

CRAIG W BUTTARS
COUNTY EXECUTIVE / SURVEYOR

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



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

October 7, 2016

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, OCTOBER 11, 2016**

AGENDA

3:00 p.m. BUDGET WORKSHOP

- 5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – Gordon Zilles
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (September 27, 2016)
 5. **MINUTES FOLLOW-UP**
 6. **REPORT OF COUNTY EXECUTIVE**
 - a. Appointments
 - b. Warrants
 - c. Other Items
 7. **CONSENT AGENDA**
 8. **ITEMS OF SPECIAL INTEREST**
 9. **UNIT OR COMMITTEE REPORTS**
 - a. USU Extension – Adrie Roberts
 10. **BUDGETARY MATTERS**
 11. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
 - a. **BOARD OF EQUALIZATION**
 1. Approve Recommendations of Hearing Officers for Board of Equalization and Greenbelt Appeals
 - b. **Set Public Hearing for October 25, 2016 at 5:30 p.m. – Agriculture Protection Area** – Request by Nelda Bair and Robert Bair for an Agriculture Protection Area southwest of Richmond
 - c. **Set Public Hearing for October 25, 2016 at 5:40 p.m. – Title 17 Amendments**
Amendments to County Land Use Ordinance §17.07 Definitions and §17.09 Schedule of Zoning Uses to create a separate use category and definition for Crematoriums.
 - d. **Set Public Hearing for October 25, 2016 at 6:00 p.m. – Open 2016 Budget**

12. **PENDING ACTION**

13. **INITIAL PROPOSALS FOR CONSIDERATION OF ACTION**

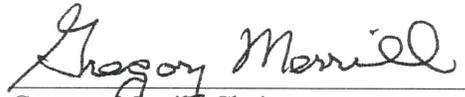
- a. **Ordinance 2016-16 - Nielsen Rezone** – Request for a rezone of 5 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at 100 West 6600 South, south of Hyrum
- b. Consideration for adoption of a resolution of inducement for not to exceed \$3,000,000 of business development revenue refunding bonds; approving a memorandum of agreement with Sunshine Terrace Foundation, Inc., in connection with the issuance by Cache County of its business development revenue Refunding bonds to refinance the costs of the expansion of the existing building and the furnishing and Equipping of such building for use as a rehabilitation facility (the “Project”); and authorizing the execution and delivery of a memorandum of agreement by and between Cache County and Sunshine Terrace Foundation, Inc. with respect to refinancing the Project; and related matters.
- c. 2017 County Council Meeting Schedule and County Offices Holiday Schedule

14. **OTHER BUSINESS**

- a. UAC Annual Convention – November 16-18, 2016 – Dixie Convention Center, St. George
All Council Members

15. **COUNCIL MEMBER REPORTS**

16. **ADJOURN**



Gregory Merrill, Chairman

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

ORDINANCE NO. 2016-16

CACHE COUNTY, UTAH

NIELSEN REZONE

AN ORDINANCE AMENDING THE COUNTY ZONING MAP

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

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

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

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

WHEREAS, on September 1, 2016, at 5:35 P.M. the Planning Commission held a public hearing for a rezone of property from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone, and;

WHEREAS, on September 1, 2016 the Planning Commission recommended the approval of said rezone (4, 0) and forwarded such recommendation to the County Council for final action, and;

WHEREAS, on September 27, 2016, 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed rezone. The County Council accepted all comments, and;

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

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

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

1. Statutory Authority.

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

2. Approval of Rezone.

The County Council hereby rezones parcel 01-071-0007 as described within Exhibit A, currently zoned as the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.

3. Adoption of Amended Zoning Map.

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

4. Conclusions.

A. The location of the subject property is compatible with the purpose of the proposed Rural 2 (RU2) Zone.

B. The subject property is suitable for development within the Rural 2 (RU2) Zone district without increasing the need for variances or special exceptions.

5. Severability.

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

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

This ordinance amends and supersedes the Zoning Map of Cache County, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

7. Exhibits.

Exhibit A: Description/map of parcel number 01-071-0007.

Exhibit B: Zoning Map of Cache County

8. Effective Date.

This ordinance takes effect on October 26, 2016. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the county as required by law.

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APPROVED AND ADOPTED this 11th day of October, 2016.

	In Favor	Against	Abstained	Absent
Potter				
Erickson				
White				
Merrill				
Robison				
Yeates				
Zilles				
Total				

CACHE COUNTY COUNCIL

ATTEST:

Greg Merrill, Chair
Cache County Council

Jill Zollinger
Cache County Clerk

Publication Date:

_____, 2016

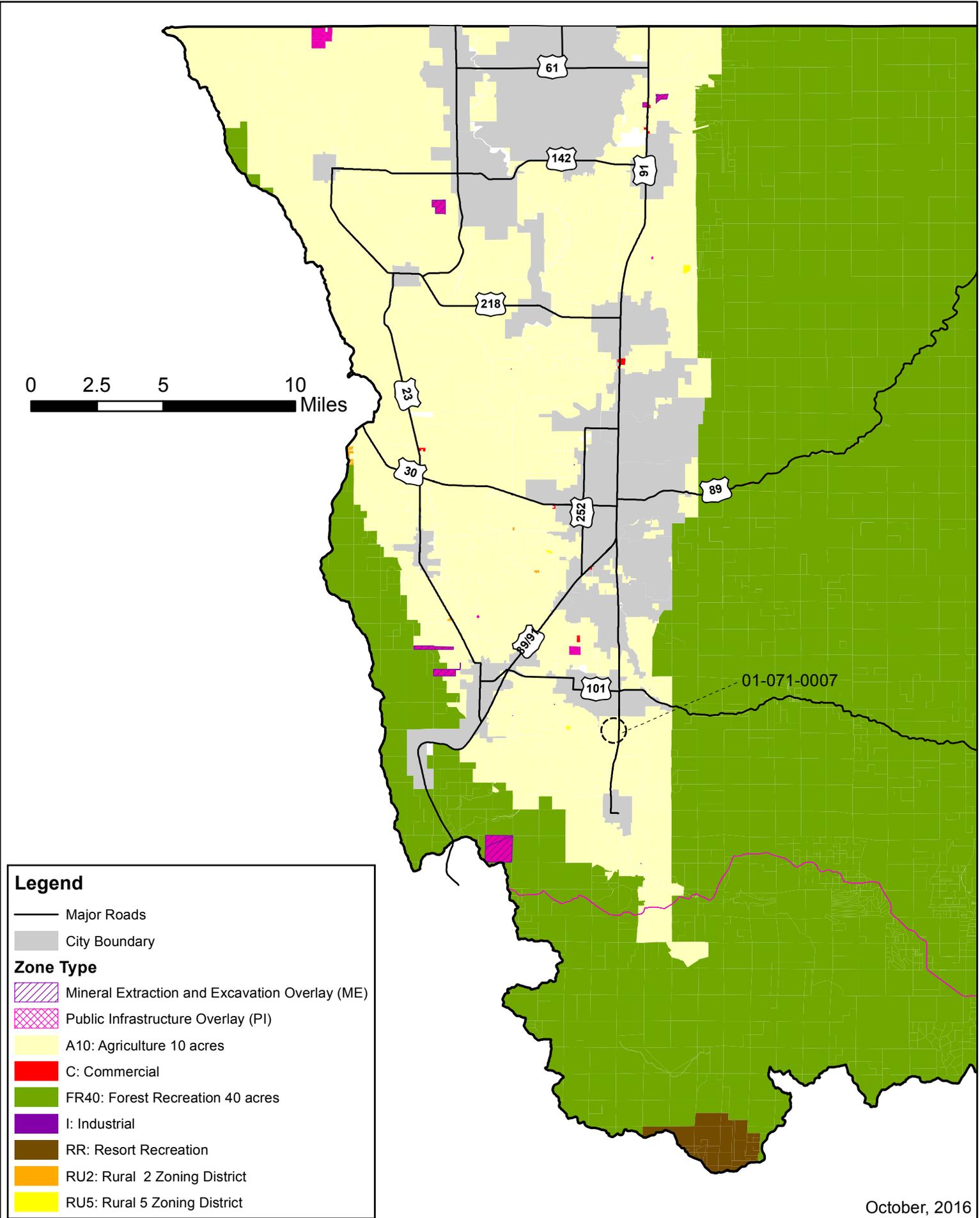
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Exhibit A



Legal Description: 11-071-0007
BEG 40 RDS W OF SE COR SEC 9 T 10N R 1E & TH W 40 RDS TH N 20 RDS TH E40 RDS
TH S 20 RDS TO BEG CONT 5 AC

Exhibit B: Ordinance 2016-16 Zoning Map of Cache County



Legend

- Major Roads
- City Boundary
- Zone Type**
- ▨ Mineral Extraction and Excavation Overlay (ME)
- ▩ Public Infrastructure Overlay (PI)
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- I: Industrial
- RR: Resort Recreation
- RU2: Rural 2 Zoning District
- RU5: Rural 5 Zoning District