

M. LYNN LEMON
COUNTY EXECUTIVE / SURVEYOR

199 NORTH MAIN
LOGAN, UTAH 84321
TEL: 435-755-1850
FAX: 435-755-1981



**Cache
County**
1857

COUNTY COUNCIL
VAL K. POTTER, *CHAIRMAN*
KATHY ROBISON, *VICE CHAIR*
CRAIG "W" BUTTARS
GREG MERRILL
JON WHITE
CORY YEATES
GORDON A. ZILLES

May 23, 2014

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a Regular Meeting in the **Cache County Historic Courthouse, County Council Chambers**, 199 North Main, Logan, Utah 84321 at **5:00 p.m.** on **TUESDAY, MAY 27, 2014**

AMENDED AGENDA

- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – Kathy Robison
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (May 13, 2014)
 5. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
 6. **CONSENT AGENDA**
 - a. **Moake Subdivision**
Steven Taylor requesting approval for a 3-lot Subdivision on 10 acres in the Rural (RU2) Zone located approximately 1833 North 8000 West, Petersboro
 - b. **Walker Subdivision**
Lance A. Walker requesting approval for a 2-lot Subdivision on 5.18 acres in the Agricultural (A10) Zone located approximately 6295 North 800 West, north of Smithfield
 7. **ITEMS OF SPECIAL INTEREST**
 - a. Cache Valley Transit District – Aaron Dickey
 8. **UNIT OR COMMITTEE REPORTS**
 - a. Road Department – Organization and Projects – Josh Runhaar
 9. **BUDGETARY MATTERS**
 10. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
 - a. **Board of Equalization**
 1. Property Tax Exemption Request
 2. Findings of Fact Reports: Center for Excellence in Higher Education
Cache Valley Community Health Center
 - b. **Public Hearing – Ordinance 2014-06**
Amendments to Title 17.18 – Sensitive Areas
 - c. **Public Hearing – Ordinance 2014-07**
Amendments to Title 17.20 – Telecommunications Facilities
 - d. **Public Hearing – Open 2014 Budget**
- 5:30 p.m.***
- 5:45 p.m.***
- 6:00 p.m.***

11. **PENDING ACTION**

12. **INITIAL PROPOSAL FOR CONSIDERATION OF ACTION**

- a. **Resolution 2014 -12 – 2014 Budget Amendments**
- b. Approval of Restaurant / RAPZ Tax Committee Recommendations
- c. CCCOG Recommendations
- d. Paradise Avon Parks and Recreation Service Area Proposal – Jason Summers
- e. Discussion – Storm Water
- f. Update on Tax Sale

13. **OTHER BUSINESS**

- a. Nibley City Heritage Days Parade – Saturday, June 21, 2014 at 10:00 a.m.
- b. Lewiston City 4th of July Parade – Friday, July 4, 2014 at 9:00 a.m.
- c. Hyrum City 4th of July Parade – Friday, July 4, 2014 at 12 noon
- d. Council Photo – Tuesday, June 10, 2014 at 4:30 p.m.
- e. 2014 Summer USACCC Conference – Thursday, June 26, 2014 somewhere in Utah County

14. **COUNCIL MEMBER REPORTS**

15. **EXECUTIVE SESSION** – Utah Code 52-4-205(1)(c) – Discussion of Pending Litigation

16. **ADJOURNMENT**



Val K. Potter, Chairman

*Citizens desiring to be heard are encouraged to submit their messages in writing during or prior to the hearing

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Janeen Allen at 755-1850 at least three working days prior to the meeting.

STAFF REPORT: MOAKE SUBDIVISION

08 May 2014

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Steven C. Taylor

Parcel ID#: 12-046-0003

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:

1833 North 8000 West
Petersboro, Utah 84325

Current Zoning:

Rural 2 (RU2) Zone

Acres: 10

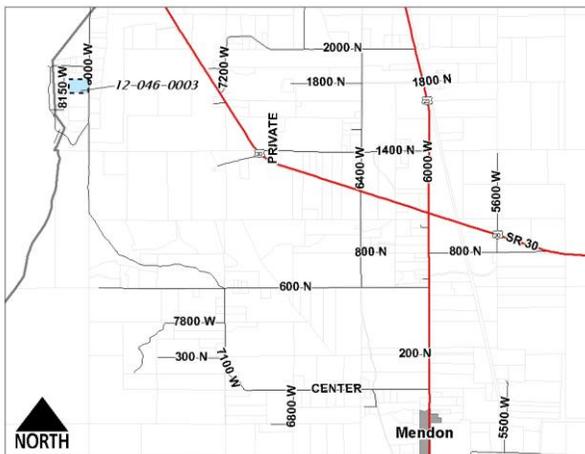
Surrounding Uses:

North – Agricultural/Rural 2/Box Elder County

South – Agricultural/Rural 2/FR40

East – Agricultural/Residential

West – Rural 2/Box Elder County/Residential



PURPOSE, ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding the proposed Moake Subdivision.

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per two (2) acres, in the Rural 2 (RU2) Zone.

Summary:

This proposal is to divide a single parcel into three (3) developable lots.

Access:

- Access to this property is from 8000 West and is adequate. At this point, 8000 W is a 22' wide paved road with 2' wide gravel shoulders.
- As determined by Cache County a minimum 18" culvert must be installed at the access points for each lot prior to the issuance of a building permit.

Water & Septic:

- Culinary water is provided by the Willow Creek Water Company. Lot 1 is already a customer of the Willow Creek Water Company.
- There is a septic system for the existing dwelling. Bear River Health Department approved this new lot configuration.

Service Provision:

- There is sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 8000 West.
- A school bus stop is located at 14600 North 400 West.
- Water supply for fire protection is provided by a hydrant system. Access for emergency services is adequate.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff's determination that the Moake Subdivision, a 3-lot subdivision for property located at approximately 1833 North 8000 West Petersboro, Utah 84325 with parcel number 12-046-0003, 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 Moake Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Moake Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Moake Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Moake Subdivision 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.

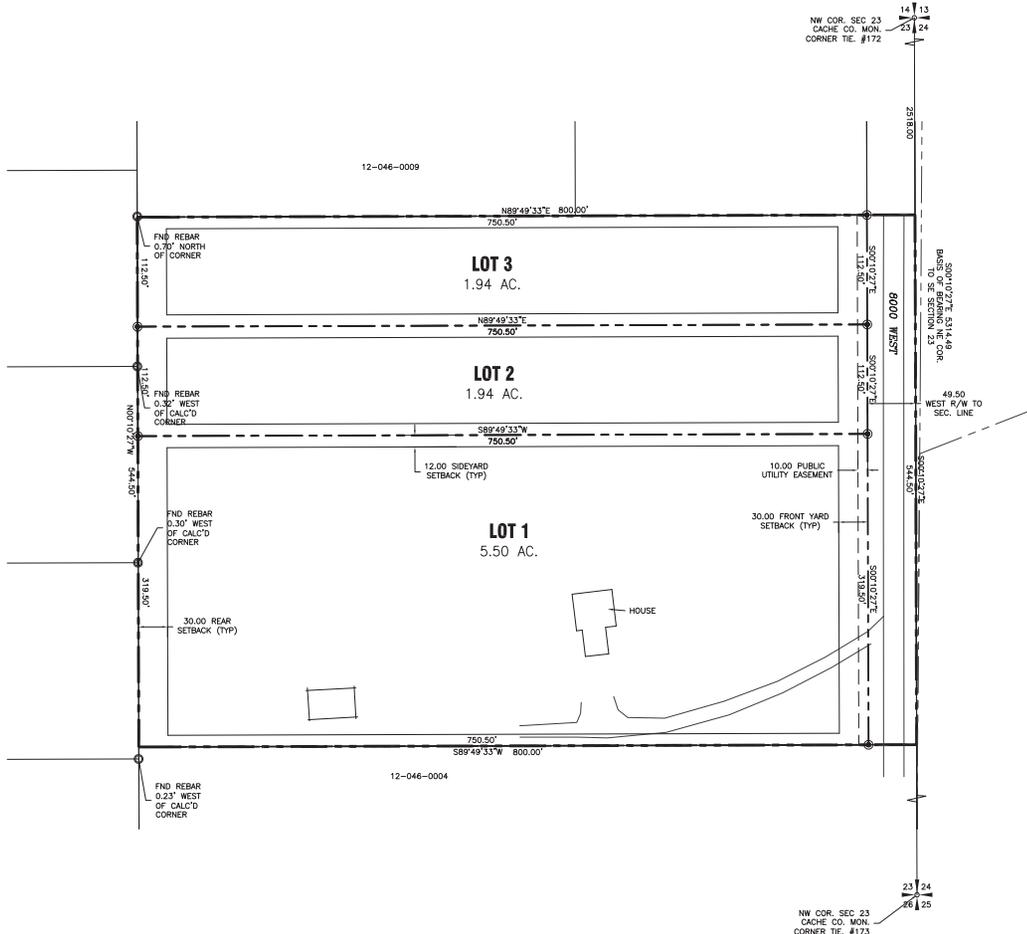
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The applicant shall reaffirm their 33' portion of Cache County's 66' wide right-of-way for all county roads along the proposed subdivision boundary.
3. As determined by Cache County a minimum 18" culvert must be installed at the access points for each lot prior to the issuance of a building permit.

NORTH



0 60 120ft.
SCALE 1" = 60'-0"

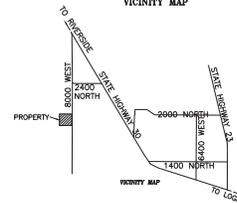
MOAKE SUBDIVISION
Part of the East Half of Section 23,
Township 12 North, Range 2 West,
Salt Lake Baseline & Meridian
Cache County, Utah



LEGEND

- BOUNDARY LINE
- x- FENCE
- - - EASEMENT
- ⊙ SET REBAR W/ PLASTIC CAP
MARKED PELS 275617
- FOUND REBAR
- (120' B.R.) DEED RECORD DISTANCE
- ⊕ SECTION CORNER

VICINITY MAP



NOTES AND PROTECTIVE COVENANTS

1. CURRENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THEY WILL BE SUBJECT TO THE SIGHTS, SOUNDS, AND SMELLS ASSOCIATED WITH AGRICULTURAL ACTIVITIES WHICH ARE THE PERMITTED USES IN AGRICULTURE ZONE.
2. NO INCREASE IN STORM WATER DRAINAGE SHALL BE ALLOWED TO FLOW FROM ANY SUBDIVISION LOT TO ANY ADJACENT LOTS, PROPERTIES, DITCHES, CANALS, OR WATERWAYS WITHOUT THE PRIOR WRITTEN AUTHORIZATION OF THE AFFECTED PARTY.
3. CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY AND ADEQUACY OF CULINARY WATER TO ANY OF THE LOTS IDENTIFIED. ALL OWNERS ARE ADVISED TO OBTAIN A CULINARY WATER SOURCE AND TO COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
4. SETBACK LINES ARE FOR PRIMARY BUILDINGS ONLY.

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE COUNTY SURVEYOR'S OFFICE AND FURTHER THAT IT MEETS THE MINIMUM STANDARDS FOR PLATS REQUIRED BY COUNTY ORDINANCE AND STATE LAW.

DATE _____ COUNTY SURVEYOR OFFICE _____

BEAR RIVER HEALTH DEPARTMENT APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____ 2014.

BEAR RIVER HEALTH DEPARTMENT
BY: _____
TITLE: _____

CACHE COUNTY ATTORNEY

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THE PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE THIS _____ DAY OF _____ 2014.

CACHE COUNTY ATTORNEY _____

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON THE _____ DAY OF _____ 2008. IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON ITS FINDINGS.
DATED THIS _____ DAY OF _____ 2014

CACHE COUNTY PLANNING COMMISSION
BY: _____
CHAIRMAN

SURVEYOR'S CERTIFICATE

I, Brian G. Lyon, a Registered Land Surveyor, hold Certificate No. 275617, as prescribed by the laws of the State of Utah, and do hereby certify that by authority of the owners, I have made a survey of the tract of land shown on this plat, which is accurately described herewith, and have subdivided said tract of land into lots and private accesses to be hereafter known as MOAKE SUBDIVISION and that the same has been surveyed and staked on the ground as shown on this plat.



SURVEYOR'S NOTES/NARRATIVE

1. The purpose of this survey was to create a three lot subdivision of Parcel 04-046-0003. The survey was requested by Scott Moake.
2. The basis of bearing is S 00°10'27" E from the Northeast Corner to the Southeast Corner of Section 23 as monumented this Cache County Surveyors Office.
3. 5/8" rebar to be set at all property corners.
4. The north, south and west line was established per deed.
5. The east line was established 49.2' west of the east line of Section 23.

SUBDIVISION BOUNDARY DESCRIPTIONS

Part of the East Half of Section 23, Township 12 North, Range 2 West, Salt Lake Baseline and Meridian described as follows:
Beginning at a point S00°10'27" E 2518.00 feet along the section line from the Northeast Corner of Section 23 and running thence S00°10'27" E along said Section line 544.50 feet; thence S89°49'33" W 800.00 feet; thence N00°10'27" W 544.50 feet; thence S89°49'33" E 800.00 feet to the point of beginning, containing 10.00 acres.

OWNERS ACKNOWLEDGEMENT

THE UNDERSIGNED, BEING THE OWNER(S) OF RECORD OF THE ABOVE-DESCRIBED PARCEL OF LAND DO HEREBY SUBMIT SAID PARCEL OF LAND TO BE SUBDIVIDED.

D. SCOTT MOAKE SHARON C. MOAKE

ACKNOWLEDGEMENT

STATE OF UTAH
COUNTY OF CACHE
ON THIS _____ DAY OF _____ 2014,
PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF CACHE, IN SAID STATE OF UTAH, THE SIGNERS OF THE ATTACHED OWNERS' DECLARATION, IN NUMBERS, WHO DULY ACKNOWLEDGED TO ME THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

NOTARY PUBLIC

COUNTY COUNCIL APPROVAL AND ACCEPTANCE
THIS PLAT WAS APPROVED BY THE CACHE COUNTY COUNCIL BY MAJORITY VOTE _____ ON THE _____ DAY OF _____

DATED THIS _____ DAY OF _____, 2014
CACHE COUNTY COUNCIL
BY: _____
ATTESTED TO: CHAIRMAN
CACHE COUNTY CLERK _____

COUNTY RECORDER

State of Utah, County of Cache, recorded and filed at the request of
Date _____ Time _____ Fee _____
Entry _____

Index
Filed In: File of plats _____ County Recorder

PROJECT FILE: MOAKE SUBDIVISION
Part of the East Half of Section 23,
Township 12 North, Range 2 West,
Salt Lake Baseline & Meridian
Cache County, Utah

DATE: MAR 25, 2014
DRAWING NO. 1
of 1

OWNERS: VYBERK & SUE GREEN
7350 W. 800 N.
CLOUD CREEK
CACHE JUNCTION, UTAH 84304

ENGINEER: ALLIANCE CONSULTING ENGINEERS
150 EAST 200 NORTH SUITE P
LOCAL, UTAH 84321
allianceeng@westoffice.net

REVISIONS / SUBMISSIONS

NO.	DATE	DESCRIPTION	BY	PROJECT NO.

STAFF REPORT: WALKER SUBDIVISION

08 May 2014

This staff report is an analysis of the application based on adopted county documents, standard county development practices, and available information. The report is to be used to review and consider the merits of the application. Additional information may be provided that supplements or amends this staff report.

Agent: Lance and Juliann Walker
Staff Determination: Approval with conditions
Type of Action: Administrative
Land Use Authority: Cache County Council

Parcel ID#: 08-039-0013

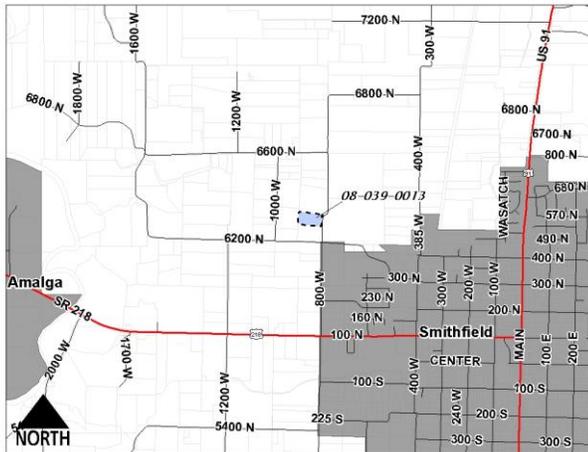
LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:
 6295 North 800 West

Surrounding Uses:
 North – Agricultural/Residential
 South – Agricultural/Smithfield City
 East – Agricultural/Residential
 West – Agricultural/Residential

Current Zoning: Agricultural (A10) Zone
Acres: 5.18



PURPOSE, APPLICABLE ORDINANCE, AND SUMMARY

Purpose:

To review and make a recommendation to the County Council regarding the proposed Walker Subdivision.

Ordinance:

As per the Cache County Zoning Ordinance Table §17.10.030 Development Density and Standards Specific to Base Zoning Districts, this proposed subdivision qualifies for a development density of one (1) unit per ten (10) acres, in the Agricultural (A10) Zone.

Summary:

This proposal is to divide parcel number 08-039-0013 and create an additional developable lot.

Access:

- Access to this property is from county road 800 West and is adequate. At this point, 800 West is a 21’ wide paved road with 2’ wide gravel shoulders.

Water & Septic:

- The Bear River Health Department has approved this new lot configuration.

Service Provision:

- There is sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane on 800 West.
- A school bus stop is located at 6615 North 800 West.
- Any driveways shall meet all applicable requirements of the current International Fire Code, minimum County standards, and any other applicable codes.
- Water supply for fire suppression will be provided by the city of Smithfield Fire Department. Access for emergency services is adequate.

Public Comment:

Notices were mailed to the property owners located within 300 feet of the subject property. At this time no public comment regarding this proposal has been received by the Development Services Department.

STAFF DETERMINATION AND FINDINGS OF FACT (4)

It is staff’s determination that the Walker Subdivision, a 2-lot subdivision for property located at approximately 6295 North 800 West with parcel number 08-039-0013, 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 Walker Subdivision has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.
2. The Walker Subdivision has been revised and amended by the conditions of project approval to conform to the requirements of Titles 16 and 17 of the Cache County Code and the requirements of various departments and agencies.
3. The Walker Subdivision conforms to the preliminary and final plat requirements of §16.03.030 and §16.03.040 of the Cache County Subdivision Ordinance.
4. The Walker Subdivision 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.

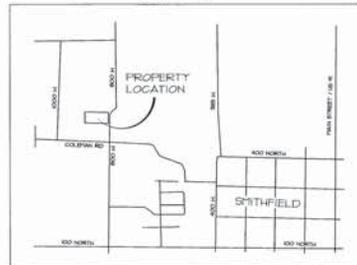
1. Prior to final plat recordation the proponent shall meet all applicable standards of the Cache County Ordinance.
2. The applicant shall reaffirm their 33’ portion of Cache County’s 66’ wide right-of-way for all county roads along the proposed subdivision boundary.

WALKER SUBDIVISION
 PART OF THE SOUTHEAST QUARTER OF
 SECTION 20, AND THE SOUTHWEST QUARTER
 OF SECTION 21,
 TOWNSHIP 13 NORTH, RANGE 1 EAST,
 SALT LAKE BASE & MERIDIAN
 CONTAINING 5.13 ACRES+/-



SCALE: 1 INCH = 60 FEET
 0 30 60 90 120

VICINITY MAP

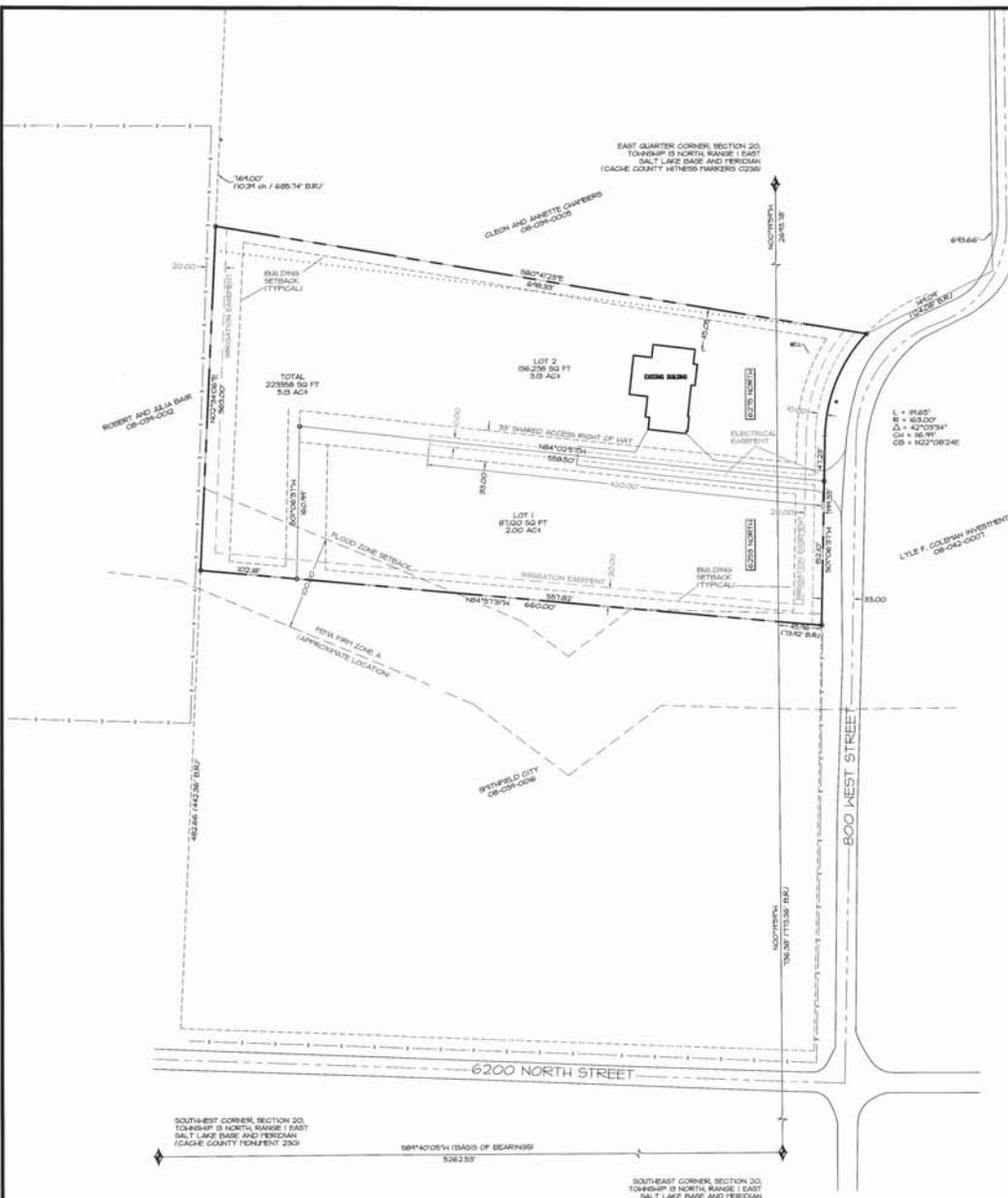
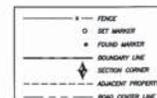


Survey Narrative

- The Basis of Bearing for this survey is South 81°40'05" West along the South line of Section 20 from found Cache County monuments.
- The purpose of this survey is to divide property recorded as being MOBILE in the office of the Cache County Recorder into two lots as shown.
- Re-arrangement: The South line is of the North line of property owned by Smithfield City remains on a cut slope east near the toe of a fill slope. This is accepted as the best evidence of this line. The only evidence of the ditch along the North line is possibly remains of a concrete diversion box at the northeast corner which roughly parallels with the record dimension of the East line. The East line is along the right right of way line of 800 West Street. The West line is by record distance from the East line.
- Placed 5/8" x 24" iron bar and plastic caps for corners as shown. The corner in the driveway is pointed above if beneath the gravel.

ADDITIONAL NOTES

- CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY AND ADEQUACY OF GILNARY WATER TO ANY OF THE LOTS IDENTIFIED. ALL OWNERS ARE ADVISED OF THE REQUIREMENTS TO OBTAIN AN APPROVED GILNARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.
- NO STORM WATER DRAINAGE SHALL BE ALLOWED TO FLOW FROM ANY LOT OR PARCEL OF THE SUBDIVISION TO ANY ADJACENT PROPERTIES OR LOTS, DITCHES, CANALS, OR WATERWAYS WITHOUT THE PRIOR WRITTEN AUTHORIZATION FROM THE AFFECTED PARTY.
- PRESENT AND FUTURE PROPERTY OWNERS MUST BE AWARE THAT THEY WILL BE SUBJECT TO THE RIGHTS, SPELLS, AND BONDS OF AGRICULTURAL ACTIVITIES WHICH ARE THE PERMITTED USES IN THE AGRICULTURAL ZONE.
- BUILDING SETBACKS (PRIMARY STRUCTURE)
 FRONT: 30 FEET
 SIDE: 12 FEET
 BACK: 30 FEET



SURVEY CERTIFICATE

I, LANCE J. SMITH, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 35661, AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY THE ASSISTANCE OF THE ENGINEER, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAN AND RECORDED HEREIN, AND THAT SAID SURVEYING WAS DONE AND IDENTIFIED TO BE KNOWN AND BELIEVED SUBDIVISION, AND THE SAME HAS BEEN CORRECTLY CORNERED AND ALL STREETS ARE THE INDICATED WIDTHS.

LANCE J. SMITH
 PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 35661
 STATE OF UTAH
 DATE: 2/11/2014

BOUNDARY DESCRIPTION

Legal Description
 Part of the Southeast Quarter of Section 20 and part of the Southeast Quarter of Section 21, Township 13 North, Range 1 East of the Salt Lake Base and Meridian described as follows:
 Beginning North 02°06'03" West, 136.56 feet (North, 113.36 by record) and South 84°13'18" East, 42.96 feet (East, 18.72 by record) from the Southeast corner of said Section 20, said point being on the West right of way line of 800 West Street; and thence North 84°57'31" West (East) by record, 660.00 feet; thence North 02°06'03" East (North) by record, 368.00 feet to a point that lies West, 295.68 feet (294 by record) and North, 22.26 feet (22.44 by record) of the Southeast corner of said Section 20;
 thence South 80°42'03" East (Southeasterly) along a ditch by record, 698.300 feet to the West right of way line of 800 West Street;
 thence along the West right of way line in the following 2 courses:
 1. 196.65 feet along a curve to the left with a radius of 83.00 feet, included angle of 42°09'34", and a long chord that bears South 22°08'24" West, 86.94 feet;
 2. South 07°06'31" West, 198.35 feet (the previous two courses being by record South, 314.00 feet) to the beginning.
 Containing 5.13 acres+/-.

LANCE AND JULIANNA WALKER
 LANCE WALKER
 297 N MAIN STREET
 SMITHFIELD, UTAH 84395
 435-881-6155

CACHE COUNTY ATTORNEY

APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20____

COUNCIL APPROVAL AND ACCEPTANCE

PRESENTED TO THE _____ A.D. 20____ AT WHICH TIME THIS SURVEYING WAS APPROVED AND ACCEPTED.

COUNTY PLANNING COMMISSION

THIS PLAN HAS BEEN REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON _____ DAY OF _____, 20____. IT IS THE RECOMMENDATION OF SAID COMMISSION THAT THIS SUBDIVISION BE APPROVED AS SHOWN ON THIS PLAN, TO CACHE COUNTY FOR THE USE OF THE PUBLIC, AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF SAID ROADWAY.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVING CAUSED THE SAME TO BE SURVEYED AND LOTS THEREOF TO BE HERETOFORE KNOWN AS THE WALKER SUBDIVISION, FURTHER WE DEDICATE OR DEDICATE AS APPROPRIATE ANY PORTION OF PROPERTY OF 50' OR MORE (OR 33'-00" OR LESS) THAT LIES WITHIN 33 FEET OF THE CENTER LINE OF THE EXISTING ROADWAY; AND AS SHOWN ON THIS PLAN, TO CACHE COUNTY FOR THE USE OF THE PUBLIC, FOREVER; AND HEREBY GRANT TO THE COUNTY THE RIGHT TO MAKE ANY AND ALL IMPROVEMENTS FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF SAID ROADWAY.

BEAR RIVER HEALTH DEPARTMENT APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAN HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT ON _____ DAY OF _____, 20____.

COUNTY RECORDER'S No. _____

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED AT THE REQUEST OF _____ TIME _____ FEE _____ DATE _____ ABSTRACTED _____ INDEX FILED IN FILE OF PLATS _____ COUNTY RECORDER

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE EXAMINED THIS PLAN AND FIND IT TO BE CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE.
 DATE _____ COUNTY SURVEYOR

ACKNOWLEDGMENT

THE FOREGOING INSTRUMENT WAS PERSONALLY ACKNOWLEDGED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC THIS _____ DAY OF _____, 20____ BY _____ WHO PROVIDED ON BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT. WITNESS MY HAND AND OFFICIAL SEAL.
 MY COMMISSION EXPIRES _____ NOTARY PUBLIC

SECTION	DATE



Project Title: **WALKER SUBDIVISION**
 CACHÉ COUNTY, UT
 Sheet Title: **FINAL PLAN**

Drawn By: L.S.M.H.	Project Number: 14-011	Sheet No.: 1
Designed By: _____	Date: 21 MAY 2014	1 of 1
Reviewed By: L.S.M.H.	Sheet Scale: 1" = 60'	

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17.18.010 Purpose

The purpose of this chapter is to provide a mechanism for the protection of those areas of Cache County which are determined to be environmentally sensitive or that may pose a potential threat or danger to development. This chapter is intended to:

- A. Protect the general health, welfare, and safety of the citizens of Cache County.
- B. Minimize public and private property damage and emergency tax assistance.
- C. Provide an awareness of, and mitigation strategies for, development within sensitive areas.
- D. Provide a mechanism to determine developable acreage for development within Cache County.

17.18.020: Definitions

All terms in this chapter are defined within §17.07, "Definitions", of this title. Any other terms not defined in this title shall be interpreted as defined by State and/or Federal Code or Rule.

17.18.030 Review Process

The sensitive area review process consists of three primary steps and consideration of reasonable use:

- A. Sensitive Area Determination: The Development Services Department shall provide mapping and an initial determination of the approximate location of known sensitive areas. These maps will provide the most current and accurate data accessible to the county, and may be updated as new or more accurate data becomes available. The initial determination may require the applicant to pursue further site specific analysis or study to confirm the location of sensitive areas as defined within this Chapter. In some cases, hazards may not be mapped but may be present on a site and such cases shall be required to meet the requirements of this Title.
- B. Sensitive Area Analysis: A Sensitive Area Analysis shall be submitted with any application for development on property containing sensitive areas and shall include an analysis, determination, and a development plan including proposed mitigation.
- C. Suitability Determination: The county shall review the Sensitive Area Analysis and shall report their findings to the applicant and land use authority. In addition:
 - 1. The applicant must identify significant, adverse impacts on sensitive areas and include appropriate mitigation measures for noted impacts.
 - 2. The land use authority, prior to hearing any application for a development proposed to be located wholly or partially, within any sensitive area as identified by this Chapter, shall provide notice and opportunity for comments and recommendations from state and federal agencies with additional oversight including but not limited to, the Utah Division of Wildlife Resources, (DWR), Utah Department of Environmental (DEQ), United States

Forest Service (USFS), Bureau of Land Management (BLM), US Army Corps of Engineers, etc., and as applicable.

- D. Hardship Relief:** If the applicant demonstrates that the regulations imposed by this ordinance would deny all reasonable use of the subject property, the County Council, following the receipt of a recommendation from the Planning Commission, may modify the exercise of these requirements to provide the applicant reasonable use of the property and may provide a modified determination of development potential. The County Council shall not modify regulations imposed by State and/or Federal Law and/or Rule.

17.18.040 Sensitive Areas Analysis

A Sensitive Areas Analysis shall be submitted with any application for development on property containing known sensitive areas and/or sensitive areas discovered in the process of development, and shall include an analysis, determination, and a development plan including proposed mitigation as identified below. Mapping that reflects the known sensitive areas is available in the Development Services Department.

- A. Analysis and Determination:** The Sensitive Areas Analysis shall provide an analysis and professional determination for each sensitive area.
- 1. Non-Developable**
 - a. Wetlands:** As determined necessary by the county, an approved jurisdictional wetland delineation report and concurrence report from the United States Army Corps of Engineers shall be required as part of the wetland analysis.
 - b. Steep Slopes:** A topographic map depicting the contours of all steep and moderate slopes at an interval of five feet or as determined by the Director.
 - c. Natural Waterways and Open Water:** A map depicting all stream corridors as defined by their high water marks.
 - 2. Potentially Developable Areas**
 - a. Moderate Slopes:** Development may be permitted upon county review and approval of a geotechnical report. The analysis should also include:
 - i.** The location and description of existing natural and man-made features on and surrounding the site, including general topography and soil characteristics and a copy of the Soil Conservation Service soil survey for the site.
 - ii.** The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features.
 - iii.** The identification of measures proposed for soil and sediment control, including a schedule of the sequence for the installation of planned erosion and sediment control measures, including anticipated starting and completion dates.
 - iv.** Plans for the proposed vegetation of all disturbed site areas.
 - b. Ridgelines:** A map depicting the crest and 100 foot vertical buffer of any significant ridge lines or hill tops within the parcel boundary. Development within this area may be permitted upon county review and approval in keeping with the purpose and standards of this chapter.
 - c. Floodplain, Floodway, and/or areas impacted by Manmade Water Conveyance Systems:** A hydrological report including information on groundwater levels, natural

and manmade drainage channels and systems (canals), and/or base floodplain elevations.

- d. Important Habitat Areas: A Habitat Management Plan prepared by a professional qualified in the areas of ecology, wildlife biology, or other relevant disciplines, that identifies the areas inhabited and/or frequently used by any federally listed flora and/or wildlife species (threatened and/or endangered) and includes the following:
 - i. The ecological and wildlife use characterization of the property explaining the species of wildlife using the areas, the times or seasons the area is used by those species, and the value (e.g. feeding, watering, cover, nesting, roosting, or perching) that the area provides for such wildlife species.
 - ii. Wildlife movement corridors.
 - iii. The general ecological functions provided by the site and its features.
 - iv. An analysis of how proposed development activities impact the Important Habitat Areas and associated species.
- e. Geologic Hazards: A geotechnical report in compliance with 17.18.060.
- f. Wildfire Hazards: A fire protection report that identifies potential fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability and compliance with the Utah Wildland Interface Code (See §15.08 of the County Code).
- g. Historic, Prehistoric, and Cultural Resources: Identify any sites and/or structures determined to have historical or archaeological significance to the community, the region, or the State of Utah. This includes properties eligible for the National Register of Historic Places.
- h. Additional information including input from any of the State of Utah agencies shall be required as determined by the county land use authority.

17.18.050 Standards and Development Plan: 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 County Code, State, and/or Federal Code or Rule. At the time of application, provide a Development Plan for the property that addresses and includes the following.

- A. Non-Developable: As applicable, provide a description of all impacts and mitigation regarding development activities that will or are likely to impact any non-developable areas on the property.
 - 1. Wetlands: No building, structure, construction, excavation, or land filling shall occur on any area determined to be a jurisdictional wetland without the approval and necessary wetlands permit(s), as required by the U.S. Army Corps of Engineers. Where potential wetlands exist, wetland delineation may be required.
 - 2. Steep Slopes: No building, structure, construction, excavation, or land filling shall occur on any area determined to be a steep slope.
 - 3. Natural waterways and open water: All proposed development adjacent to year round or ephemeral natural waterways or open water, shall be subject to the following, but excluding bridges, boat ramps, culverts, dams, trestles, and similar structures:
 - a. A minimum setback of fifty (50) feet for all structures and one hundred (100) feet for all on-site septic systems shall be required. Said setbacks may be increased or

reduced, if necessary, as determined by the Planning Commission to reasonably address the possibility of any stream or water pollution.

- b.** Any work within 30 feet of the top of bank shall obtain a state or federal approval and/or permit.
- c.** The ordinary high water mark as determined by Cache County shall be the point of reference as to the edge of the waterway.
- d.** The introduction of concentrated sources of pollution into the waterways is prohibited including, but not limited to, septic tanks, untreated sewage, commercial and residential garbage, manure, dead animals, waste, and other hazardous materials.

B. Potentially Developable

- 1.** Moderate Slopes: Any development proposed for areas identified as a moderate slope shall require a geotechnical report as defined by this chapter.
- 2.** Ridgelines: No structure, accessory structure, satellite dish, deck, patio or removal of significant vegetation shall occur in the ridgeline setback, except as provided below:
 - a.** If any portion of a legal existing parcel of record falls within the ridgeline setback, any development on that parcel shall make every effort to place all development on the most suitable portion of the lot taking into consideration the standards of this title.
 - b.** All disturbance and development shall stay out of the ridgeline setback to the maximum extent possible. If, due to the location, size and configuration of the parcel, that is not possible, the land use authority may approve an exception in keeping with the purpose and standards of this chapter.
- 3.** Floodplain, Floodway, and/or Manmade Water Conveyance Systems: See §15.28 of the County Code. Areas that are shown to have the potential for flooding originating from a manmade water conveyance system (canal) shall follow the standards identified in §15.28.540 for AO/AH Zones.
- 4.** Important Habitat Areas: Strategies that preserve important habitat and prevent fragmentation are encouraged. When new development is proposed within important habitat areas, mitigation methods shall be designed and implemented, including, but not limited to, those listed below.
 - a.** Construction shall be organized and timed to minimize disturbance of federally listed species occupying or using on-site and adjacent habitat areas.
 - b.** If the development site contains or is within five hundred feet (500') of a habitat area, and the Sensitive Areas Analysis shows the existence of a federally listed species, the Development Plan shall include provisions to ensure that any habitat contained in any such area shall not be disturbed or diminished, and to the maximum extent feasible, such habitat shall be enhanced.
 - c.** If the development site contains existing habitat areas that connect to other off-site habitat areas, to the maximum extent feasible the development plan shall preserve such habitat area connections. If habitat areas lie adjacent to the development site, but such habitat areas are not presently connected across the development site, then the development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between habitat areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.
 - d.** If federally listed wildlife or flora that may create conflicts for future occupants of the development is known to exist in areas adjacent to or on the development site, then

- the Development Plan must include provisions to minimize these conflicts to the extent reasonably feasible.
- e. Facilitate wildlife movement across areas dominated by human activities by:
 - i. Maintaining connectivity between open space parcels on adjacent and near-by parcels and subdivisions such that the result will be a larger contiguous area of open space;
 - ii. Locating roads and development away from natural travel corridors used by wildlife, such as riparian areas;
 - iii. Minimizing fencing types that inhibit wildlife movement where appropriate;
 - iv. Minimizing the visual contrast between human-dominated areas, including individual lots, and less disturbed terrain in surrounding areas, for example, by retaining or planting native vegetation and trees around a house or accessory building and maintaining consistent grading between developed and habitat areas.
 - f. Mimic features of the local natural landscape in developed areas by:
 - i. Retaining pre-development, high quality habitat, including large patches of natural, vegetated areas that have not yet been fragmented by roads or residential development;
 - ii. Minimizing levels of disturbance to trees, the under-story vegetation, and other structural landscape features during construction;
 - iii. Designing house lots in a fashion consistent with local natural habitats, for example, by preserving and landscaping with natural, native vegetation.
 - iv. Reclaiming disturbed areas, such as degraded landscapes, roadsides, and other infrastructure disturbances by using seed and other selective plantings.
5. Geologic hazards: For those areas determined by review to contain geologically unstable conditions, development may be permitted by the county upon the review and approval of a geotechnical report identifying the following:
- a. The accurate location of all geologic hazards including, but not limited to, faults, landslides, steep slopes, unstable soils, etc.
 - b. The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features.
 - c. The identification of measures and actions proposed to mitigate the risks from earthquake, landslides, and soil disturbance including a schedule of the sequence for the installation of planned mitigation actions, including anticipated starting and completion dates.
 - d. No critical facility (excluding transportation lines or utilities which by their nature may cross active faults or structures) designed for human occupancy shall be built astride a geologic hazard. The Planning Commission may increase building setback requirements where information from a geotechnical report indicates conditions warrant a greater setback distance.
6. Wildfire hazards: As applicable, provide a description of all impacts and mitigation regarding development activities that will or are likely to impact and/or be impacted by wildfire hazards on the property. Measures to mitigate wildfire hazards and risks may be required based on the recommendation and review of the Cache County Fire District.

7. **Historic, Prehistoric, and Cultural Resources:** Any sites and/or structures determined to have historical or archaeological significance to the community, the region, or the State of Utah shall require the review of, and comment from, the State Historic Preservation Office (SHPO). This includes properties eligible for the National Register of Historic Places.

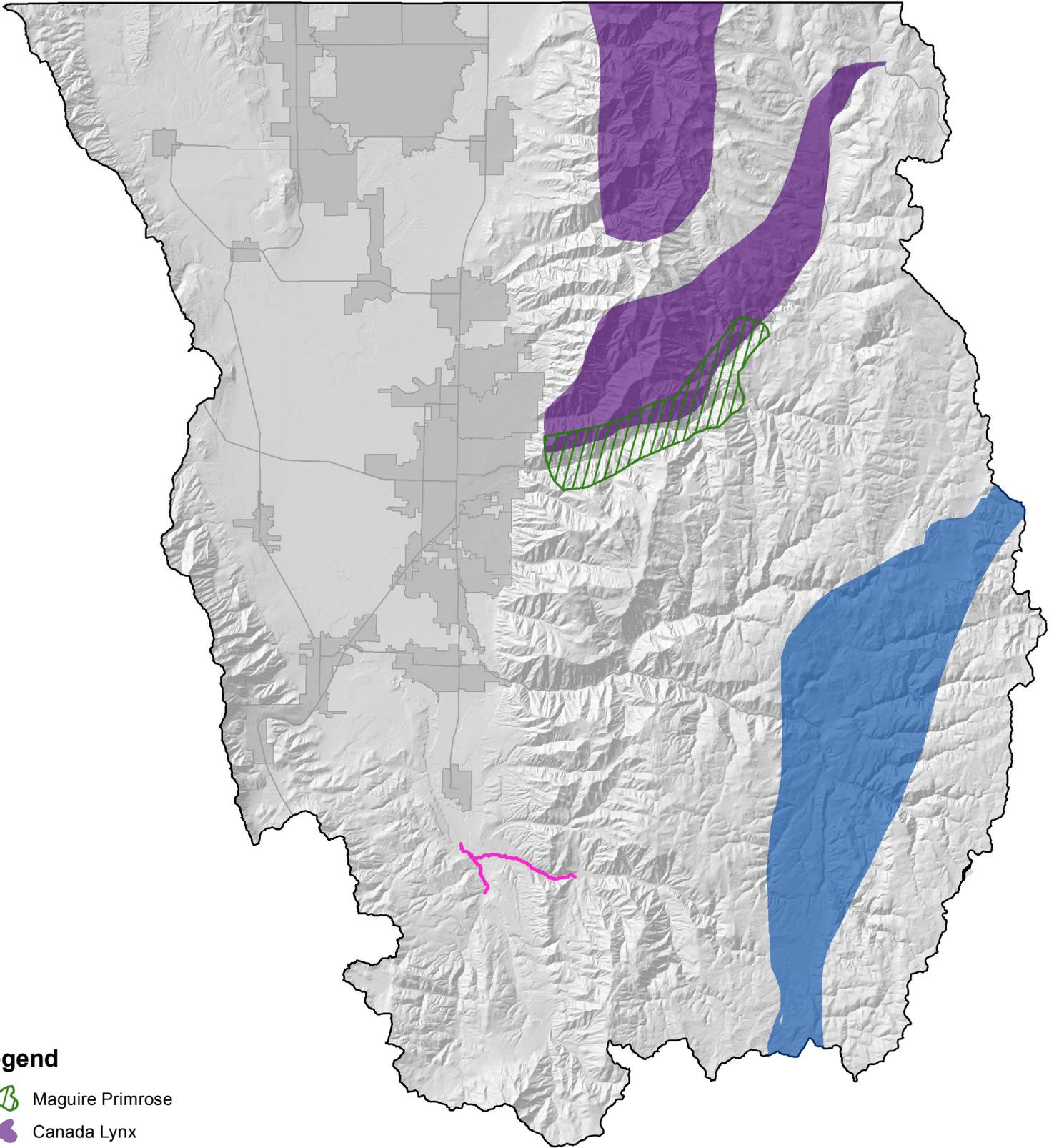
17.18.060 Geotechnical Report Minimum Standards

When a geotechnical report is required, the county shall review each report against the minimum standards as noted below. The county and this ordinance may also identify and include additional requirements depending upon site specific conditions and hazards.

- A. A geotechnical report shall be prepared by a qualified professional. The report shall be signed and dated by the preparer and shall also include the qualifications of the preparer.
- B. The report shall be site specific and identify all known or suspected potential geotechnical or natural hazards, originating on-site or off-site, affecting the particular property.
- C. The report shall include a detailed site map showing the location of the hazard(s) with delineation of the recommended setback distances from such hazards(s) and the recommended location for proposed structures.
- D. The report shall address the potential effects of the hazard(s) on the proposed development and occupants thereof, in terms of risk and potential damage.
- E. The report shall contain recommendations for avoidance or mitigation of the effects of the hazard(s). The evidence on which the recommendations and conclusions are based shall be clearly stated in the report. Trench logs, aerial photographs, references with citations, and other supporting information as applicable, shall also be included in the report.
- F. Whenever a potential natural hazard is identified by a geotechnical report under this chapter, the owner of such parcel shall record a restrictive covenant running with the land in a form satisfactory to the county prior to the approval of any development or subdivision of such parcel which shall include the following:
 1. Notice of the existence and availability of the geotechnical report that identifies the natural hazards for public inspection in the Development Services Department, and;
 2. An agreement by the owner of the parcel and any successor in interest to comply with any conditions set by the Planning Commission to minimize potential adverse effects of the natural hazard(s).

Important Habitat Areas

This map reflects the known habitat areas of federally listed species in the unincorporated county



Legend

-  Maguire Primrose
-  Canada Lynx
-  Greater Sage Grouse
-  Yellow-billed Cuckoo
-  Highways
-  Municipal Boundary
-  Cache County Boundary

Data for Cache County provided by:
Utah Division of Wildlife Resources (DWR)
National Wetlands Inventory (NWI)

Definitions to be added and/or amended to 17.07.040 with Sensitive Areas amendments:

SENSITIVE AREA:

- A. Non-Developable: The following sensitive areas shall not be considered developable. Any acreage encumbered by said areas shall not be considered when calculating development density and no development shall occur therein except for required public utilities and/or facilities.
1. Wetlands: As defined by the U.S. Army Corps of Engineers.
 2. Steep slopes: The rise or fall of the land is equal to or exceeds thirty (30) percent over a horizontal distance of twenty (20) feet or greater.
 3. Natural waterways: As defined by this title.
- B. Potentially Developable: The following areas are determined to be sensitive areas of Cache County and are subject to the requirements of this Chapter. Development may occur in these areas in compliance with this section and any other applicable County, State, and/or Federal requirements.
1. Moderate Slopes: 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 and is less than thirty (30) percent.
 2. Ridgelines: 100 vertical feet on either side of the crest of a significant ridge line or hill top.
 3. Floodplain and/or Floodway: As identified and defined by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), and areas of shallow ground water susceptibility as identified by the Utah Geological Survey (UGS).
 4. Important Habitat Areas: As identified in the Important Habitat Areas map.
 5. Geologic Hazards: Major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential slide and other high hazard areas such as mine shafts and avalanche paths.
 6. Wildfire Hazards: Areas of the county designated as Wildland-Urban Interface.
 7. Historic, Prehistoric, and Cultural Resources: Any sites and/or structures determined to have historical or archaeological significance to the community, the region, or the State of Utah. This includes properties eligible for the National Register of Historic Places.

WATERWAY, MANMADE: All manmade drainage systems including, but not limited to, all canals, culverts, reservoirs, and other manmade-constructed drainages.

WATERWAY, NATURAL: Those areas varying in width along and including, but not limited to, rivers, lakes, ponds, streams, creeks, gullies, springs, faults or washes which are natural drainage channels as determined by the zoning administrator Director of Development Services.

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17.18.10 17.18.010 Purpose

The purpose of this chapter is to provide a mechanism for the protection of those areas of Cache County which are determined to be environmentally sensitive or that may pose a potential threat or danger to development. This chapter is intended to:

- A. Protect the general health, welfare, and safety of the citizens of Cache County.
- B. Minimize public and private property damage and emergency tax assistance.
- C. Provide ~~for~~ an awareness of, and mitigation strategies for, development within sensitive areas.
- D. Provide a mechanism ~~with which~~ to determine developable acreage for development within Cache County.

17.18.020: Definitions

All terms in this chapter are defined within §17.07, "Definitions", of this title. Any other terms not defined in this title shall be interpreted as defined by State and/or Federal Code or Rule.

17.18.030 Review Process

The sensitive area review process consists of three primary steps and consideration of reasonable use:

- A. Sensitive Area Determination: The Development Services Department shall provide mapping and an initial determination of the approximate location of known sensitive areas. These maps will provide the most current and accurate data accessible to the county, and may be updated as new or more accurate data becomes available. The initial determination may require the applicant to pursue further site specific analysis or study to confirm the location of sensitive areas as defined within this Chapter. In some cases, hazards may not be mapped but may be present on a site and such cases shall be required to meet the requirements of this Title.
- B. Sensitive Area Analysis: A Sensitive Area Analysis shall be submitted with any application for development on property containing sensitive areas and shall include an analysis, determination, and a development plan including proposed mitigation.
- C. Suitability Determination: The county shall review the Sensitive Area Analysis and shall report their findings to the applicant and land use authority. In addition:

1. The applicant must identify significant, adverse impacts on sensitive areas and include appropriate mitigation measures for noted impacts.
2. The land use authority, prior to hearing any application for a development proposed to be located wholly or partially, within any sensitive area as identified by this Chapter, shall provide notice and opportunity for comments and recommendations from state and federal agencies with additional oversight including but not limited to, the Utah Division of Wildlife Resources, (DWR), Utah Department of Environmental (DEQ), United States Forest Service (USFS), Bureau of Land Management (BLM), US Army Corps of Engineers, etc., and as applicable.

D. Hardship Relief: If the applicant demonstrates that the regulations imposed by this ordinance would deny all reasonable use of the subject property, the County Council, following the receipt of a recommendation from the Planning Commission, may modify the exercise of these requirements to provide the applicant reasonable use of the property and may provide a modified determination of development potential. The County Council shall not modify regulations imposed by State and/or Federal Law and/or Rule.

17.18.020 Non-Developable Sensitive Areas Defined

~~The following areas are non-developable. None of the acreage encumbered by any of the following sensitive areas may be considered for development density, and none of the areas may be built upon or within except for required public utility and facilities. Any acreage encumbered by the following sensitive areas may be appealed to the Cache County Council, and a determination of their development potential may be made.~~

- ~~1. Jurisdictional Wetlands: As defined by the U.S. Army Corps of Engineers.~~
- ~~2. Steep Slopes: Where the rise or fall of the land is equal to or exceeds thirty (30) percent over a horizontal distance of twenty (20) feet or greater.~~

~~Natural waterways or open waterPotentially 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.~~

- ~~1. 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.~~
- ~~2. Floodplains: As identified and defined by Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM).~~
- ~~D. Crucial Wildlife Habitat: As identified by the State Division of Wildlife Resources (DWR).~~
- ~~E. 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).~~
- ~~F. 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).~~
- ~~1. Historic, Prehistoric, and Cultural Resources:~~

17.18.040 Sensitive Areas Analysis

A Sensitive Areas Analysis shall be submitted with any application for development on property containing known sensitive areas and/or sensitive areas discovered in the process of development, and shall include an analysis, determination, and a development plan including proposed mitigation as identified below. Mapping that reflects the known sensitive areas is available in the Development Services Department.

A. Analysis and Determination: The Sensitive Areas Analysis shall provide an analysis and professional determination for each sensitive area, below:

1. Non-Developable

- a. Wetlands: As determined necessary by the county, an approved jurisdictional wetland delineation report and concurrence report from the United States Army Corps of Engineers shall be required as part of the wetland analysis.
- b. Steep Slopes: A topographic map depicting the contours of all steep and moderate slopes at an interval of five feet or as determined by the Director.
- c. Natural Waterways and Open Water: A map depicting all stream corridors as defined by their high water marks.

2. Potentially Developable Areas

- a. Moderate Slopes: Development may be permitted upon county review and approval of a geotechnical report. The analysis should also include:
 - i. The location and description of existing natural and man-made features on and surrounding the site, including general topography and soil characteristics and a copy of the Soil Conservation Service soil survey for the site.
 - ii. The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features.
 - iii. The identification of measures proposed for soil and sediment control, including a schedule of the sequence for the installation of planned erosion and sediment control measures, including anticipated starting and completion dates.
 - iv. Plans for the proposed vegetation of all disturbed site areas.
- b. Ridgelines: A map depicting the crest and 100 foot vertical buffer of any significant ridge lines or hill tops within the parcel boundary. Development within this area may be permitted upon county review and approval in keeping with the purpose and standards of this chapter.
- c. Floodplain, Floodway, and/or areas impacted by Manmade Water Conveyance Systems: A hydrological report including information on groundwater levels, natural and manmade drainage channels and systems (canals), and/or base floodplain elevations.
- d. Important Habitat Areas: A Habitat Management Plan prepared by a professional qualified in the areas of ecology, wildlife biology, or other relevant disciplines, that identifies the areas inhabited and/or frequently used by any federally listed flora and/or wildlife species (threatened and/or endangered) and includes the following:
 - i. The ecological and wildlife use characterization of the property explaining the species of wildlife using the areas, the times or seasons the area is used by those species, and the value (e.g. feeding, watering, cover, nesting, roosting, or perching) that the area provides for such wildlife species.

- ii. Wildlife movement corridors.
- iii. The general ecological functions provided by the site and its features.
- iv. An analysis of how proposed development activities impact the Important Habitat Areas and associated species.
- e. Geologic Hazards: A geotechnical report in compliance with 17.18.060.
- f. Wildfire Hazards: A fire protection report that identifies potential fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability and compliance with the Utah Wildland Interface Code (See §15.08 of the County Code).
- g. Historic, Prehistoric, and Cultural Resources: Identify any sites and/or structures determined to have historical or archaeological significance to the community, the region, or the State of Utah. This includes properties eligible for the National Register of Historic Places.
- h. Additional information including input from any of the State of Utah agencies shall be required as determined by the county land use authority.

17.18.050 Standards and Development Plan: 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 County Code, State, and/or Federal Code or Rule. At the time of application, provide a Development Plan for the property that addresses and includes the following.

- A. Non-Developable: As applicable, provide a description of all impacts and mitigation regarding development activities that will or are likely to impact any non-developable areas on the property.
 - 1. Wetlands: No building, structure, construction, excavation, or land filling shall occur on any area determined to be a jurisdictional wetland without the approval and necessary wetlands permit(s), as required by the U.S. Army Corps of Engineers. Where potential wetlands exist, wetland delineation may be required.
 - 2. Steep Slopes: No building, structure, construction, excavation, or land filling shall occur on any area determined to be a steep slope.
 - 3. Natural waterways and open water: All proposed development adjacent to year round or ephemeral natural waterways or open water, shall be subject to the following, but excluding bridges, boat ramps, culverts, dams, trestles, and similar structures:
 - a. A minimum setback of fifty (50) feet for all structures and one hundred (100) feet for all on-site septic systems shall be required. Said setbacks may be increased or reduced, if necessary, as determined by the Planning Commission to reasonably address the possibility of any stream or water pollution.
 - b. Any work within 30 feet of the top of bank shall obtain a state or federal approval and/or permit.
 - c. The ordinary high water mark as determined by Cache County shall be the point of reference as to the edge of the waterway.
 - d. The introduction of concentrated sources of pollution into the waterways is prohibited including, but not limited to, septic tanks, untreated sewage, commercial and residential garbage, manure, dead animals, waste, and other hazardous materials.
- B. Potentially Developable

1. Moderate Slopes: Any development proposed for areas identified as a moderate slope shall require a geotechnical report as defined by this chapter.
2. Ridgelines: No structure, accessory structure, satellite dish, deck, patio or removal of significant vegetation shall occur in the ridgeline setback, except as provided below:
 - a. If any portion of a legal existing parcel of record falls within the ridgeline setback, any development on that parcel shall make every effort to place all development on the most suitable portion of the lot taking into consideration the standards of this title.
 - b. All disturbance and development shall stay out of the ridgeline setback to the maximum extent possible. If, due to the location, size and configuration of the parcel, that is not possible, the land use authority may approve an exception in keeping with the purpose and standards of this chapter.
3. Floodplain, Floodway, and/or Manmade Water Conveyance Systems: See §15.28 of the County Code. Areas that are shown to have the potential for flooding originating from a manmade water conveyance system (canal) shall follow the standards identified in §15.28.540 for AO/AH Zones.–
4. Important Habitat Areas: Strategies that preserve important habitat and prevent fragmentation are encouraged. When new development is proposed within important habitat areas, mitigation methods shall be designed and implemented, including, but not limited to, those listed below.
 - a. Construction shall be organized and timed to minimize disturbance of federally listed species occupying or using on-site and adjacent habitat areas.
 - b. If the development site contains or is within five hundred feet (500') of a habitat area, and the Sensitive Areas Analysis shows the existence of a federally listed species, the Development Plan shall include provisions to ensure that any habitat contained in any such area shall not be disturbed or diminished, and to the maximum extent feasible, such habitat shall be enhanced.
 - c. If the development site contains existing habitat areas that connect to other off-site habitat areas, to the maximum extent feasible the development plan shall preserve such habitat area connections. If habitat areas lie adjacent to the development site, but such habitat areas are not presently connected across the development site, then the development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between habitat areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.
 - d. If federally listed wildlife or flora that may create conflicts for future occupants of the development is known to exist in areas adjacent to or on the development site, then the Development Plan must include provisions to minimize these conflicts to the extent reasonably feasible.
 - e. Facilitate wildlife movement across areas dominated by human activities by:
 - i. Maintaining connectivity between open space parcels on adjacent and near-by parcels and subdivisions such that the result will be a larger contiguous area of open space;
 - ii. Locating roads and development away from natural travel corridors used by wildlife, such as riparian areas;
 - iii. Minimizing fencing types that inhibit wildlife movement where appropriate;

~~A map indicating the approximate location of indentified sensitive lands shall be available at the County's Development Services Office. The sensitive lands map will provide the best available data, and may be updated as new or more accurate data becomes available. All mapped data is reference material only, and may require site specific analysis or study to confirm the location of sensitive lands as defined within Title 17. In some cases, hazards may be present on a site without having been mapped and shall be required to meet the requirements of this Title.~~

~~A. Cache County automatically adopts all FEMA effective Flood Insurance Studies and all effective FEMA Flood Insurance Rate Maps.~~

~~17.18.050 All development(s) to be Considered a Conditional Use in Sensitive Areas~~

~~Because of the environmental conditions existing in sensitive areas, all developments proposed within an area determined to be a sensitive area shall be considered a conditional use and shall be reviewed and considered consistent with the procedures for the review of a conditional use as provided in this Title.~~

~~17.18.060 Review of Proposed Development in Sensitive Areas~~

~~The Land Use Authority, prior to hearing any application for a development proposed to be located wholly or partially, within any sensitive area as identified by this Chapter, shall provide notice and opportunity for comments and recommendations from the reviewing agencies, as applicable.~~

~~17.18.070 Supplementary Development Standards~~

~~1. 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., maps issued by Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) CECS for the review and approval of Manager~~

~~A. Steep Slopes—Development may be permitted by the County upon the review and approval of an engineering geotechnical report:~~

- ~~i. The location and description of existing natural and man-made features on and surrounding the site, including general topography and soil characteristics and a copy of the Soil Conservation Service soil survey for the site.~~
- ~~ii. The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features.~~
- ~~iii. The identification of measures proposed for soil and sediment control, including a schedule of the sequence for the installation of planned erosion and sediment control measures, including anticipated starting and completion dates.~~
- ~~iv. Plans for the proposed vegetation of all disturbed site areas.~~

~~B. Jurisdictional Wetlands—No building, structure, construction, excavation or land filling shall occur on any area determined to be a jurisdictional wetland without the approval and necessary wetlands permit(s), as required by the U.S. Army Corps of Engineers. Where potential wetlands exist, a wetlands delineation may be required.~~

C. ~~Mapped Floodplain~~

- ~~1. All buildings, structures, construction, excavation or land filling proposed within a mapped floodplain, as identified on the latest maps issued by Federal Emergency Management Agency Flood Insurance Rate Map (FIRM) or located within the County's one hundred (100) foot buffer zone from a designated floodplain shall provide an Elevation Certificate from a State Certified Surveyor and be approved by the County Floodplain Manager.~~
- ~~2. Methods of reducing flood losses.~~
 - ~~a. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which may result in increased erosion or in flood heights or velocities;~~
 - ~~b. Require the uses vulnerable to floods, including facilities which serve such uses, to be protected against flood damage at the time of initial construction;~~
 - ~~c. Control the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel flood waters;~~
 - ~~d. Control filling, grading, dredging, and other development which may increase flood damage; and~~
 - ~~e. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.~~

D. ~~Natural Waterways and Open Water~~—All proposed development adjacent to a natural waterway or open water, shall be subject to the following, but excluding bridges, boat ramps, culverts, dams, trestles, and similar structures:

- ~~1. A minimum setback of fifty (50) feet for all structures and one hundred (100) feet for all on-site septic systems shall be required. Additional setback may be required, if necessary, as determined by the Planning Commission to avoid the possibility of any stream or water pollution.~~
- ~~2. The stripping of any vegetation area is prohibited within the fifty (50) foot setback.~~
- ~~3. The mean high water mark shall be the point of reference as to the edge of the waterway.~~
- ~~4. The introduction of concentrated sources of pollution into the waterways is prohibited including, but not limited to, septic tanks, untreated sewage, commercial and residential garbage, manure, dead animals, waste, and other hazardous materials.~~

E. ~~Crucial Wildlife Habitat~~—The Utah Division of Wildlife shall be provided noticed of any development, (building, structure, construction, excavation, or land filling) that occurs on any area determined to be crucial wildlife habitat. The County will accept review and/or comment within 21 days of said notice.

F. ~~Earthquake Fault Areas and Areas Prone to Landslide~~—For those areas identified as an active or potential mapped earthquake fault and landslide areas, or areas determined by review to contain geologically unstable conditions, development may be permitted by the County upon the review and approval of an engineering geotechnical report identifying the following:

- ~~a. Accurately identifying the location of earthquake faults and landslide areas.~~
- ~~b. The location and description of proposed changes to the site, including any grading and excavation, vegetation removal, the location and profiles of proposed roadways, the location of proposed utility lines, the location of existing and proposed buildings and structures, and the location of all other proposed site features.~~
- ~~c. The identification of measures and actions proposed to mitigate the risks from earthquake, landslides, and soil disturbance including a schedule of the sequence for the~~

~~installation of planned mitigation actions, including anticipated starting and completion dates.~~

- ~~d. No critical facility (excluding transportation lines or utilities which by their nature may cross active faults or structures) designed for human occupancy shall be built astride an active fault. No structure designed for human occupancy shall be built on a fault scarp. Footing setbacks from a fault scarp shall meet the requirements of the International Uniform Building Code. The Planning Commission may increase footing setback requirements where information from a geotechnical report indicates a slope condition warrant a greater setback distance.~~

~~G. Wildfire Hazards~~

- ~~2. Development shall provide for ready access to fire and other emergency equipment and for routes of escape to safely handle evacuations.~~
- ~~3. Measures to mitigate wildfire hazards and risks may be required based on the recommendation and review of the Cache County Fire District.~~

17.18.080060 — ~~Engineering Geotechnical Report~~ Minimum Standards

When a geotechnical report is required, the county shall review each report against the minimum standards as noted below. The county and this ordinance may also identify and include additional requirements depending upon site specific conditions and hazards.

- A. ~~An engineering~~ geotechnical report shall be prepared by a ~~licensed geotechnical engineer or licensed geologist~~ qualified professional. The report shall be signed and dated by the preparer and shall also include the qualifications of the preparer.
- B. The report shall be site specific and identify all known or suspected potential geotechnical or natural hazards, originating on-site or off-site, affecting the particular property.
- C. The report shall include a detailed site map showing the location of the hazard(s) with delineation of the recommended setback distances from such hazards(s) and the recommended location for proposed structures.
- D. The report shall address the potential effects of the hazard(s) on the proposed development and occupants; thereof, in terms of risk and potential damage.
- E. The report shall contain recommendations for avoidance or mitigation of the effects of the hazard(s). The evidence on which the recommendations and conclusions are based shall be clearly stated in the report. Trench logs, aerial photographs, references with citations, and other supporting information as applicable, shall also be included in the report.

~~— All Engineering Geotechnical Reports submitted to the County shall be reviewed by the Utah Geological Survey for completeness, accuracy, and appropriate recommendations.~~

~~17.18.090 Disclosure of a Natural Hazard by an Engineering Geotechnical Report.~~

F. Whenever a potential natural hazard is identified by a ~~required~~ geotechnical report under this ~~c~~Chapter, the owner of such parcel shall record a restrictive covenant running with the land in a form satisfactory to the ~~c~~County prior to the approval of any development or subdivision of such parcel which shall include the following:

1. Notice of the existence and availability of the ~~engineering~~ geotechnical report that identifies the natural hazards for public inspection in the ~~County Zoning Office~~ Development Services Department; and;
2. An agreement by the owner of the parcel and any successor in interest to comply with any conditions set by the ~~County~~ Planning Commission to minimize potential adverse

effects of the natural hazard(s).

~~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.~~

~~(e)~~

DRAFT

Title 17.18 Sensitive Areas: Initial Discussion with Planning Commission

Existing Purpose:

The purpose of this chapter is to provide a mechanism for the protection of those areas of Cache County which are determined to be environmentally sensitive or that may pose a potential threat or danger to development. This chapter is intended to:

- A. Protect the general health, welfare, and safety of the citizens of Cache County.
- B. Minimize public and private property damage and emergency tax assistance.
- C. Provide for an awareness of sensitive areas.
- D. Provide a mechanism with which to determine developable acreage for development within Cache County.

Sensitive Areas currently include:

- **Non-Developable** - encumbered acreage not counted as developable acreage*:
 - Jurisdictional wetlands – as defined by US Army Corps
 - Steep slopes – A slope equal to or greater than 30%
 - Natural waterways or open water – top of bank to top of bank
 - *Possibility of exception/reconsideration of developable acreage by appealing to Council
- **Potentially Developable:**
 - Steep slopes - A slope equal to or greater than 20% but less than 30%
 - Floodplain – As identified by the FEMA FIRM maps
 - Crucial wildlife habitat – As identified by the DWR
 - Geologic hazards – Earthquake fault lines, areas prone to debris flows, landslides, high or extreme liquefaction potential, and rock falls as identified by the USGS
 - Wildfire hazards – Areas with moderate to extreme wildfire potential as identified by the BLM

Driving principles/consideration in considering amendments: Health, safety, and welfare

Issues:

- Crucial wildlife habitat includes the entire county
- The entire county qualifies as a sensitive area. Any development in a sensitive area is considered a conditional use and must follow that process
- Levels related to geologic sensitivity and hazard identified in the ordinance as extreme, high, etc. do not match existing mapping – update is required
- How do we want to handle sensitive areas that are “fuzzy”?

Considerations:

Review applicability/function of Crucial Wildlife Habitat component:

- Is there a more detailed habitat layer that can be used?
- Focus on threatened and endangered species only?
- Focus on state and/or federally recognized sensitive, specially valued, threatened, endangered etc. species?
- Require a wildlife/habitat report?
- Require a development plan (combination of letter of intent, site plan, and new construction details for CUPs and subdivisions)?

continues on next page...

- Improve detail of wildlife component, i.e., corridors, nesting, feeding, watering, etc.?
- How to prevent fragmentation, impairment, alteration, etc.?
- Mitigation strategies?
- What is the best way to tie all of this to the ground?

Endangered and threatened plant species as a sensitive area?

Watersheds as a sensitive area?

Shallow water table as a sensitive area?

Scenic corridors, ridgelines, and viewsheds as a sensitive area?

Prehistoric, historic, and cultural resources as a sensitive area?

Review and update geotechnical report requirements

General clean up - emphasize process, consistency of terms, and clarity throughout

Update all sections of code to reflect revisions

continues on next page...

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17.20.010: Purpose

- A. To assure a comprehensive review of impacts of such facilities, and to protect the health, safety and welfare of the county’s citizens while attempting to ensure access to reliable wireless communications services throughout the county.
- B. To ensure the placement, construction and modification of telecommunication facilities is consistent with the county’s land use policies.
- C. To minimize the impact of wireless telecommunication facilities, to encourage the co-location of wireless telecommunication facilities on existing structures, and to establish a fair and efficient process for review and approval of applications.

17.20.020: Definitions

All uses and structures specified in this chapter are defined within §17.07, "Definitions", of this title. Any other uses or structures not defined in this title shall be interpreted as defined by State and/or Federal Code or Rule.

17.20.030: Approval Authority

The authority responsible for the review and/or approval and the permits required for telecommunication facilities is as follows:

- A. Major Modification - Conditional Use Permit
Requests for major modifications to legal, existing, conforming and nonconforming or new telecommunication facilities must obtain a conditional use permit in accordance with the standards set forth in this chapter and §17.06 of this title. Such modifications shall be considered as follows:
 - 1. Improvements to existing Telecommunication Facilities or Support Structures that result in some material change to the Facility or Support Structure. Major Modifications include, but are not limited to:
 - a. An increase in Support Structure height.
 - b. Replacement of a Support Structure, except as provided in §17.20.030 [B][1]unless it is of like height and placement.
 - c. A new Telecommunication Facility with Support Structure(s) and any accessory equipment and/or structures.
- B. Minor Modification - Administrative Zoning Clearance
Requests for minor modifications to legal, existing, conforming telecommunication facilities shall require the review and approval of the Director of Development Services in accordance with the standards set forth in this chapter. Such modifications shall be considered as follows:
 - 1. Improvements to existing Telecommunication Facilities or Support Structures that result in some material change to the facility or Support Structure but of a level, quality or

intensity that is less than a major modification. Minor Modifications include, but are not limited to:

- a. The co-location of antennas and/or dishes.
- b. The placement of equipment and/or structures that are accessory to an existing Telecommunication Facility, such as utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports.
- c. The replacement of an existing Support Structure with a new or modified Support Structure at a height that is equal to or less than the existing structure and in a similar location.

C. Exempt

The following are exempt from the requirements of this chapter:

1. Typical Maintenance of existing Telecommunication Facilities and Support Structures.
2. Antennas used by residential households solely for broadcast radio and television reception. Antennas shall not exceed the maximum structure height as identified in 17.10.040 of this title.
3. Satellite antennas used solely for residential, household, or agricultural purposes. Antennas shall not exceed the maximum structure height as identified in 17.10.040 of this title.
4. COWs (Carrier or Cell on Wheels) placed for a period of not more than one hundred twenty (120) days at any location within the county after a declaration of an emergency or a disaster by the Governor or by the responsible official of the county.

17.20.040: Application and Review Procedure

A. Conditional Use Permit

1. All requests shall be reviewed and considered consistent with the procedures for the review of a conditional use as provided in Chapter 17.06.070 of this title, the standards of this chapter, and must include the following:
 - a. A completed zoning clearance application signed by the applicant.
 - b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a conditional use permit.
 - c. A development plan prepared and certified by an appropriate professional that consists of:
 - i. Property boundaries, setbacks, topography, elevation views, and dimensions of improvements drawn to scale.
 - ii. A written description and scaled drawings of the proposed Support Structure, including structure height, ground and structure design, and proposed materials.
 - iii. The number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the Support Structure.
 - iv. A line-of-sight diagram or photo simulation, showing the proposed Support Structure set against the skyline and viewed from at least three (3) directions within the surrounding areas.
 - d. A copy of the supporting federal certifications as follows:

- i. Federal Communications Commission (FCC) license for the facility, or a signed, notarized statement from the owner and/or operator of the facility attesting that the facility complies with all current FCC regulations.
 - ii. Certification by the applicant that the proposed facility complies with all FCC standards for radio emissions.
 - iii. Certification by an appropriate professional that the proposed facility will comply with all of the applicable standards of the American National Standards Institute (ANSI), the Electronics Industries Association Standard for Antenna Towers and Antenna Support Structures, and any other applicable technical and structural codes.
 - e. A written description of how the proposed facility fits into the applicant's telecommunication network. As part of this description, the applicant shall describe anticipated maintenance needs, including frequency of service, personnel needs, equipment needs, and traffic, noise, or safety impacts of such maintenance. In all cases, the equipment at a Telecommunication Facility shall be automated to the greatest extent possible to reduce traffic, congestion, and noise associated with maintenance and upkeep of the facility.
 - f. As applicable, a statement justifying why co-location with an existing facility is not feasible. Such a statement shall include:
 - i. Such technical information and other justifications as are necessary to document the reasons why co-location is not a viable option.
 - ii. A list of all existing structures considered as alternatives to the proposed location. The applicant shall provide a written explanation why the alternatives considered were either unacceptable or infeasible due to technical, physical, or financial reasons. If an existing Support Structure was listed among the alternatives, applicant must specifically address why the modification of such Support Structure is not a viable option.
 - g. As applicable, a statement that the proposed Support Structure will be made available for co-location to other service providers at commercially reasonable rates.
 - h. Application fee.
- B. Administrative Zoning Clearance**
- 1. All requests must include the following:
 - a. A completed zoning clearance application signed by the applicant.
 - b. A copy of the lease or a letter of authorization from property owner evidencing the applicant's authority to pursue a zoning clearance.
 - c. A development plan prepared and certified by an appropriate professional that consists of:
 - i. Graphic and written descriptions of proposed improvements related to the requirements listed in this chapter and including property boundaries, setbacks, topography, elevation views, dimensions of improvements, the number and type of proposed antennas and their height above ground level, including the proposed placement of antennas on the Support Structure.
 - d. Application fee.
- C. Exempt: No application or review required.**

17.20.050: General Standards and Design Requirements

Unless otherwise specified herein, all telecommunication facilities and accessory structures are subject to the following standards and requirements:

A. Design

- 1.** Support Structures shall be subject to the following:
 - a.** Must be designed to accommodate multiple telecommunication providers.
 - b.** The compound area surrounding a Support Structure must be of sufficient size to accommodate accessory equipment for each telecommunication provider.
 - c.** Unless otherwise required by the Federal Communications Commission, the Federal Aviation Administration, or the county land use authority, Support Structures shall have a galvanized silver or gray finish.
- 2.** Stealth Communication Facilities shall be designed to accommodate the co-location of other antennas whenever economically and technically feasible or aesthetically appropriate, as determined by the land use authority.
- 3.** Upon the request of the applicant, the Planning Commission may waive the requirement that new Support Structures accommodate the co-location of other service providers if the applicant can identify, and the Planning Commission agrees, that co-location at the site is not essential to the public interest, or that the construction of a shorter Support Structure with fewer antennas will promote community compatibility.

B. Setbacks

- 1.** Property Lines. Unless otherwise stated herein, Support Structures shall be setback from all property lines a distance equal to their height measured from the base of the structure to its highest point. Other accessory equipment and/or structures shall be governed by the setbacks required by the underlying base zoning district.
- 2.** Residential Dwellings. Unless otherwise stated herein, Support Structures shall be setback from all off-site residential dwellings a distance equal to the height of the structure plus ten (10) feet.
- 3.** The land use authority shall have the authority to reduce or waive any required setback upon the request of the applicant if the Telecommunication Facility accessory equipment and/or structures will be less visible as a result of the diminished setback. The land use authority must also find that the reduction or waiver of the setback is consistent with the purposes and intent of this ordinance. The structure must still meet the underlying setback requirements of the base zoning district.

C. Height

- 1.** Support Structures shall not exceed a height equal to 45 feet from the base of the structure to the top of the highest point. Any proposed Support Structure shall be designed to be the minimum height needed to meet the service objectives of the applicant.
- 2.** In all zones, the Planning Commission shall have the authority to reduce or waive the height restrictions listed in this section upon the request of the applicant, and a satisfactory showing of need for a greater height. With the waiver request, the applicant shall submit such technical information or other justifications as are necessary to document the need for the additional height to the satisfaction of the Planning Commission including, but not limited to:
 - a.** A radio frequency analysis indicating the coverage of existing communications sites, coverage prediction, and design radius, together with a certification from the applicants radio frequency (RF) engineer that the proposed design is intended to

improve coverage or capacity potential or reduce interference, and that the proposed facility cannot be achieved by any other alternative such as a stealth facility, attached facility, replacement facility, or co-location.

D. Aesthetics

1. **Lighting and Marking.** Telecommunication facilities and Support Structures shall not be lighted or marked except as required by the Federal Communications Commission or the Federal Aviation Administration (FAA).
2. **Signage.** Signs located at a Telecommunication Facility shall be limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited.
3. **Landscaping.** In all zones, the land use authority shall have the authority to impose reasonable landscaping requirements surrounding accessory equipment and/or structures. Required landscaping shall be consistent with surrounding vegetation and shall be maintained by the facility owner. The land use authority may choose to not require landscaping for sites that are not visible from the public right-of-way or adjacent property or in instances where in the judgment of the land use authority, landscaping is not appropriate or necessary.

E. Accessory structures, including any buildings, cabinets or shelters, shall be used only to house equipment and other supplies in support of the operation of the Telecommunication Facility or Support Structure. Any equipment not used in direct support of such operation shall not be stored on the site.

1. If accessory equipment is at ground level in the RU2 or RU5 Zone, the land use authority may require that the building or shelter be faced with brick or other suitable material on all sides and that the compound area is surrounded by landscaping. The accessory equipment must conform to the setback standards of the applicable base zoning district. In the situation of stacked equipment buildings, additional screening/landscaping measures may be required.

F. Additional Provisions

1. Abandonment, and Removal

- a. **Abandonment.** Any Telecommunication Facility or Support Structure that is not operated for a period of twelve (12) consecutive months shall be considered abandoned.
- b. **Removal.** The owner of the Telecommunication Facility or Support Structure shall remove the Facility within six (6) months of its abandonment.

2. Multiple Uses on a Single Parcel or Lot

Telecommunication Facilities may be located on a parcel containing another principal use on the same site.

Definitions to be added to 17.07.040 with Telecommunications Ord.:

6240 TELECOMMUNICATION FACILITY: Any manned or unmanned location for the transmission and/or reception of radio frequency signals, or other wireless communications, and usually consisting of an antenna or group of antennas, transmission cables, and equipment cabinets, and may include an antenna support structure. Accessory uses include, but are not limited to, utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters, foundations, concrete slabs on grade, guy anchors, generators, and transmission cable supports. A facility used for the transmission or reception of electromagnetic or electro-optic information, which is placed on a structure. This use is not required to be located on a building lot or to comply with the minimum lot size requirement for the district in which it is located.

ANTENNA: Any apparatus designed for the transmitting and/or receiving of electromagnetic waves including, but not limited to, telephonic, radio or television communications. Types of antennas include, but are not limited to: omni-directional (whip) antennas, sectorized (panel) antennas, multi or single bay (FM & TV), yagi, or parabolic (dish) antennas.

CARRIER ON WHEELS OR CELL ON WHEELS (COW): A portable self-contained cell site that can be moved to a location and set up to provide personal wireless services on a temporary or emergency basis. A COW is normally vehicle-mounted and contains a telescoping boom as the Antenna support structure.

CO-LOCATION: The practice of siting multiple wireless carriers, service providers, and/or radio common carrier licensees on the same antenna support structure or attached wireless communication facility using different and separate antenna, feed lines, and radio frequency generating equipment.

STEALTH COMMUNICATIONS FACILITY: A communications facility, accessory structure, or equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed building(s) and uses on a site. There are two types of stealth facilities:

- A. Attached – Examples include, but are not limited to: Painted antenna and feed lines to match the color of a building or structure, faux windows, dormers or other architectural features that blend with an existing or proposed building or structure.
- B. Freestanding – Examples usually have a secondary, obvious function which may be, but is not limited to the following: Church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with or without a flag, or tree.

SUPPORT STRUCTURE: A vertical projection composed of metal or other material with or without a foundation that is designed for the express purpose of accommodating antennas at a desired height. Support structures do not include any device used to attach antennas to an existing building, unless the device extends above the highest point of the building by more than ten (10) feet and not to exceed maximum structure height as identified in 17.10.040 of this title.

Types of support structures include, but are not limited to: Guyed, lattice, and monopole structures, utility poles, and other freestanding, self-supporting structures.

TELECOMMUNICATION FACILITY, TYPICAL MAINTENANCE: – Ensuring that Telecommunication Facilities and Support Structures are kept in good operating condition. Typical Maintenance includes inspections, testing and modifications that maintain functional capacity and aesthetic and structural integrity. For example, the strengthening of a Support Structure’s foundation or of the Support Structure itself. Typical Maintenance includes replacing antennas and accessory equipment on a like-for-like basis within an existing Telecommunication Facility and relocating the antennas of approved Telecommunication Facilities to different height levels on an existing monopole, lattice, guyed or similar structure upon which they are currently located. Typical Maintenance does not include Minor and Major Modifications.

- 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.

17.10.060: Improvement Agreements:

Improvement agreements for improvements and/or conditions imposed by ordinance or by a land use authority within Title 17 may be issued in compliance with §§16.04.110 and 16.04.120.

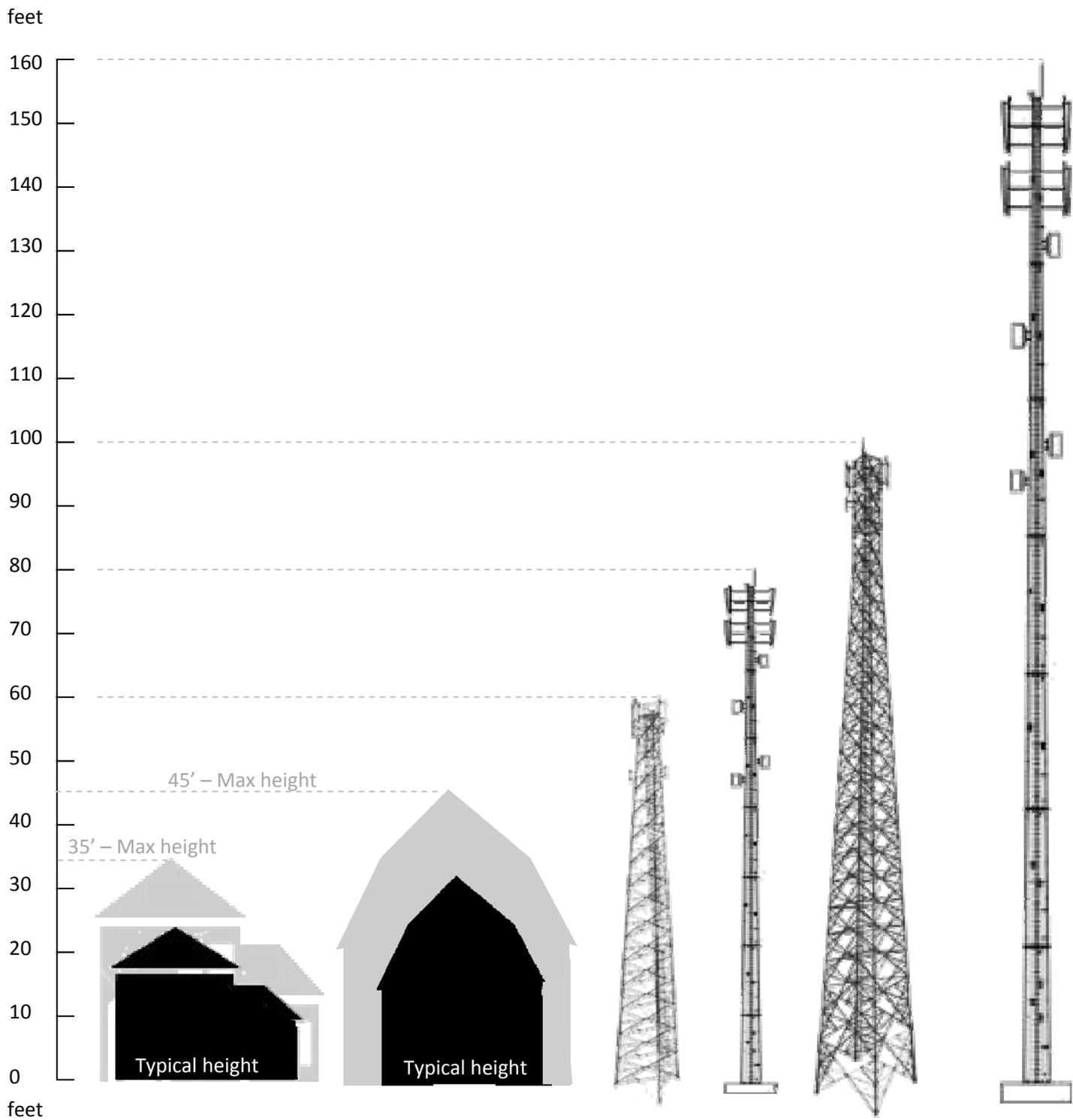
Telecommunication Structures in Unincorporated Cache County

Parcel Number	Structure Type	Structure Height (feet)	Zone
16-001-0009	Stealth	30	FR40
10-002-0013	Lattice	40	PI
13-004-0006	Lattice	40	A10
13-070-0001	Lattice	40	A10
08-020-0001	Monopole	50	PI
10-004-0006	Monopole	50	FR40
13-070-0001	Lattice	50	A10
13-070-0001	Lattice	60	A10
04-061-0002	Monopole	74	A10
08-020-0001	Monopole	80	PI
10-002-0013	Lattice	80	PI
13-004-0006	Lattice	80 (to be built)	PI
05-049-0015	Lattice	99	PI
02-117-0032	Monopole	100	PI
13-060-0006	Lattice	100	A10
11-052-0001	Monopole	100 (to be built)	PI
10-042-0015	Lattice	120	A10
12-033-0055	Monopole	120	A10
08-020-0010	Lattice	140	PI
01-061-0015	Monopole	150	PI
08-020-0001	Monopole	150	PI
13-004-0009	Lattice	150	A10
08-020-0010	Lattice	140 (160)	PI
11-052-0001	Lattice	350	A10
11-052-0010	Lattice	350	A10

25 Structures	Structures ≤ 80'	12
	Structures ≤ 100'	16
	Structures ≤ 125'	18
	Structures ≤ 150'	22

Excepting the towers with a height of 350 feet:

Avg. height:	86.15 feet
Median height:	80 feet





16-001-0009: Stealth - ~30'



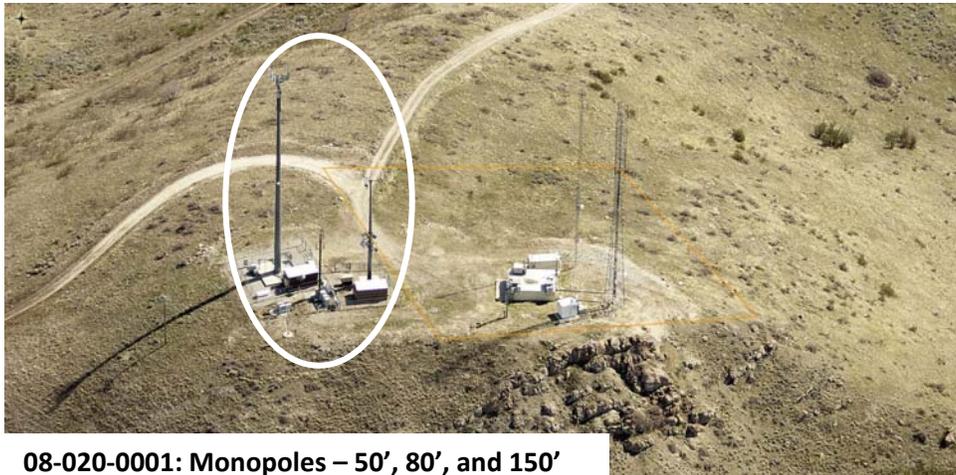
10-002-0013: Lattice - 40' and 80'; tallest tower is in Weber County



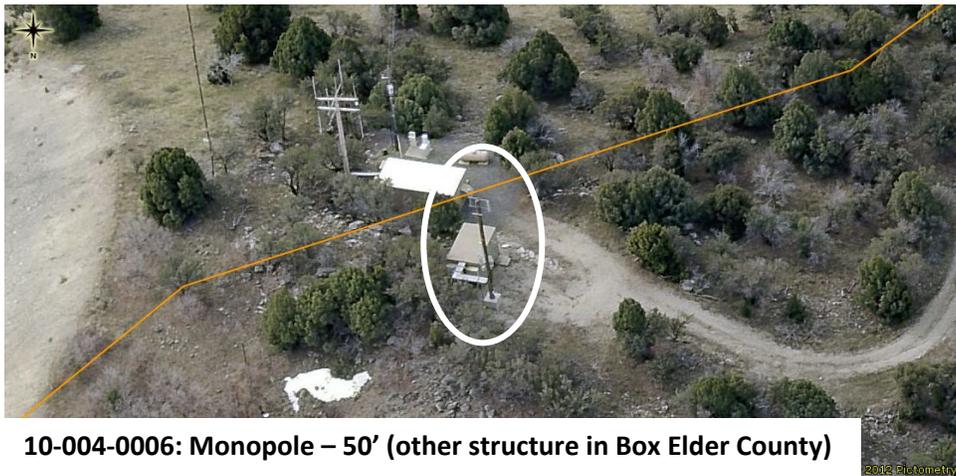
13-004-0006: Lattice - 40' and 80' (to be built)



13-070-0001: Lattice – 40', 50', and 60'

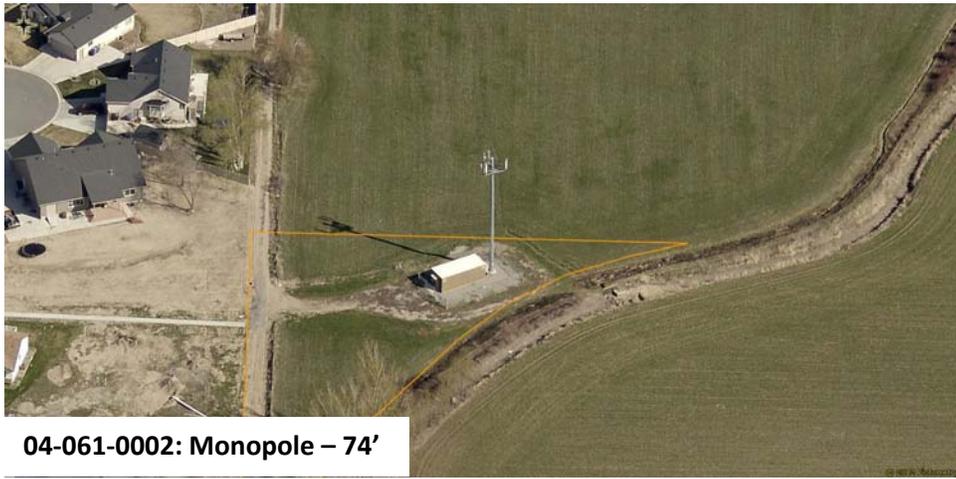


08-020-0001: Monopoles – 50', 80', and 150'



10-004-0006: Monopole – 50' (other structure in Box Elder County)

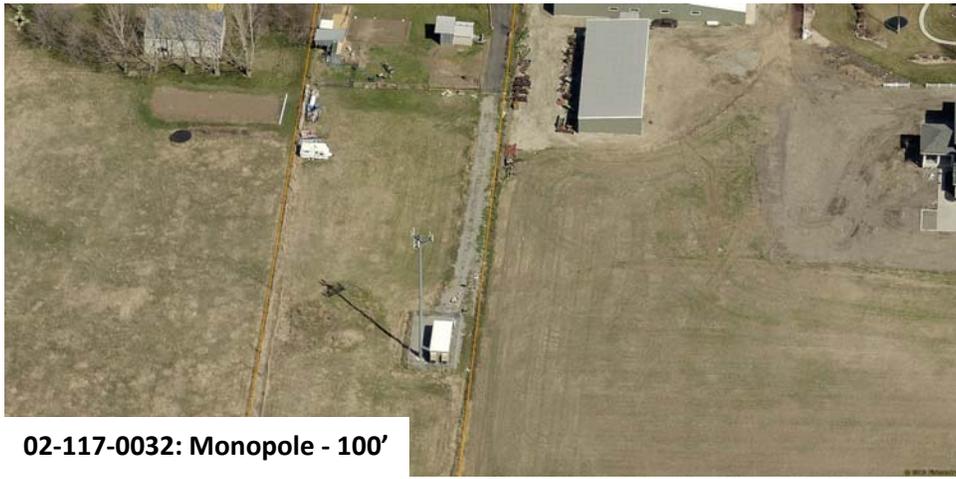
2012 Pictometry



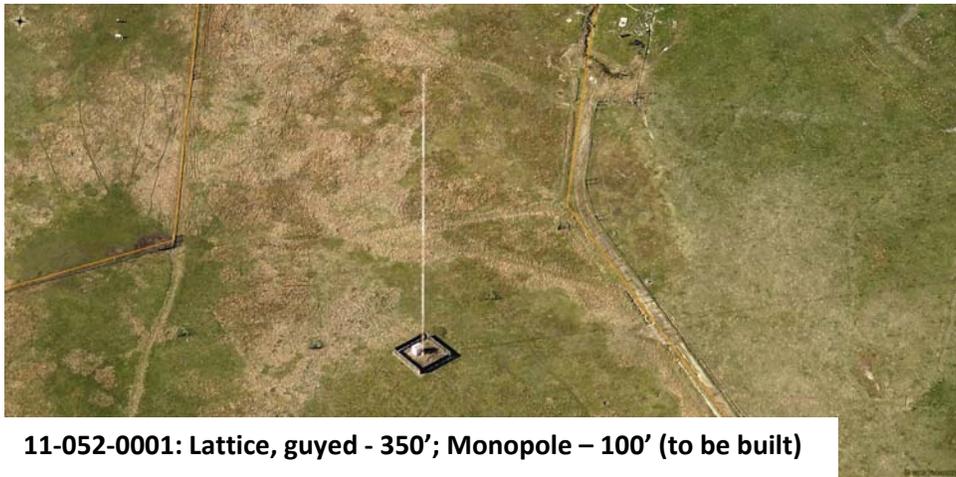
04-061-0002: Monopole - 74'



05-049-0015: Lattice - 99'

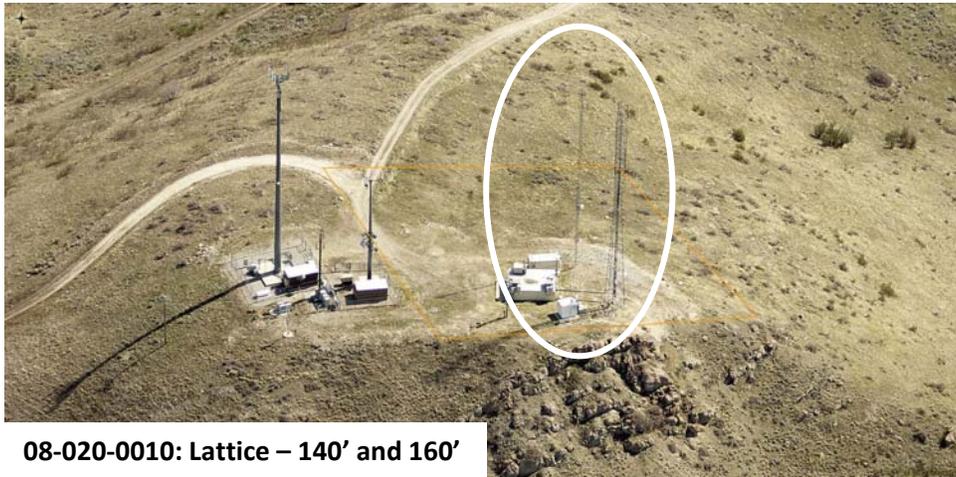


02-117-0032: Monopole - 100'

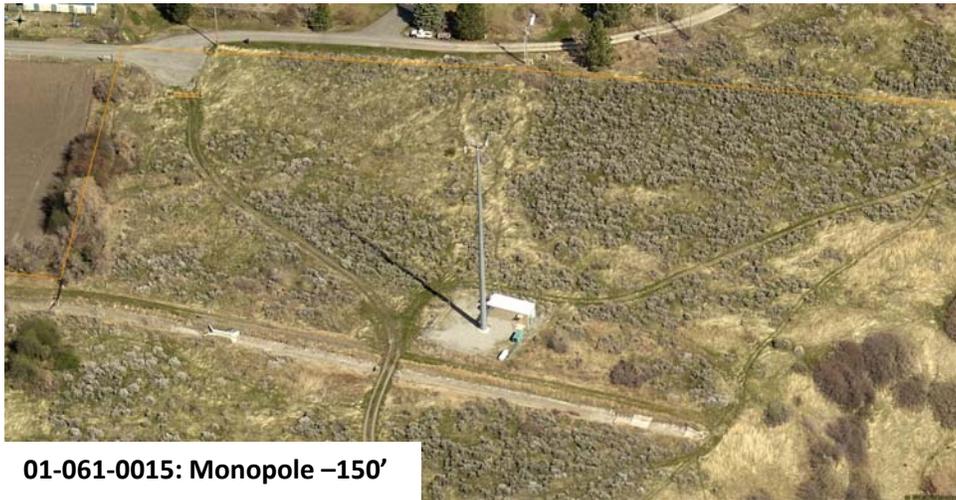




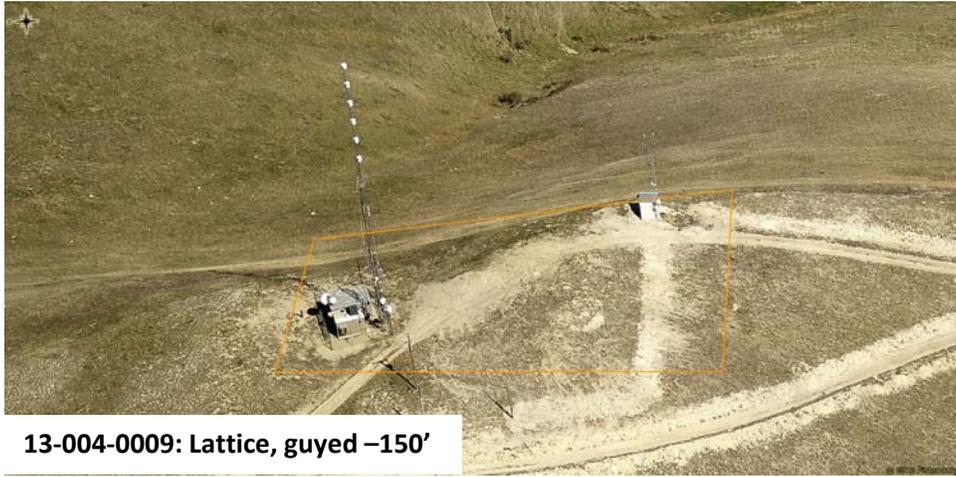
12-033-0055: Monopole – 120'



08-020-0010: Lattice – 140' and 160'



01-061-0015: Monopole – 150'



Title 17.20 Telecommunication Facilities: Initial Discussion with Planning Commission

Driving principles/consideration: Safety, function, visual impacts

Level of regulation: County Council/Rezone

Major issues re:

Rezone all existing towers to reflect PI overlay zone?

Level of regulation: Planning Commission/CUP

Major issues re:

Height of towers

Tower type - lattice/monopole

Max number of antennas/dishes per tower

Aesthetics - Colors and materials – BLM color swatches

Coverage mapping - What is needed/necessary?

Co-location - Height bonus? – Advantage to fewer tall towers or more short towers? (we currently have more tall towers)

Setbacks - Equal to the height of the tower?

Level of regulation: Director/Zoning Clearance

Minor issues re:

Buildings/generators/cabinets

Co-location - Adding antennas/dishes



April 23, 1996

FEDERAL COMMUNICATIONS COMMISSION

FACT SHEET

Information provided by the Wireless Telecommunications Bureau

NEW NATIONAL WIRELESS TOWER SITING POLICIES

The Telecommunications Act of 1996 contains important provisions concerning the placement of towers and other facilities for use in providing personal wireless services. Most state and local communities have worked closely with cellular and other wireless service providers on such placement plans, but this new law establishes new responsibilities for communities and for the Federal Communications Commission (FCC). The rapid expansion in the wireless industry makes these issues even more important.

This fact sheet is intended to explain the new provisions and to help state and local governments as they deal with the complex issues of facilities siting in their local communities. At the end of this fact sheet, you will find names of contacts for additional information about this area and other issues before the FCC.

Section 704 of the Telecommunications Act of 1996 (the "1996 Act") governs federal, state and local government oversight of siting of "personal wireless service" facilities. The 1996 Act establishes a comprehensive framework for the exercise of jurisdiction by state and local zoning authorities over the construction, modification and placement of facilities such as towers for cellular, personal communications service (PCS), and specialized mobile radio (SMR) transmitters:

- The new law preserves local zoning authority, but clarifies when the exercise of local zoning authority may be preempted by the FCC.
- Section 704 prohibits any action that would discriminate between different providers of personal wireless services, such as cellular, wide-area SMR and broadband PCS. It also prohibits any action that would ban altogether the construction, modification or placement of these kinds of facilities in a particular area.
- The law also specifies procedures which must be followed for acting on a request to place these kinds of facilities, and provides for review in the courts or the FCC of any decision by a zoning authority that is inconsistent with Section 704.

- Finally, Section 704 requires the federal government to take steps to help licensees in spectrum-based services, such as PCS and cellular, get access to preferred sites for their facilities. Federal agencies and departments will work directly with licensees to make federal property available for this purpose, and the FCC is directed to work with the states to find ways for states to accommodate licensees who wish to erect towers on state property, or use state easements and rights-of-way.

The attachments to this fact sheet seek to provide information concerning tower siting for personal wireless communications services. They include a summary of the provisions of Section 704 of the 1996 Act, the actual text of Section 704, and a technical information summary that describes the cellular, wide-area SMR and broadband PCS technologies that underlie the majority of requests for new tower sites.

Questions about the Telecommunications Act of 1996 generally may be addressed to Sheryl Wilkerson in the FCC's Office of Legislative and Intergovernmental Affairs, 202-418-1902 (e-mail: swilkers@fcc.gov). Questions about tower siting, licensing issues or technical matters may be addressed to Steve Markendorff, Deputy Chief, Commercial Wireless Division in the Wireless Telecommunications Bureau, 202-418-0620, (e-mail: smarkend@fcc.gov).

This Fact Sheet is available on our fax-on-demand system. The telephone number for fax-on demand is 202-418-2830. The Fact Sheet may also be found on the World Wide Web at <http://www.fcc.gov/wtb/wirehome.html>.

SUMMARY OF SECTION 704 OF THE TELECOMMUNICATIONS ACT OF 1996

The following is a summary of key provisions. The text of Section 704 is reproduced in its entirety as an attachment to this summary.

1. Local Zoning Authority Preserved

Section 704(a) of the 1996 Act amends Section 332(c) of the Communications Act ("Mobile Services") by adding a new paragraph (7). It preserves the authority of state and local governments over decisions regarding the placement, construction, and modification of personal wireless service facilities, except as provided in the new paragraph (7).

2. Exceptions

a. States and Localities May Not Take Discriminatory or Prohibiting Actions

Section 704(a) of the 1996 Act states that the regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof shall not unreasonably discriminate among providers of functionally equivalent services and shall not prohibit or have the effect of prohibiting the provision of personal wireless services. 47 U.S.C. §332(c)(7)(B)(i).

Review: Any person that is adversely affected by a state or local government's action or failure to act that is inconsistent with Section 332(c)(7) may seek expedited review in the courts. 47 U.S.C. §332(c)(7)(B)(v).

b. Procedures for Ruling on Requests to Place, Construct or Modify Personal Wireless Service Facilities

Section 704(a) also requires a State or local government to act upon a request for authorization to place, construct, or modify personal wireless service facilities within a reasonable time. Any decision to deny a request must be made in writing and be supported by substantial evidence contained in a written record. 47 U.S.C. §332(c)(7)(B)(ii), (iii).

c. Regulations Based On Environmental Effects of RF Emissions Preempted

Section 704(a) of the 1996 Act expressly preempts state and local government regulation of the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the FCC's regulations concerning such emissions. 47 U.S.C. §332(c)(7)(B)(iv).

Review: Parties may seek relief from the FCC if they are adversely affected by a state or local government's final action or failure to act that is inconsistent with this provision. 47 U.S.C. § 332(c)(7)(B)(v).

3. Federal Guidelines Concerning RF Emissions

Section 704(b) requires the FCC to prescribe and make effective new rules regarding the environmental effects of radio frequency emissions, which are under consideration in ET Docket 93-62, within 180 days of enactment of the 1996 Act.

NOTE: The pendency of this proceeding before the FCC does not affect the rules which currently are in effect governing the environmental effects of radio frequency emissions. Section 704(b) gives preemptive effect to these existing rules. See related attachments to the Fact Sheet.

4. Use of Federal or State Government Property

a. Federal Property

Section 704(c) of the 1996 Act requires the President (or his designee) to prescribe procedures by which the federal government may make available on a fair, reasonable and nondiscriminatory basis, property, rights-of-way and easements under their control, for the placement of new spectrum-based telecommunications services.

b. State Property

With respect to facilities siting on state property, Section 704(c) of the 1996 Act requires the FCC to provide technical support to States to encourage them to make property, rights-of-way and easements under their jurisdiction available for the placement of new spectrum-based telecommunications services.

NOTE: Information concerning technical support for tower siting which the FCC is making available to state and local governments is attached to the Fact Sheet.

5. Definitions

"Personal wireless services" include commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services. 47 U.S.C. §332(c)(7)(C)(i).

"Commercial mobile services" are defined in Section 332 of the Communications Act and the FCC's rules, and include cellular telephone services regulated under Part 22 of the FCC's rules, SMR services regulated under Part 90 of the FCC's rules, and PCS regulated under Part 24 of the FCC's rules. 47 C.F.R. §20.9.

"Unlicensed wireless services" are defined as the offering of telecommunications services using duly authorized devices which do not require individual licenses; direct-to-home satellite services are excluded from this definition. 47 U.S.C. §332(c)(7)(C)(iii).

COMPLETE TEXT OF SEC. 704 OF THE TELECOMMUNICATIONS ACT OF 1996

SEC. 704. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.

(a) NATIONAL WIRELESS TELECOMMUNICATIONS SITING POLICY- Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

“(7) PRESERVATION OF LOCAL ZONING AUTHORITY-

“(A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

“(B) LIMITATIONS-

“(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

“(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

“(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

“(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

“(iii) Any decision by a State or local government or place,

construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

“(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

“(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any

court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(C) DEFINITIONS- For purposes of this paragraph--

(i) the term 'personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(ii) the term 'personal wireless service facilities' means facilities for the provision of personal wireless services; and

(iii) the term 'unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).'

(b) RADIO FREQUENCY EMISSIONS- Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions.

(c) AVAILABILITY OF PROPERTY- Within 180 days of the enactment of this Act, the President or his designee shall prescribe procedures by which Federal departments and agencies may make available on a fair, nondiscriminatory basis, property, rights-of-way, and easements under their control for the placement of new telecommunications services that are dependent, in whole or in part, upon the utilization of Federal spectrum rights for the transmission or reception of such services. These procedures may establish a presumption that requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question. Reasonable fees may be charged to providers of such telecommunications services for use of property, rights-of-way, and easements. The Commission shall provide technical support to States to encourage them to make property, rights-of-way, and easements under their jurisdiction available for such purposes.

TECHNICAL INFORMATION CONCERNING CELLULAR, SPECIALIZED MOBILE RADIO AND PERSONAL COMMUNICATIONS SERVICES

April 1996

Cellular Information

The FCC established rules and procedures for licensing cellular systems in the United States and its Possessions and Territories. These rules designated 306 Metropolitan Statistical Areas and 428 Rural Service Areas for a total of 734 cellular markets and spectrum was allocated to license 2 systems in each market. Cellular is allocated spectrum in the 824-849 and 869-894 MHz ranges. Cellular licensees are generally required to license only the tower locations that make up their outer service contour. Licensees desiring to add or modify any tower locations that are within an already approved and licensed service area do not have to submit an application for that location to be added to their cellular license, although they may need FCC approval if the antenna would constitute a major environmental action (See question 2, below) or would exceed the criteria specified in Part 17 of the FCC's Rules ("Construction, Marking and Lighting of Antenna Structures"). Part 17 includes criteria for determining when construction or placement of a tower would require prior notification to the Federal Aviation Administration (FAA). (See question 3, below.)

A cellular system operates by dividing a large geographical service area into cells and assigning the same frequencies to multiple, non-adjacent cells. This is known in the industry as frequency reuse. As a subscriber travels across the service area the call is transferred (handed-off) from one cell to another without noticeable interruption. All the cells in a cellular system are connected to a Mobile Telephone Switching Office (MTSO) by landline or microwave links. The MTSO controls the switching between the Public Switched Telephone Network (PSTN) and the cell site for all wireline-to-mobile and mobile-to-wireline calls.

Specialized Mobile Radio (SMR) Information

Specialized Mobile Radio (SMR) service licensees provide land mobile communications on a commercial (*i.e.*, for profit) or private basis. A traditional SMR system consists of one or more base station transmitters, one or more antennas and end user radio equipment which often consists of a mobile radio unit either provided by the end user or obtained from the SMR operator. The base station receives either telephone transmissions from end users or low power signals from end user mobile radios.

SMR systems operate in two distinct frequency ranges: 806-821/851-866 MHz (800 MHz) and 896-901/935-940 MHz (900 MHz). 800 MHz SMR services have been licensed by the FCC on a site-by-site basis, so that the SMR provider must approach the FCC and receive a license for each and every tower/base site. In the future the FCC will license this band on a wide-area market approach. 900 MHz SMR was originally licensed in 46 Designated Filing Areas (DFAs) comprised of only the top 50 markets in the country. The Commission is in the process of auctioning the remainder of the United States and its Possessions and Territories in the Rand McNally defined 51 Major Trading Areas.

PCS Information

Broadband PCS systems are very similar to the cellular systems but operate in a higher frequency band, in the 1850-1990 MHz range. One other difference is that the FCC used different market areas for licensing purposes. The FCC used the Rand McNally definitions for 51 Major Trading Areas (MTAs) and 493 Basic Trading Areas (BTAs). PCS was allocated spectrum for six Broadband PCS systems and 26 Narrowband systems. The six Broadband PCS systems will be licensed as follows: two Broadband PCS licenses will be issued for each of the 51 MTAs and four for each of the 493 BTAs. The 26 Narrowband systems will be licensed as follows: eleven Narrowband PCS licenses will be issued for nationwide systems, six for each of five regional areas, seven for each of the 51 MTAs and two for each of the 493 BTAs.

PCS licensees are issued a blanket license for their entire market area and are not required to submit applications to license individual cell sites unless construction of the facility would be a major environmental action or would require FAA notification. Major environmental actions are defined by the National Environmental Policy Act of 1969 that is discussed in question 2, below. Therefore, the FCC has no technical information on file concerning PCS base stations.

Frequently asked questions concerning tower siting for personal wireless services.

1. Do local zoning authorities have any authority to deny a request for tower siting?

Answer: Yes. The Telecommunications Act of 1996 specifically leaves in place the authority that local zoning authorities have over the placement of personal wireless facilities. It does prohibit the denial of facilities siting based on RF emissions if the licensee has complied with the FCC's regulations concerning RF emissions. It also requires that denials be based on a reasoned approach, and prohibits discrimination and outright bans on construction, placement and modification of personal wireless facilities.

2. What requirements do personal wireless communications licensees have to determine whether a site is in a flood plain? A historical sites must also comply with the National Environmental Policy Act of 1969 (NEPA). as well as other mandatory federal environmental statutes. The FCC's rules that implement the federal environmental statutory provisions are contained in sections 1.1301-1.1319. The FCC's environmental rules place the responsibility on each applicant to investigate all the potential environmental effects, and disclose any significant effects on the environment in an Environmental Assessment (EA), as outlined in section 1.1311, prior to constructing a tower. The applicant is required to consult section 1.1307 to determine if its proposed antenna structure will fall under any of the listed categories that may significantly affect the environment. If it does, the applicant must provide an EA prior to proceeding with the tower construction and, under section 1.1312, must await FCC approval before commencing any such construction even if FCC approval is not otherwise required for such construction. The FCC places all proposals that may significantly impact the environment on public notice for a period of 30 days, seeking any public comments on the proposed structures.

The categories set forth in section 1.1307 include:

Wilderness Area
Wildlife Preserve
Endangered Species
Historical Site
Indian Religious Site
Flood Plain
Wetlands
High Intensity White Lights in Residential Neighborhoods
Excessive Radiofrequency Radiation Exposure

3. Are there any FCC regulations that govern where towers can or cannot be placed?

Answer: The FCC mandates that personal wireless companies build out their systems so that adequate service is provided to the public. In addition, all antenna structures used for communications must be approved by the FCC in accordance with Part 17 of the FCC Rules. The FCC must determine if there is a reasonable possibility that the structure may constitute a menace to air navigation. The tower height and its proximity to an airport or flight path will be considered when making this determination. If such a determination is made the FCC will specify appropriate painting and lighting requirements. Thus, the FCC does not mandate where towers must be placed, but it may prohibit the placement of a tower in a particular location without adequate lighting and marking.

4. Does the FCC maintain any records on tower sites throughout the United States? How does the public get this information (if any)?

Answer: The FCC maintains a general tower database on the following structures: (1) any towers over 200 feet, (2) any towers over 20 feet on an existing structure (such as a building, water tower, etc.) and (3) towers that are close to airports that may cause potential hazards to air navigation. The FCC's licensing databases contain some base site information for Cellular and SMR systems. The general tower database and the Cellular and SMR data that may be on file with the FCC is available in three places:

(1) Cellular licensing information is available in the Public Reference Room of the Wireless Telecommunications Bureau's Commercial Wireless Division. The Public Reference Room is located on the fifth floor of 2025 M Street, NW, Washington, DC 20554, telephone (202)418-1350. On-line database searches of cellular licensing information along with queries of the FCC's general tower database can also be accomplished at the Public Reference Room.

(2) People who would like to obtain general tower information through an on-line public access database should call or write Interactive Systems, Inc., 1601 North Kent St., Suite 1103, Arlington, VA 22209, telephone 703-812-8270.

(3) The FCC does not duplicate these records, but has contracted with International Transcription Service, Inc. to provide this service. Requests for copies of information should be addressed to International Transcription Service, Inc. (ITS, Inc.), 2100 M St., NW, Suite 140, Washington, DC 20037, telephone 202-857-3800.

5. Why do Cellular and PCS providers require so many tower sites?

Answer: Low powered transmitters are an inherent characteristic of Cellular Radio and Broadband PCS. As these systems mature and more subscribers are added, the effective radiated power of the cell site transmitters is reduced so frequencies can be reused at closer intervals thereby increasing subscriber capacity. There are over 30 million mobile/portable cellular units and more than 22 thousand cell sites operating within the United States and its Possessions and Territories. PCS is just beginning to be offered around the country. Due to the fact that Broadband PCS is located in a higher frequency range, PCS operators will require more tower sites as they build their systems to provide coverage in their service areas as compared to existing Cellular carriers. Therefore, due to the nature of frequency reuse and the consumer demand for services, Cellular and PCS providers must build numerous base sites.

6. Can Cellular, SMR and PCS providers share tower structures?

Answer: Yes, it is technologically possible for these entities to share tower structures. However, there are limits to how many base station transmitters a single tower can hold and different tower structures have different limits. Moreover, these providers are competitors in a more and more competitive marketplace and may not be willing to share tower space with each other. Local zoning authorities may wish to retain a consulting engineer to evaluate the proposals submitted by wireless communications licensees. The consulting engineer may be able to determine if there is some flexibility as to the geographic location of the tower.

7. Is the Federal government helping to find ways to accommodate multiple licensees of personal wireless services?

Answer: Yes. The FCC has designated Steve Markendorff, Chief, Broadband Branch, Commercial Wireless Division, Wireless Telecommunications Bureau, FCC to ask and respond to questions concerning tower siting issues. His telephone number is 202-418-0620. Also, President Clinton issued an Executive Memorandum on August 10, 1995 directing the Administrator of General Services (GSA), in coordination with other Government departments and agencies, to develop procedures to facilitate appropriate access to Federal property for the siting of mobile services antennas. GSA recently released "Government-Wide Procedures for Placing Commercial Antennas," 61 Fed Reg 14,100 (March 29, 1996). For further information contact James Herbert, Office of Property Acquisition and Realty Services, Public Building Service, General Services Administration, 18th & F Streets, NW, Washington, DC 20405, telephone 202-501-0376.

8. Have any studies been completed on potential hazards of locating a tower/base site close to residential communities?

Answer: In connection with its responsibilities under NEPA, the FCC considers the potential effects of radiofrequency (RF) emissions from FCC-regulated transmitters on human health and safety. Since the FCC is not the expert agency in this area, it uses standards and guidelines developed by those with the appropriate expertise. For example, in the absence of a uniform federal standard on RF exposure, the FCC has relied since 1985 on the RF exposure guidelines issued in 1982 by the American National Standards Institute (ANSI C95.1-1982). In 1991, the Institute of Electrical and Electronic Engineers (IEEE) issued guidelines designed to replace the RF ANSI exposure guidelines. These guidelines (ANSI/IEEE C95.1-1992) were adopted by ANSI. The Telecommunications Act of 1996 mandates that the FCC complete its proceeding in ET Docket 93-62, in which it is considering updating the RF exposure guidelines, no later than early August 1996. Copies of this proceeding can be obtained from the International Transcription Service, Inc. (ITS), telephone 202-857-3800. Presently, RF emission requirements are contained in Section 1.1307(b) of the FCC's rules, 47 C.F.R. §1.1307(b), for all services. PCS has service specific RF emission provisions in Section 24.52 of the FCC's rules, 47 C.F.R. § 24.52.

Additional information concerning RF emission hazards can be obtained through a variety of sources:

- (1) Information concerning RF hazards can be obtained on the World Wide Web at <http://www.fcc.gov/oet/faqs>. RF safety questions are answered and further RF documents and information are contained under the Cellular Telephony Section.
- (2) OET Bulletins 56 and 65 concerning effects and potential RF hazards can be requested through the Radiofrequency Safety Program at 202-418-2464. Additionally, any specific questions concerning RF hazards can be answered by contacting the FCC at this phone number.

The FCC maintains a Communications and Crisis Management Center which is staffed 24 hours a day, seven days a week. In the event of an emergency, such as a radiofrequency hazard threatening public safety or health, you may call 202-632-6975. The watch officer who answers at that number can contact our compliance personnel in your area and dispatch them within a matter of hours.

RESOLUTION NO. 2014 - 12

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 2014 are reasonable and necessary; that the said budget has been reviewed by the County Finance Director 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 the 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 2014 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2014 budget shall remain in full force and effect.

Section 3.

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

This resolution was duly adopted by the Cache County Council on the 27th day of May, 2014.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk

Val K. Potter, Chairman

BUDGET OPENING

Resolution: 2014-12

Hearing: May 27, 2014

6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
GENERAL FUND		Adopted Budget: \$23,087,774		Proposed Budget: \$23,155,196
Revenues				
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED SURPLUS	Computer Purchase; reopen 2013 PO	67,422
Total Revenue Adjustment:				67,422
Expenditures				
ITS	100-4136-740	CAPITALIZED EQUIPMENT	Computer Purchases	67,422
LIBRARY - BOOKMOBILE	100-4580-200	MATERIAL SUPPLIES & SERVICES	Updated contract amount	40
MISCELLANEOUS	100-4960-600	SUNDRY EXPENSE	Updated contract amount	(40)
Total Expenditure Adjustment:				67,422
MUNICIPAL SERVICES FUND		Adopted Budget: \$3,780,916		Proposed Budget: \$4,200,790
Revenues				
PERMITS	200-32-21000	BUILDING PERMITS	Updated revenue estimate	22,870
CHARGES FOR SERVICES	200-34-31000	CLASS B - MUNICIPAL CONTRACTS	Estancia Road Revenue	245,000
CHARGES FOR SERVICES	200-34-32000	CLASS B CONTRACTS - OTHER	Estancia Road Revenue	101,504
CHARGES FOR SERVICES	200-34-35000	WEED ERADICATION FEES	Logan City contract	33,500
MISCELLANEOUS	200-36-90000	SUNDRY REVENUE	Scrap metal; Bear River RC&D payment	17,000
Total Revenue Adjustment:				419,874
Expenditures				
ZONING	200-4180-324	PROF & TECH - SECTION CORNERS	Reassign to Class B Roads	(20,000)
BUILDING INSP.	200-4241-120	TEMPORARY EMPLOYEES	Temp Building Inspector	21,000
BUILDING INSP.	200-4241-130	EMPLOYEE BENEFITS	Temp Building Inspector	1,870
CLASS - B ROADS	200-4415-110	SALARY	Employee reorganization	(24,558)
CLASS - B ROADS	200-4415-120	TEMPORARY EMPLOYEES	Employee reorganization	25,834
CLASS - B ROADS	200-4415-130	EMPLOYEE BENEFITS	Employee reorganization	(15,712)
CLASS - B ROADS	200-4415-140	UNIFORM ALLOWANCE	Purchase direct; no allowance	(4,000)
CLASS - B ROADS	200-4415-230	TRAVEL & TRAINING	Close account 330, +\$1,500	6,500
CLASS - B ROADS	200-4415-240	OFFICE SUPPLIES & EXPENSE	Close account 315, New copier lease	3,700
CLASS - B ROADS	200-4415-250	EQUIPMENT SUPPLIES & MAINT	Reallocate funds	(390,000)
CLASS - B ROADS	200-4415-251	NON-CAPITALIZED EQUIPMENT	Equipment lease; misc replacements	25,000
CLASS - B ROADS	200-4415-252	EQUIPMENT PARTS & SUPPLIES	New account	200,000
CLASS - B ROADS	200-4415-254	FUEL	New account	100,000
CLASS - B ROADS	200-4415-280	COMMUNICATIONS	Upgrade radios	10,000
CLASS - B ROADS	200-4415-310	PROF & TECH -ENGINEER. & ADMIN	Reassigned from Zoning	20,000
CLASS - B ROADS	200-4415-311	SOFTWARE PACKAGES	Work order/Fleet Mgmt software	9,600
CLASS - B ROADS	200-4415-315	MEDICAL EXPENSE	Close account to 240	(1,200)
CLASS - B ROADS	200-4415-330	EDUCATION & TRAINING	Close account to 230	(5,000)
CLASS - B ROADS	200-4415-410	ROAD MAINTENANCE	Reallocate funds	(304,000)
CLASS - B ROADS	200-4415-412	CHIP & SEAL ROADS - COUNTY	New account	126,000
CLASS - B ROADS	200-4415-414	CHIP & SEAL ROADS - MUNICIPAL	New account	174,000
CLASS - B ROADS	200-4415-416	ROAD SALT	New account	50,000
CLASS - B ROADS	200-4415-418	ASPHALT & CONCRETE	New account	75,000
CLASS - B ROADS	200-4415-420	ROAD PAINTING	New account	42,500
CLASS - B ROADS	200-4415-422	PIPE, DRAINAGE & BOXES	New account	25,000
CLASS - B ROADS	200-4415-480	UNIFORM & SAFETY SUPPLIES	Uniforms; Lockout/Tagout	7,200

BUDGET OPENING

Resolution: 2014-12

Hearing: May 27, 2014

6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
CLASS - B ROADS	200-4415-620	MISC SERVICES	Reallocate funds	(4,500)
CLASS - B ROADS	200-4415-720	BUILDINGS	Bay door replacement/misc upgrades	44,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Equipment replacement	174,140
WEED ERADICATION	200-4450-110	SALARY	Employee reorganization	1,599
WEED ERADICATION	200-4450-130	EMPLOYEE BENEFITS	Employee reorganization	428
WEED ERADICATION	200-4450-230	TRAVEL & TRAINING	Training	850
WEED ERADICATION	200-4450-240	OFFICE EXPENSE	Updated cost estimate	1,300
WEED ERADICATION	200-4450-250	EQUIPMENT SUPPLIES & MAINT	Updated cost estimate	3,000
WEED ERADICATION	200-4450-280	COMMUNICATIONS	Updated cost estimate	500
WEED ERADICATION	200-4450-291	CHEMICAL SPRAY	Updated cost estimate	5,000
PARKS & TRAILS	200-4780-481	LOGAN CANYON TRAIL	Reassign funding for 1700 South trail	(30,000)
CONTRIBUTIONS	200-4800-920	CONTRIBUTIONS TO OTHER UNITS	1/64% Sports & Rec Tax	16,000
TRANSFERS OUT	200-4810-100	CONTRIB TO CAPITAL PROJ FUND	Reassign funding for 1700 South trail	30,000
CONTRIBUTIONS	200-4800-995	CONTRIBUTIONS TO FUND RESERVE	Surplus funding from changes	4,823
MISCELLANEOUS	200-4960-600	SUNDRY EXPENSE	Internal audit of Road department	14,000
Total Expenditure Adjustment:				419,874

DEBT SERVICE FUND**Adopted Budget: \$1,183,895****Proposed Budget: \$1,183,895**

Revenues

-

Total Revenue Adjustment:

-

Expenditures

BOND PAYMENTS	310-4723-830	OTHER CHARGES	Bank service fees	4,500
BOND PAYMENTS	310-4723-999	CONTRIBUTION TO FUND BALANCE	Bank service fees	(4,500)

Total Expenditure Adjustment:

-

CAPITAL PROJECTS - ROADS**Adopted Budget: \$9,872,355****Proposed Budget: \$9,902,355**

Revenues

CONTRIB./TRANSFERS	460-38-10200	TRANSFER IN - MUNICIPAL SERVIC	Reassign funding for 1700 South trail	30,000
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Total Revenue Adjustment:**30,000**

Expenditures

ROAD CONSTR.	460-4420-760	NEW ROAD CONSTRUCTION	Reassign funding for 1700 South trail	30,000
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Total Expenditure Adjustment:**30,000**

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
1	Amalga Township	Phase II Utility, Kitchen, furnishings, safety lighting	12,000	12,000
2	American Festival Chorus and Orchestra	American Festival Chorus 2014-2015 Performance Costs	30,000	30,000
3	American West Heritage Center	2014 Programming Operational Support	92,500	80,000
4	American West Heritage Center	2014 Physical Plant Maintenance & Capital Expenses	47,000	8,000
5	Bridgerland Community Ice Arena/NPIC	Original 15 yr commitment to BCIA (maintenance)	92,853	92,853
6	Bridgerland Community Ice Arena	Facility equipment storage and event amenities enhancement	22,860	10,000
7	Bridgerland Community Ice Arena	Exterior Lighting Utility Savings - LED Ballast/Bulb Conversion	13,000	0
8	Cache Children's Choir	Support of Cache Children's Choir 2014-2015 Season	15,000	11,000
9	Cache Community Connections	Logan Tabernacle Concert and Lecture Series	7,000	6,000
10	Cache County - Fair and Rodeo	Advertising and promoting the Cache County Fair and Rodel	20,000	12,000
11	Cache County - Fairgrounds	Cache Arena Improvements and building repairs	63,500	63,500
12	Cache County - Fairgrounds	Outdoor Arena Improvements	40,115	40,000
13	Cache County - Fairgrounds	Disk golf course installation	5,000	
14	Cache County - Fairgrounds	Roping Arena dirt addition	15,818	0
15	Cache Valley Center for the Arts	Ellen Eccles Thtr/Bullen Ctr/Thatcher-Young Mansion Improveme	154,000	60,000
16	Cache Valley Center for the Arts	Arts Education & Family Programmin	50,000	30,000
17	Cache Valley Center for the Arts	Marketing: Ellen Eccles Theater World Class Touring Artists	18,000	10,000
18	Cache Valley Arts Summit	Cache Valley Arts at a Glance	5,000	0
19	Cache Valley Center for the Arts	Ellen Eccles Theater Lobby Lavatory Expansion	30,000	0
20	Cache Valley Civic Ballet	Cache Valley Civic Ballet: Performance Season Assistance	25,000	10,000
21	Cache Valley Cowboy Rendezvous, Inc.	Cache Valley Cowboy Rendezvous	10,000	6,000
22	Cache Valley Cruising Association	Cache Valley Cruise-In 2014	48,000	25,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
23	Cache Valley Mushers	K9 Challenge Sled Dog Race	2,500	1,500
24	Cache County - Cache Valley Visitors Bureau	2014 Cache Valley Visitors Bureau Marketing Campaign	134,737	100,000
25	Celebrate America Show	Celebrate America Show and Educational Outreach	45,000	15,000
26	Clarkston Town	Park Improvements - Walking Trail, Parking, and Playground	113,973	15,000
27	Common Ground Outdoor Adventures	Tourism Promotion/Marketing for Cache Valley Century Ride	2,000	0
28	Connection Social Dance Studio	Studio Rent	1,520	0
29	Cornish Town	Cornish Park Improvements - Parking Lot and Fence	51,881	10,000
30	Cub River Sports Complex - Owned and Opera	Cub River Sports Complex Seating	73,244	0
31	Four Seasons Theatre Company	Four Seasons Theatre 2014-15 Season	50,140	0
32	Hyde Park City	Lions Park Trail, Lee Park Play Structure Addition & Benches	24,552	24,552
33	Hyrum City	Blacksmith Fork Phase I	125,000	65,000
34	Hyrum City	Hyrum City Museum Expansion Phases One and Two	24,385	0
35	Lewiston City	Lewiston City Park/Picnic Pavilion	30,000	30,000
36	Logan City - Parks and Recreation	Logan Community Rec Center Bleachers Replacement	120,000	120,000
37	Logan City - Parks and Recreation	Bridger Park - Phase III Construction	330,082	160,000
38	Logan City - Parks and Recreation	2014 Freedom Fire Independence Day Celebration at USU	20,000	20,000
39	Logan City - Parks and Recreation	Rendezvous Park Trail Extension	25,000	25,000
40	Logan City - Parks and Recreation	Valley View Dog Park Phase 2(b)	40,000	35,000
41	Logan City - Parks and Recreation	Countryside Village Park	154,000	
42	Logan City - Parks and Recreation	"Tunnel to Tunnel" Trail, Kiosk, and Benches	13,500	13,500
43	Logan City - Parks and Recreation	Shade Structure at Jones Neighborhood Park	3,779	3,779
44	Logan Community Foundation dba Cache Reg	Cache Theatre Company Season	50,000	20,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
45	Logan Downtown Alliance	Logan Film Festival	1,000	0
46	Mendon City	Mendon 100 Est Trail & Safe Route to School	60,000	45,000
47	Mendon Library/Cultural Arts Committee	Mendon Library	100,000	0
48	Millville City	Park Splash Pad Completion	106,210	25,000
49	Music Theatre West	General Operating and Programming	100,000	38,000
50	Newton Town	Landscape and Irrigation Renovation	122,950	0
51	Newton Town	Soccer Equipment	17,200	17,200
52	Newton Town	Tennis Court/Pickleball Court	1,286	1,286
53	Nibley Children's Theatre	2014 Season: The Last Dragon	750	500
54	Nibley City	Heritage Park - Phase 5	120,000	40,000
55	Nordic United	Promotion of Local Winter Tourism; Grooming Trails and Events	14,000	0
56	North Logan Parks and Recreation Departme	Elk Ridge Park Improvements	90,000	70,000
57	Old Lyric Repertory Company	Old Lyric Repertory Company 2014	22,000	15,000
58	Paradise Town	Restrooms, maintenance shed and chain link fence	58,250	30,000
59	Providence City	Pickleball Courts at Braegger Park, 300 E 300 S, Providence	80,000	50,000
60	Richmond City	Black & White 100 years Update	37,000	37,000
61	Shimmering Sands Belly Dance	Shimmering Sands Dance Production & Show Support	3,500	0
62	Smithfield City	Smithfield Health Days - Children's Theatre	1,000	0
63	Smithfield City Parks and Recreation Departm	Richard Hansen Baseball Field Lighting	111,979	90,000
64	Stokes Nature Center	Stokes Nature Center School & Community Programs	30,000	23,000
65	Stokes Nature Center	Stokes Nature Center Summer Citizen Program & Marketing	5,000	0
66	Summerfest Arts Faire	Summerfest Arts Faire	20,000	20,000

CACHE COUNTY

2014 RESTAURANT AND RAPZ TAX AWARDS

No.	Entity	Title	Request	Award
67	Chamber Music Society of Logan	Enhancing Chamber Music in Cache Valley	5,500	5,000
68	Unicorn Theatre	Unicorn Theatre	8,000	5,000
69	Utah Festival Opera	2014 Operating: Summer Festival, Education & Utah Theatre	260,000	150,000
70	Utah Festival Opera	2014 Tourism - Marketing Outside Cache Valley	90,000	80,000
71	Utah State University	Utah State University Summer Citizens Program	48,000	30,000
72	Valley Dance Ensemble	Valley Dance Ensemble Spring 2015 Concert	3,000	2,000
73	Wellsville City	Water Splash Pad	47,100	30,000
74	Whittier Community Center	Utilities Funding/Operating Expenses	9,840	5,000
75	Willow Park Zoo	Willow Park Zoo Operation Budget	119,327	119,763
76	Willow Park Zoo	Willow Park Zoo Capital Improvement Budget	38,980	0
GRAND TOTALS			\$3,983,811	\$2,093,433

Cache County Council of Governments

Mayor Clair Christiansen, Chair
Mayor Ed Buist, Vice Chair

May 20, 2014

Val Potter
Cache County Council Chair
199 N. Main,
Logan UT 84321

Dear Chairman Potter:

On May 19, 2014 the Cache County Council of Governments (CCCOG) unanimously agreed to recommend to the Cache County Council funding in the amount of \$2,894,349 toward eligible roadway improvement projects in Cache County. These projects were selected after completing the application and project prioritization process prescribed in the approved CCCOG Transportation Project Prioritization Process. The recommendation approved is as follows:

2014 Countywide Road Sales Tax Applications (Final Recommendation)							
Cache County Council of Governments							
<i>COG Project Number</i>	<i>Sponsor</i>	<i>Project</i>	<i>Average Score</i>	<i>Project Total Cost</i>	<i>2014 COG Requested Amount</i>	<i>2014 COG Eligible Amount</i>	<i>2014 Recommended Funding</i>
2014-7	Nibley City	2600 S. Hwy 165 Intersection	21.9	\$530,325	\$220,325	\$200,000	\$200,000
2014-4	Logan City	1400 N. 600 W. Intersection	20.8	\$1,900,000	\$200,000	\$200,000	\$200,000
2014-6*	Millville City	550 N (2300 S) Realign to 450 N	18.6	\$200,000	\$186,000	\$200,000	\$200,000
2014-9	No. Logan/Hyde Park	3100 N-200 East to Hwy 91	18.1	\$770,500	\$670,500	\$200,000	\$200,000
2014-5	Logan City	3200 So. Hwy 89/91	16.8	\$1,566,000	\$1,456,000	\$1,456,000	\$1,456,000
2014-2	Hyde Park	400 East	16.8	\$333,000	\$200,000	\$200,000	\$200,000
2014-3	Hyrum City	Hammer Road SR 101 Intersection	15.9	\$234,193	\$218,793	\$200,000	\$200,000
2014-8	No Logan	1200 East	15.4	\$1,244,095	\$205,799	\$205,799	\$205,799
2014-1	Cache County	Maughan's Corner	15.1	\$35,000	\$32,550	\$32,550	\$32,550
Totals				\$6,813,113	\$3,389,967	\$2,894,349	\$2,894,349

Yellow Highlighted Projects are Capped at \$200,000 for "Spot Improvements" (Otherwise project must be identified the CMPO Regional Transportation Plan)

* "Requested" amount differs from "eligible" amount because Millville misapplied the Spot Improvement Policy

You can find digital copies of each of the project applications as well as the Transportation Project Prioritization Process at: http://cachempo.org/?page_id=994

In accordance with the CCCOG requirement as part of Utah State Code 59-12-2208, please accept this formal recommendation of funding for 2014 using countywide, voter approved sales tax revenue collected for the purpose of transportation capacity improvements. Please feel free to contact me if you have any questions.

Sincerely,

Clair Christiansen, Chair
Cache County Council of Governments

NOTICE OF TAX SALE

Notice is hereby given that on the 29th day of May, 2014, at 10:00 a.m., in the Cache County Multipurpose Room #109 at 179 North Main, Logan, Utah, Cache County will offer for sale (unless redeemed prior to sale) at public auction and sell to the highest bidder for cash or certified check, under the provisions of Section 59-2-1351.1, the following described real property located in Cache County and now delinquent and subject to tax sale. No bids will be accepted for an amount less than the outstanding balance as shown below which includes taxes, interest, penalty and administrative costs (exact amounts will change as accrued). In the case of improved property, a bid for less than the market value and the total amount of taxes interest, penalty, and administrative costs that are a charge upon the real estate will *not* be accepted. Properties with improvements are noted. Any excess amounts received will be treated as surplus property and paid to the State Treasurer. Tax sale updates are available at www.cachecounty.org/auditor

PARCEL: 03-155-0019

Location: 3850 S Highway 165 Nibley, UT 84321

BLAKE, ROBERT J JR & AMY R
5175 W 1925 N Hooper, UT 84315

BACK TAX: \$1117.28
INTEREST: \$200.01
PENALTY: \$50.00
ESTIMATED OTHER COSTS: \$500.00
TOTAL DUE: \$1867.29

IMPROVEMENTS: NO
LEGAL DESCRIPTION: LOT 1A BROOK FIELD MEADOWS
SUBD AMENDED CONT 0.45 AC

PARCEL: 09-044-0037

Location: 11600 N 2000 E Richmond, UT 84333

SUMMIT DEVELOPERS LLC,
343 E 400 N STE 109 Rexburg, ID 83440

BACK TAX: \$51.66
INTEREST: \$16.70
PENALTY: \$50.00
ESTIMATED OTHER COSTS: \$500.00
TOTAL DUE: \$618.36

IMPROVEMENTS: NO
LEGAL DESCRIPTION: THE NW/4 OF THE NE/4 SEC 24 T 14N
R 1E CONT 39.09 AC BY SVY OF THE RESERVE SUBD LESS:
THE RESERVE SUBDIVISION CONT 38.23 AC NET 0.86

PARCEL: 09-054-0009

Location: 22 North State Richmond, UT 84333

THORNLEY, TROY & PATRICIA ANN
PO Box 247 Richmond, UT 84333

BACK TAX: \$2291.83
INTEREST: \$404.48
PENALTY: \$51.31
ESTIMATED OTHER COSTS: \$500.00
TOTAL DUE: \$3247.62

IMPROVEMENTS: YES
MARKET VALUE: \$77,740.00
LEGAL DESCRIPTION: BEG 100 FT N OF SW COR LOT 4 BLK
24PLAT A RICHMOND CITY SVY, E 60 FT N81.5 FT W 60 FT S
81.5 FT TO BEG SW/4 SEC 26 T 14N R 1E

PARCEL: 16-091-0012

Location: 10515 E 12100 S Avon, UT 84328

WARREN, KELLY TR
4088 S 650 W Riverdale, UT 84405

BACK TAX: \$381.65
INTEREST: \$56.8
PENALTY: \$30.00
ESTIMATED OTHER COSTS: \$500.00
TOTAL DUE: \$968.45

IMPROVEMENTS: NO
LEGAL DESCRIPTION: BEG 32 RDS W OF E/4 COR OF SE/4
OF SE/4 OF SEC 15 T 9N R 3E & TH S 20 RDS TH W 8 RDS TH
N 20 RDS TH E 8 RDS TO BEG CONT 1.00 AC SUBJ TO A 30
FT R/W ACROSS THE N & S LT LINES OF SD TRACT ALSO A
30 FT R/W ALG PERIMETER OF PARCEL 16-092-0002 SUBJ
TO EASEMENT AGREEMENT IN BK 995 PG 641

Attested to this 1st day of May, 2014.
Cameron Jensen, Cache County Deputy Auditor
Publication dates: May 3, 10, 17, 24 of 2014