           | LAND PURCHASE                  |
|              | Totals                              |                   | 762,500           | (1,500)            |                   |                                |
|              | Net Adjustment                      |                   |                   |                    | 761,000           |                                |

FUND 260 RESTAURANT TAX REVENUE

| ACCOUNT      | DESCRIPTION              | Current<br>Budget | Recommended       |                    | Amended<br>Budget | Reason for Change |
|--------------|--------------------------|-------------------|-------------------|--------------------|-------------------|-------------------|
|              |                          |                   | Increase<br>DEBIT | Decrease<br>CREDIT |                   |                   |
| 260-38-90000 | APPROP FROM FUND BALANCE | -                 |                   | (147,000)          | (147,000)         | FOR LAND PURCHASE |
|              | Totals                   |                   |                   | (147,000)          |                   |                   |
|              | Net Adjustment           |                   |                   |                    | (147,000)         |                   |

FUND 260 RESTAURANT TAX EXPENDITURE

| ACCOUNT      | DESCRIPTION              | Current<br>Budget | Recommended       |                    | Amended<br>Budget | Reason for Change |
|--------------|--------------------------|-------------------|-------------------|--------------------|-------------------|-------------------|
|              |                          |                   | Increase<br>DEBIT | Decrease<br>CREDIT |                   |                   |
| 260-4810-110 | TRANSFER TO GENERAL FUND |                   | 147,000           |                    | 147,000           | FOR LAND PURCHASE |
|              | Totals                   |                   | 147,000           | -                  |                   |                   |
|              | Net Adjustment           |                   |                   |                    | 147,000           |                   |

FUND 400 CAPITAL PROJECTS-CANAL EXPENDITURE

| ACCOUNT      | DESCRIPTION                  | Current<br>Budget | Recommended       |                    | Amended<br>Budget | Reason for Change             |
|--------------|------------------------------|-------------------|-------------------|--------------------|-------------------|-------------------------------|
|              |                              |                   | Increase<br>DEBIT | Decrease<br>CREDIT |                   |                               |
| 400-4115-481 | CANAL REBUILD - DESIGN       | -                 | 1,200,000         |                    | 1,200,000         | TRANSFER FROM CONST TO DESIGN |
| 400-4115-482 | CANAL REBUILD - CONSTRUCTION | 10,660,000        |                   | (1,200,000)        | 9,460,000         | TRANSFER TO DESIGN COSTS      |
|              | Totals                       |                   | 1,200,000         | (1,200,000)        |                   |                               |
|              | Net Adjustment               |                   |                   |                    | -                 |                               |