

CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

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



**Cache
County**
1857

COUNTY COUNCIL

KATHY ROBISON, COUNCIL CHAIR
GREG MERRILL, COUNCIL VICE CHAIR
DAVID L. ERICKSON
VAL K. POTTER
JON WHITE
CORY YEATES
GORDON A. ZILLES

January 23, 2015

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, JANUARY 27, 2015**

AGENDA

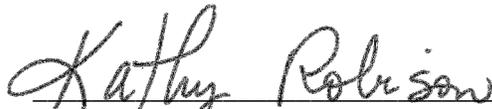
- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – David Erickson
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (January 13, 2015)
 5. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
 6. **CONSENT AGENDA**
 - a. **Ronald Jensen Subdivision** – Susanne Moore requesting an additional lot and subdivision boundary adjustment on 77.22 acres in the Agricultural (A10) Zone located at approximately 2207 South Highway 23, south of Mendon
 7. **ITEMS OF SPECIAL INTEREST**
 - a. Review and Clarification of Previous ¼ cent Sales Tax Discussion – Val Potter
 - b. Pay-for-Stay Year-End Report – Matt Bilodeau
 8. **UNIT OR COMMITTEE REPORTS**
 - a. Logan-Cache Airport – Lee Ivie
 9. **BUDGETARY MATTERS**
 10. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
- 5:30 p.m.***
- a. **Public Hearing – Armor Storage Rezone to Commercial Zone**
Erik Merkley requesting a rezone of 25 acres from Agriculture (A10) Zone to Commercial (C) Zone located approximately 4400 South Hwy 165, Nibley
- 6:00 p.m.***
- b. **Public Hearing – Open 2015 Budget**
11. **PENDING ACTION**

12. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**
 - a. ***Resolution 2015-02 – Amendments to 2015 Budget***
 - b. Ordinance Number Correction – ***Ordinance 2014-14*** changed to ***Ordinance 2015-01***
 - c. Property Tax Relief Applications
 - d. Discussion – CDBG Public Hearings and Project Sponsorships – Kim Datwyler

13. **OTHER BUSINESS**
 - a. 2015 Council Member Boards and Committees Assignments
 - b. 2015 Council Member Department Assignments
 - c. Meetings with Legislators during 2015 Legislative Session – Saturdays from 7:30 a.m. to 9:30 a.m. Beginning January 31, 2015 and running through March 7, 2015
Cache County Administration Building Multipurpose Room
 - d. Council Photo Session – February 10, 2015 – 3:00 p.m.

14. **COUNCIL MEMBER REPORTS**

15. **ADJOURN**


Kathy Robison, Chair

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

STAFF REPORT: RONALD JENSEN MINOR SUB. 2ND AMENDMENT

08 JANUARY 2015

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: Susanne Moore
Staff Determination: Approval
Type of Action: Administrative
Land Use Authority: Cache County Council

Parcel ID#: 11-039-0001, 0010, 0011, 0012
and 11-038-0015

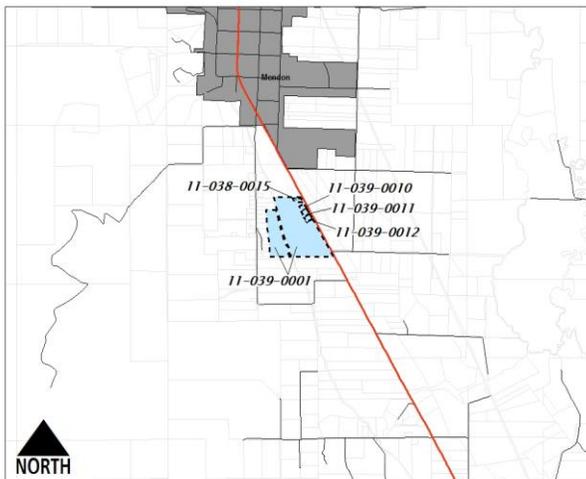
LOCATION

Reviewed by: Stephanie Nelson, Planner I

Project Address:
2207 South Highway 23

Current Zoning: Agricultural (A10) Zone
Acres: 77.22

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



PURPOSE AND SUMMARY

Purpose:

To review and make a decision regarding the proposed amendment of the Ronald Jensen Minor Subdivision 2nd Amendment.

Summary:

This proposal is to amend the existing Jensen Minor Subdivision that was approved on 22 April 1997 and previously amended on 06 December 1999. The current amendment proposal reflects the correction of the subdivision boundary and the separation of an existing home from the agricultural parcel. The proposed amendments meet the current density requirements as provided in §17.09.080.

Access:

- Access to these lots is from Highway 23. UDOT does not have any concerns about this new lot configuration.

Water & Septic:

- Adequate, approved, domestic water rights are in place for all lots.
- All lots have an existing, approved, septic system in place.

Service Provision:

- All refuse and recycling containers shall be placed along the side of Highway 23 for Monday collection. The residents shall provide sufficient shoulder space for the residential refuse and recycle containers to sit four feet apart and be out of the travel lane, and must be placed so as not to be blown over by passing traffic.
- A school bus stop is located at 2235 South Highway 23.
- Water supply for fire suppression will be provided by the Mendon City Fire Department. Access for emergency services is adequate.

Sensitive Areas:

- These properties are located entirely in the floodplain. This sensitive area issue was addressed and mapped with the previous subdivision approval.

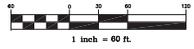
Public Comment:

Notices were mailed to the property owners located within 300 feet and municipalities within one mile 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 Ronald Jensen Minor Subdivision 2nd Amendment with parcel number(s) 11-039-0001, 11-039-0010, 11-039-0011, 11-039-0012, and 11-038-0015 is in conformance with the Cache County Ordinance requirements and should be approved. This determination is based on the following findings of fact:

1. The Ronald Jensen Minor Subdivision 2nd Amendment has been revised and amended by the conditions of project approval to address the issues and concerns rose within the public and administrative records.
2. The Ronald Jensen Minor Subdivision 2nd Amendment has been revised and amended to conform to the requirements of the Cache County Code, State Code, and the requirements of various departments and agencies.
3. The Ronald Jensen Minor Subdivision 2nd Amendment conforms to the subdivision amendment requirements of the Cache County Subdivision Ordinance.
4. The Ronald Jensen Minor Subdivision 2nd Amendment is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.



HARDMAN FIELD LANE LLC
T1-038-0000
P.O.T. EASEMENT LOT 1

P.O.B. EASEMENT LOT 1
272.34'
N 89°40'09" E

SUBDIVISION BOUNDARY AND LOT 1 P.O.B.
MERIDITH KIRKWOOD
T1-038-0030
583.16'

T. 11 N.
R. 1 W.
S.L.B.&M.

ALUMINUM CAP
578.8'
7714.05'

**RONALD JENSEN MINOR SUBDIVISION
2ND AMENDMENT
EAST 1/2 SECTION 17,
TOWNSHIP 11 NORTH, RANGE 1 WEST
SALT LAKE BASE & MERIDIAN
NOVEMBER 16 2014**

SURVEYOR'S CERTIFICATE

I, JEFF S. HANSEN, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 322023 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, OF THE PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT; AND HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED OR WILL PLACE MONUMENTS AS REPRESENTED ON THIS PLAT.

ELECTRONIC COPY
11/17/14

OWNER'S ACKNOWLEDGMENT

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND, HAVE CAUSED THE SAME TO BE RESURVEYED AND THE SUBDIVISION PLAT AMENDED TO BE HEREAFTER KNOWN AS THE RONALD JENSEN MINOR SUBDIVISION 2ND AMENDMENT. WE DO HEREBY GRANT AND CONVEY TO CACHE COUNTY, UTAH ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS EASEMENTS ALSO DESIGNATED TO CACHE COUNTY THOSE CERTAIN STRIPS AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS INTENDED FOR PUBLIC USE.

IN WITNESS WE HAVE HERETO SET OUR SIGNATURES THIS _____ DAY OF _____ A.D. 20____.

DENNIS J. JENSEN 2181 SOUTH HWY 23 MENDON, UTAH 84325 11-038-0015	SHEILA K. JENSEN 2181 SOUTH HWY 23 MENDON, UTAH 84325 11-038-0015
SHIRLEY L. JENSEN TRUSTEE SHIRLEY L. JENSEN FAMILY TRUST DATED APRIL 16, 1992 2195 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0001	SUSANNE JENSEN MOORE TRUSTEE THE MARK LEON MOORE LIVING TRUST DATED NOVEMBER, 2012 2207 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0010
KARA B. JENSEN 2235 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0011	JAY DEE JENSEN 2235 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0011
MICHAEL D. GYLLENKOG 2263 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0012	JENNIFER GYLLENKOG 2263 SOUTH HWY 23 MENDON, UTAH 84325 11-039-0012

LEGEND

- FENCE POST
- T-BAR FENCE POST
- FENCE LINE
- EXISTING PROPERTY CORNER (TYPE AS NOTED)
- TO BE SET: 5/8" REBAR WITH RLS 325023 CAP
- RIGHT OF WAY MARKER
- SECTION CORNER
- BY RECORD
- POWER POLE
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- WATER SPIGOT
- TELEPHONE RISER

LINE	LENGTH	BEARING
L1	22.06'	S 30°14'29" E
L2	25.16'	S 64°51'00" W
L3	58.10'	S 71°28'38" W
L4	37.11'	S 76°04'36" W
L5	65.00'	S 76°51'31" W
L6	60.57'	S 74°03'47" W

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A AMENDED SUBDIVISION PLAT FOR THE RONALD JENSEN MINOR SUBDIVISION AMENDED FOR THE PURPOSE OF CREATING A LOT TO DIVIDE THE EXISTING HOUSE FROM THE FARM LOCATED ON THE PARENT PARCEL 11-039-0001, TO ADJUST THE PROPERTY LINES OF LOT 1, AND TO CREATE EASEMENTS FOR THE MENDON CITY WELL HOUSE, THE SEPTIC AREAS, ACCESS TO LOTS 1 AND 5, ACCESS TO THE REMAINDER PARCEL. THE SURVEY WAS ORDERED BY KATHLEEN FITCHER FOR THE LAND OWNERS. THE BASIS OF BEARING IS AS SHOWN HEREON AND WAS ESTABLISHED BY GPS OBSERVATION VIA THE STATE OF UTAH VIRS GPS SYSTEM BY PERFORMING A SINGLE POINT CALIBRATION ON THE LOGAN CITY GPS BASE RECEIVER AS THE INITIAL POINT. THE CONTROL USED TO ESTABLISH THE PROPERTY LINES WAS THE EXISTING RIGHT-OF-WAY MARKERS FOR STATE HIGHWAY 23 AND A LONG BENT REBAR FOUND AT THE SOUTHEAST CORNER OF THE SUBDIVISION.

UPON COMPLETION OF THE INITIAL FIELD WORK AND CALCULATIONS, IT WAS DISCOVERED THAT INFORMATION FOUND ON THE CURRENT RECORDED PLAT FOR THE RONALD JENSEN MINOR SUBDIVISION AMENDED IS IN ERROR. THE REPORTED BRASS CAP MONUMENT AT THE SOUTHEAST CORNER OF SECTION 17, TOWNSHIP 11 NORTH, RANGE 1 WEST, OF THE SALT LAKE BASE AND MERIDIAN DOES NOT EXIST. I HAVE BEEN UNABLE TO FIND ANY EVIDENCE THAT THERE WAS EVER A BRASS CAP AT THIS LOCATION. THIS ERRONEOUS MONUMENT CALL MAKES IT IMPOSSIBLE TO CORRECTLY LOCATE THE SUBDIVISION ON THE GROUND. THE CURRENTLY PLATTED LOCATION IS ILLUSTRATED HEREON AND IS BASED UPON THE REBAR BEING HELD BY THIS SURVEY AS TO THE SOUTHEAST CORNER OF SECTION 17. THERE IS SOME CONFUSION AS TO THE LOCATION OF THIS SECTION CORNER. DIFFERENT SURVEYORS HAVE HELD DIFFERENT POINTS FOR THIS CORNER AS IS NOTED HEREON. I AM HOLDING A REBAR THAT I FOUND IN THE LATE 1990'S THAT MATCHES THE LOCATION ILLUSTRATED ON THE BIRD MINOR SUBDIVISION, AND THAT IS BEING HELD BY OTHER SURVEYORS AS NOTED HEREON. FIELD WORK WAS COMPLETED 10-04-14.

NOTES

NO STORM WATER DRAINAGE SHALL BE ALLOWED TO FLOW FROM ANY PORTION OF ANY SUBDIVISION LOT TO ANY ADJOINING LOTS, PARCELS, DITCHES, CANALS, OR WATERWAYS WITHOUT PRIOR WRITTEN AUTHORIZATION FROM THE AFFECTED PARTY.

COUNTY BUILDING SETBACKS ARE 30' FRONT YARD, 30' REAR YARD, 12' SIDE YARD, 20' SIDE YARD ALONG A ROAD, AND 50' ALONG A WATERWAY. BUILDING SETBACKS ARE FOR PRIMARY BUILDINGS.

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 THE AGRICULTURAL ZONE.

CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY AND ADEQUACY OF CULINARY WATER FOR THE LOTS IDENTIFIED ON THIS PLAT. ALL OWNERS ARE ADVISED OF THE REQUIREMENT TO OBTAIN A CULINARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A BUILDING PERMIT.

NO LAND OR BUILDING SHALL BE USED SO AS TO PERMIT THE STORAGE OF ARTICLES EXPOSED TO PUBLIC VIEW.

A LOT USED FOR STORAGE SHALL BE FENCED WITH A SCREENING FENCE AT LEAST 6 FEET HIGH OR WITH AN APPROPRIATE LANDSCAPING BARRIER.

NO STORAGE WILL BE ALLOWED IN THE SETBACK AREAS.

ANY FURTHER DIVISION OF THESE LOTS WILL BE PROHIBITED.

THERE IS A REBAR WITH PETERSEN CAP FOUND ±20.84' W & ±24.47' E & BELIEVED TO BE THE MARKER HELD AS THE SECTION CORNER FOR AAH SURVEY #2000-0175 & IS ±4' OUT OF POSITION PER SAID AAH SURVEY.

REBAR PER RS#2011-061, #2000-0119, #1998-0116 BIRD MINOR SUBDIVISION

- MENDON CITY CULINARY WATER WELL HOUSE WITH 30' X 30' EASEMENT
- 20' WIDE ACCESS & UTILITY EASEMENT GRANTED TO LOTS 1 & 5
- 20' WIDE ACCESS & UTILITY EASEMENT GRANTED TO PARCEL 11-039-0001
- LOTS PER CURRENT RONALD JENSEN MINOR SUBDIVISION PLAT #733630
- LANDSCAPE PLANTER
- ASPHALT ROAD OR DRIVEWAYS
- SANITARY SEPTIC EASEMENT GRANTED TO LOTS 1 AND 5 (LOCATION INDEFINITE)

THE PURPOSE OF THE SANITARY EASEMENT IS TO PROVIDE ACCESS TO ALLOW SERVICE AND/OR REPAIR OF THE EXISTING SEPTIC SERVICE SYSTEM. THE PHYSICAL LOCATIONS OF THESE LINES ARE INDEFINITE. THE ACTUAL EASEMENT LOCATIONS ARE TO BE CENTERED ON THE PHYSICAL LOCATION OF THESE SERVICE AND DRAIN LINES IF DIFFERENT THAN SHOWN.

SHEET 1 OF 2

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 THIS OFFICE.

DATE _____ CHIEF DEPUTY COUNTY SURVEYOR

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

ATTORNEY

CACHE COUNTY COUNCIL
THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY COUNCIL ON _____ 20____
AT WHICH TIME BY MAJORITY VOTE IT HAS BEEN APPROVED.

CHAIRPERSON _____ ATTESTED TO BY THE COUNTY CLERK _____

DEVELOPER INFORMATION
PARCEL NUMBERS: 11-038-0015, 11-039-0001, -0010, -0011, -0012
PARCEL OWNER: MORRELL PROPERTIES LLC
PAUL MORRELL
ADDRESS: 316 WEST 300 SOUTH
PROVIDENCE, UTAH 84332-9787

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 _____

CACHE COUNTY PLANNING COMMISSION
THIS PLAT HAS BEEN REVIEWED BY THE CACHE COUNTY PLANNING COMMISSION ON _____ 20____
IT IS THE RECOMMENDATION OF THIS BOARD TO APPROVE/DENY THIS SUBDIVISION BASED ON FINDINGS.

CHAIRPERSON _____

BEAR RIVER DISTRICT HEALTH DEPT. APPROVAL
THE SUBDIVISION DESCRIBED HEREON HAS BEEN APPROVED BY THE BEAR RIVER DISTRICT HEALTH DEPARTMENT.
THIS _____ DAY OF _____ 20____

HEALTH DIRECTOR

JSH SURVEYING & DRAFTING INC.
P.O. BOX 300 • WRELLSVILLE, UTAH 84339
(435) 245-9090 • TOLL FREE 1-888-420-0268 • FAX (435) 255-9669

JOB # 14-064

STAFF REPORT: ARMOR STORAGE REZONE

04 December 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: Erik Merkley

Parcel ID#: 03-063-0013, 0014, 0018

Staff Recommendation: Denial

and 03-065-0004

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by: Stephanie Nelson - Planner I

Project Address:
4400 South Highway 165
Nibley, Utah 84321

Acres: 24.82

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Commercial (C)

Surrounding Uses:

North – Agricultural/Nibley City

South – Agricultural/Hyrum City

East – Hwy. 165/Gravel Extraction/Nibley City

West – Agricultural/Nibley City



PROJECT PURPOSE, ORDINANCE, SUMMARY, AND PUBLIC COMMENT

Purpose:

To review and make a decision regarding the proposed Armor Storage Rezone request to rezone 24.82 acres of property from the Agricultural (A10) Zone to the Commercial (C) Zone.

Ordinance:

As per §Title 17.08.030 [E], the purpose of the Commercial (C) zone is to provide locations for retail, office, and business/commerce activities, to enhance employment opportunities, to encourage the efficient use of land, to enhance property values, and to strengthen the county's tax base.

Summary:

The following is a brief history of the permits obtained at this site (it does not include zoning clearances, building permits, or business licenses):

- 17 May 2010 - A conditional use permit (CUP) for two (2) self-service storage units on parcel number 03-065-0004 was recorded.
- 21 December 2010 - A boundary line adjustment involving parcel number(s) 03-065-0004 and 03-063-0017 was recorded. Also, at that time, parcel number 03-063-0017 became parcel number 03-065-0004 and parcel number 03-065-0004 became parcel number 03-063-0018. There is no record of why the numbers for these parcels were eliminated and reassigned. The original CUP recorded on 17 May 2010 no longer applies to parcel number 03-065-0004 but now applies to parcel number 03-063-0018.
- 21 March 2011 – Mr. Knight proposed additional expansion of the use. This request was reviewed by the Planning Commission and an expansion and update of the existing CUP as Urban Development on parcel number 03-063-0018 was recorded.
- 24 April 2012 – An expansion of the existing CUP as Urban Development on parcel number 03-063-0018 to include self-service storage units on parcel number 03-063-0014 was approved by the County Council. Recorded on 30 July 2012.
- 02 August 2012 – A rezone request as Urban Development from the Agricultural (A10) Zone to the Industrial Manufacturing (IM) Zone of the four parcels was submitted, reviewed, and denied by the Planning Commission and Council. Hyrum submitted comment (Exhibit A) at that time requesting that the county deny the request, and that Mr. Knight pursue annexation instead, due to their concern that the proposed zone did not support uses appropriate for the area.

At this time, the subject parcels are located in the Agricultural (A10) Zone and are surrounded by parcels west of Highway 165 that are primarily agricultural in use. The subject parcels are also in close proximity to Nibley and Hyrum and are within Hyrum City's annexation area and receives culinary water from Nibley City. Any further development on the noted parcels would be considered Urban Development as defined by State Code and requires input from Hyrum City.

Hyrum City has provided comment (Exhibit B), and has stated concern and opposition, and requested that the property owner(s) work instead to annex the parcels into Hyrum City.

Access:

- The access from county road 4400 South to parcel 03-063-0014 is adequate.
- Access to 4400 South is from Highway 165 and is adequate.

Service Provision:

- Existing hydrant service and water supply for fire protection is provided by Nibley City.

Public Comment:

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

PLANNING COMMISSION DETERMINATION (NO FINDINGS)

It is the Planning Commission's determination that the Armor Storage Hyrum rezone with parcel number(s) 03-063-0013, 03-063-0014, 03-063-0018, and 03-065-0004 located at approximately 50 West 4400 South should be recommended for approval to the Cache County Council.

STAFF DETERMINATION AND FINDINGS OF FACT (2)

It is staff's determination that the Armor Storage Hyrum rezone with parcel number(s) 03-063-0013, 03-063-0014, 03-063-0018, and 03-065-0004 located at approximately 50 West 4400 South is not in conformance with the Cache County Ordinance and should be recommended for denial to the Cache County Council. This determination is based on the following findings of fact:

1. These parcels are located within the City of Hyrum annexation area, and as per State Code are defined as Urban Development. Therefore, this designation requires the county to obtain input from Hyrum City regarding the rezone request. Hyrum City has provided comment and specified objection to this rezone request and requested that the proponent(s) work instead to pursue future annexation of the property into Hyrum City.
2. Most services required for the potential development that could be located within the requested Commercial (C) rezone would be and/or are provided by an adjacent municipality, and as such any future development should be annexed so as to meet with municipal standards for development and land use, as has been requested by Hyrum City.



HYRUM CITY

83 West Main • Hyrum, Utah 84319

Phone (435) 245-6033

Dean Howard, Mayor
Council Members
Martin L. Felix
Paul C. James
Stephanie Miller
Craig L. Rasmussen
Aaron Woolstenhulme
City Administrator
D. Brent Jensen
Recorder
Stephanie B. Fricke
Treasurer
Todd Perkins

July 27, 2012

Jay Baker
Countywide Planner
179 North Main, Suite 305
Logan, Utah 84321

Re: Armor Storage Rezone

Mr. Baker:

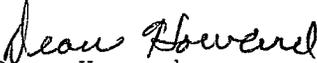
Pursuant to discussion in a recent public meeting, the governing body of Hyrum City desires to inform you of the city's opposition to the proposed rezone of Armor Storage from Agriculture to Industrial/Manufacturing (I/M). In the same meeting the City Council advised Curtis Knight of its preference for him to pursue annexation of this property to Hyrum City.

Armor Storage lies at the gateway to our community and well within our annexation policy declaration area and is highly visible to traffic entering and leaving Hyrum. While Mr. Knight is to be commended for his landscaping and general maintenance of the storage complex thus far, a subsequent owner may not be as congenial or as sensitive to the lifestyle and esthetics of the surrounding area or as concerned about inappropriate uses the I/M zone allows, such as sexually oriented businesses, manufacturing plants, meat processing facilities, salvage yards, etc., none of which are desirable land uses at the entrance to our city.

Hyrum City's general plan projects rural and low-medium density residential and agricultural-related uses for the area between Hyrum and Nibley along SR165. Some commercial activities may fit adjacent to the highway but certainly not many of those allowed by the county's I/M zone. We urge the county to leave its current zoning in place and encourage Mr. Knight to seek annexation to Hyrum City.

Respectfully,

HYRUM CITY CORP.


Dean Howard
Mayor



HYRUM CITY

83 West Main • Hyrum, Utah 84319
Phone (435) 245-6033

Stephanie Miller, Mayor

Council Members

Scot M. Allgood
Jared L. Clawson
Martin L. Felix
Paul C. James
Aaron Woolstenhulme

City Administrator

Ron W. Salvesen

Recorder

Stephanie B. Fricke

Treasurer

Todd Perkins

October 27, 2014

Josh Runhaar
Cache County Development Services Director
179 North Main, Suite 305
Logan, Utah 84321

Re: Armor Storage Rezone

Mr. Runhaar

Pursuant to discussion in a recent public meeting, the governing body of Hyrum City desires to inform you of the city's opposition to the proposed rezone of Armor Storage from Agriculture to Commercial (C) Zone. In the same meeting the City Council indicated its preference for Armor Storage to pursue future annexation of this property to Hyrum City.

Armor Storage lies at the gateway to our community and well within our annexation policy declaration area and is highly visible to traffic entering and leaving Hyrum. While Mr. Knight is to be commended for his landscaping and general maintenance of the storage complex thus far, a subsequent owner may not be as congenial or as sensitive to the lifestyle and esthetics of the surrounding area.

Hyrum City's general plan projects rural and low-medium density residential and agricultural-related uses for the area between Hyrum and Nibley along SR165. Some commercial activities may fit adjacent to the highway. We urge the county to leave its current zoning in place and encourage Mr. Knight to seek annexation to Hyrum City.

Respectfully,

HYRUM CITY CORP.

Stephanie Miller
Mayor

#2 Public Hearing: 5:45 p.m. – Armor Storage Rezone (Merkley)

Harrild reviewed Mr. Erik Merkley's request for a rezone of 25 acres from the Agricultural (A10) Zone to the Commercial (C) Zone, located at approximately 4400 South Highway 165, Nibley. Since the existing storage units were built, the ordinance has been revised and storage units are no longer allowed in the Agricultural (A10) Zone. There was a previous request for a rezone to the Industrial Manufacturing (IM) Zone and that request was denied. Since this is on the edge of Hyrum City and is considered urban development, this requires that the county contact Hyrum City and request their input. Hyrum has provided comment and stated opposition to this rezone, requesting that the property owner(s) work instead toward annexation of the parcels into Hyrum City. Staff recommended that request be denied given the noted findings of fact.

Staff and Planning Commission discussed the state code requiring Hyrum City's input. Because this project would be more than \$750,000, state code requires that the County request input from Hyrum City regarding the application. If you look at the map Hyrum is growing north and Nibley is growing south; the possible annexation of this property is high.

05:46:00

Larson motioned to open the public hearing; Watterson seconded; Passed 5, 0.

Curtis Knight I'm the owner of these storage units. When we first applied for rezone to the Industrial Manufacturing (IM) Zone Hyrum City wrote a letter in opposition because they didn't want a sexually oriented business there and the Industrial Manufacturing (IM) Zone allows that type of business. If you look at Hyrum City's configuration the eastside is commercial until you get to the gravel pits and they recommended that we work on annexation. They felt like the Commercial (C) Zone is what would work here so we tried to get annexed into the city. But because it is an island they can't annex. We thought we maybe had the value to force annexation but the neighbors didn't like that. Hyrum did hold meetings and it was denied. The County's Commercial (C) Zone is more restrictive than what their commercial zone is. When we built these it was in the ordinance to build storage units in the Agricultural (A10) Zone. We put in the entire infrastructure and put in the office building so that we wouldn't have to do that later. To pay for the entire infrastructure, it was very expensive but we were fine with that. We are to the point that if we can put in more units we would be making a profit. That's not happening now; I have to subsidize these storage units at least 5 months of the year. I wasn't notified about the ordinance change regarding not allowing storage units in the Agricultural (A10) Zone. If you look at these units they are well kept and the landscaping is immaculate. This rezone would help us get back to where we were when we first put them in and would help us to make a profit. I have obeyed every ordinance/request that has been made and feel that we are a partner with the county and would hope the rezone would be approved.

Smith could you tell me more about the ordinance change?

Mr. Knight we own 25 acres here and when we first put the storage units in they were allowed in the Agricultural (A10) Zone. But a couple years after they were approved the ordinance was

changed and storage units are no longer allowed in the Agricultural (A10) Zone. I would have come in and talked with staff and the commission to figure out how to accomplish what I needed with the ordinance change taken into account. There are 3 parcels that are zoned commercial on 1200 West and if I can put outside storage on those it would be profitable but I haven't done that.

Smith have you talked to any of your neighbors?

Mr. Knight the ones I have talked to have no problem with them. They think they look nice. I understand nobody wants buildings next to you but they haven't had a problem. I do have the acreage and now storage units are no long allowed. We've been down zoned essentially. I don't know how it works but Cache Storage is in the County and they have outside storage and outside storage would allow me to bring my value back up to what I need it to be.

Eric Merkley just to clarify the changes on the land use ordinance, I think that was changed in February 2013. As you can see Mr. Knight wants to be able to maintain his property value. In all the research I have done, it looks like commercial zoning is what should be there based on examples that are nearby. The Commercial (C) Zone seems to fit this well and we are taxed on a commercial base. The rezone would let us keep the value and we would be profitable. It would not only benefit us but also the County because our tax value would increase. One thing about annexation into Hyrum City, it isn't a reality in the foreseeable future. We don't think annexation would happen anytime soon but if it happens we wouldn't be opposed. One thing to note is that our services are provided by Nibley and they are not opposed to us rezoning these parcels to the Commercial (C) Zone.

Smith what other services are provided?

Mr. Merkley fire protection is provided by the County and water is provided by Nibley. The Fire District came out and said our access was adequate and Nibley is providing water.

Runhaar just a note, the fire district does the fire inspection but Nibley provides fire protection.

Joe Chambers I live in Providence but have a storage unit at this business. It is a top class facility and I don't see that it is incompatible at all with what is currently there. I think this should be approved.

Duane Williams I have no business/personal interest in this business but it is a wonderful business and is kept in very good condition.

06:06:00

Larson motioned to close the public hearing; Watterson seconded; Passed 5, 0.

Staff and the Planning Commission discussed the ordinance change. Staff noted that they do not contact businesses/entities for ordinance amendments unless those entities file the paperwork to request notice. However, notice is posted and made available to the public in the newspaper

and online. The ordinance change that removed storage units as a conditionally permitted use in the Agricultural (A10) Zone was part of a collective change to the entire ordinance.

Some commissioners felt that the initial storage units were permitted because they fit with the surroundings then and nothing has really changed in that area between now and then. They felt the rezone for this application should be approved because of that, and because it is not the county's intent to zone people out of business.

Staff provided additional background information in response to the applicant's and commissioner's comments. When the storage units were first approved the applicant stated that these were the only storage unit buildings that would be built in this area, and therefore it did not qualify as urban development threshold as per state code. The approval issued at the time was essentially required as the ordinance allowed self service storage units in the A10 zone if known impacts were mitigated.

Many commissioners did not agree that this was a compelling argument to deny the rezone. At the time of the initial application that was approved, commissioners did not feel storage units were appropriate in the A10 zone, but they met the ordinance requirements so the application was approved. After that, the ordinance was changed to take the use out of the A10 zone as the commission recognized that storage units were not an appropriate use for the agriculture zone. However, some commissioners felt that this is going to be annexed into Hyrum or Nibley and they don't feel like they can dictate what the front door of those cities are going to look like. Some commissioners felt that the commercial zone would fit well in this area.

Larson motioned to recommend approval to the County Council for the Armor Storage Rezone; ***Christensen*** seconded; ***Passed 5, 0.***

RESOLUTION NO. 2015 - 02

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 2015 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 2015 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2015 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 January, 2015.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk/Auditor

Kathy Robison, Council Chair

BUDGET OPENING

Resolution: 2015-02

Hearing: January 27, 2015

6:00 PM

Department	Account	Title	Description	Adjustment
GENERAL FUND		Adopted Budget: \$22,255,077		Proposed Budget: \$22,315,465

Revenues

CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Mental Health Services	46,388
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	Travel expense for Rodeo	2,000
CONTRIB./TRANSFERS	100-38-90000	APPROPRIATED FUND BALANCE	TV Translator Maintenance Agreement	2,000
CONTRIB./TRANSFERS	100-38-91900	APPROP. FUND BALANCE - WATER	Slow The Flow - Gov's Water Conservation Team	10,000
Total Revenue Adjustment:				60,388

Expenditures

PUBLIC HEALTH	100-4310-481	BEAR RIVER MENTAL HEALTH SERVC	Mental Health Services	46,388
WATER DEVELOP.	100-4115-490	ADVERTISING & PROMOTIONS	Slow The Flow - Gov's Water Conservation Team	10,000
RODEO	100-4621-230	TRAVEL	Travel expense for Rodeo	2,000
TV TRANSLATOR	100-4560-491	TV TRANSLATOR	TV Translator Maintenance Agreement	2,000
Total Expenditure Adjustment:				60,388

MUNICIPAL SERVICES FUND

Adopted Budget: \$3,844,896

Proposed Budget: \$3,943,348

Revenues

MISCELLANEOUS	200-36-90000	SUNDRY REVENUE	Equipment Sales	9,500
CONTRIB./TRANSFERS	200-38-71000	TRANSFERS IN - CLASS B REIMB	Reimbursement for Class B Road Work	60,387
CONTRIB./TRANSFERS	200-38-90000	APPROP. FUND BALANCE - CLASS B	1700 South Funding	28,565
Total Revenue Adjustment:				98,452

Expenditures

CLASS - B ROADS	200-4415-251	NON-CAPITALIZED EQUIPMENT	Fluid Tote / Lease Mini Excav. and Roller	17,000
CLASS - B ROADS	200-4415-740	CAPITALIZED EQUIPMENT	Misc Capital Equipment	43,387
WEED ERADICATION	200-4450-740	CAPITALIZED EQUIPMENT	Kabota with Sprayer and Accessories	9,500
TRANSFERS OUT	200-4810-100	CONTRIB TO CAPITAL PROJ FUND	1700 South Funding	28,565
Total Expenditure Adjustment:				98,452

RESTAURANT TAX FUND

Adopted Budget: \$1,328,693

Proposed Budget: \$1,353,693

Revenues

CONTRIB./TRANSFERS	260-38-90000	APPROPRIATED FUND BALANCE	Tour of Utah - County contribution	25,000
Total Revenue Adjustment:				25,000

Expenditures

RESTAURANT TAX	260-4780-620	MISC SERVICES	Tour of Utah - County contribution	25,000
Total Expenditure Adjustment:				25,000

RAPZ TAX FUND

Adopted Budget: \$1,323,455

Proposed Budget: \$1,323,455

Revenues

BUDGET OPENING

Resolution: 2015-02
Hearing: January 27, 2015 6:00 PM

<u>Department</u>	<u>Account</u>	<u>Title</u>	<u>Description</u>	<u>Adjustment</u>
CONTRIB./TRANSFERS	265-38-70000	APPROPRIATED FUND BALANCE	1700 South Funding	30,000
Total Revenue Adjustment:				30,000
<i>Expenditures</i>				
TRANSFERS OUT	265-4810-460			30,000
Total Expenditure Adjustment:				30,000

CAPITAL PROJECTS - RIVER RESTORATION ***Adopted Budget: \$0*** ***Proposed Budget: \$60,387***

<i>Revenues</i>				
CONTRIB./TRANSFERS	390-38-90000	APPROPRIATED FUND BALANCE	Reimbursement for Class B Road Work	60,387
Total Revenue Adjustment:				60,387
<i>Expenditures</i>				
TRANSFERS OUT	390-4810-200	TRANSFER OUT - MUNICIPAL SRVC	Reimbursement for Class B Road Work	60,387
Total Expenditure Adjustment:				60,387

CAPITAL PROJECTS - ROADS ***Adopted Budget: \$3,334,196*** ***Proposed Budget: \$3,392,761***

<i>Revenues</i>				
CONTRIB./TRANSFERS	460-38-71000	TRANSFER IN - CLASS B	Funding for 1700 South	28,565
CONTRIB./TRANSFERS	460-38-76500	TRANSFER IN - RAPZ TAX	Funding for 1700 South	30,000
Total Revenue Adjustment:				58,565
<i>Expenditures</i>				
CONTRIBUTIONS	460-4800-990	CONTRIBUTION TO FUND BALANCE	Funding for 1700 South	58,565
Total Expenditure Adjustment:				58,565