



September 22, 2017

PUBLIC NOTICE is hereby given that the Cache County Council of Cache County, Utah will hold a **BUDGET WORKSHOP** and **REGULAR MEETING** at the **Cache County Historic Courthouse, Council Chambers**, 199 North Main Street, Logan, Utah 84321. **Workshop at 3:30 p.m. and Regular Meeting at 5:00 p.m. TUESDAY, SEPTEMBER 26, 2017**

AGENDA

3:00 p.m. BUDGET WORKSHOP

1. **CALL TO ORDER**
 2. **BUDGET – SHERIFF’S OFFICE**
 3. **BUDGET – INFORMATION TECHNOLOGY**
 4. **ADJOURN**
-

- ### **5:00 p.m.**
1. **CALL TO ORDER**
 2. **OPENING / PLEDGE** – Karl Ward
 3. **REVIEW AND APPROVAL OF AGENDA**
 4. **REVIEW AND APPROVAL OF MINUTES** (September 12, 2017)
 5. **MINUTES FOLLOW-UP**
 6. **REPORT OF COUNTY EXECUTIVE**
 - a. **Appointments:**
 - b. **Warrants:** 09-09-2017 to 09-15-2017 ▪ 09-16-2017 to 09-22-2017
 - c. **Other Items:** Fairgrounds Construction Update
 7. **CONSENT AGENDA**
 - a. **K & K Welding Subdivision** - Request for a one-lot subdivision with two agricultural remainders on 58.50 acres in the Agricultural (A10) Zone located approximately 2150 West Highway 101, near Hyrum
 - b. **June West Cowley Lot Split Subdivision 2nd Amendment** – Request to amend the existing three-lot subdivision by dividing Lot 2 to create a new one-acre buildable lot (Lot 4) in the Agricultural (A10) Zone located at 3622 West 2600 North, Benson
 8. **ITEMS OF SPECIAL INTEREST**
 - a. **Open and Public Meetings Act Annual Training** – Lee Edwards
 9. **UNIT OR COMMITTEE REPORTS**
 10. **BUDGETARY MATTERS**
 11. **PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS**
 - a. **Set Public Hearing for October 10, 2017 at 5:30 p.m. – Pate Rezone**
Request for a rezone of 8.47 acres also known as the Gina Brin Subdivision from Agricultural (A10) Zone to Rural 2 (RU2) Zone located at 780 South 2400 West, Young Ward

- 6:00 p.m.*
- b. **Set Public Hearing for October 10, 2017 at 5:40 p.m. – Mountain Heights Rezone**
Request for a rezone of 99.84 acres from Forest Recreation (FR40) Zone Agricultural (A10) Zone.
Located approximately 7571 West 1000 South, near Mendon
 - c. **Public Hearing – Open 2017 Budget**

12. **PENDING ACTION**

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


- a. **Resolution 2017-25 – Amending the 2017 Budget**
- b. **Record of Decision – Curtis Rezone**
Request for a rezone of approximately 5.42 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Located approximately 10684 South 800 East, Avon
- c. **Wellsville City Sewer Improvement Conditional Use Permit**
Request for a Conditional Use Permit (CUP) to expand the existing sewage transmission and treatment operation by adding a building to house wastewater influent screening equipment located on 114.52 acres in the Agricultural (A10) Zone. Located approximately 4150 South 3800 West, near Wellsville
- d. **Little Bear Field Subdivision Extension of Effective Period of Approval**
Request to extend the effective period of approval of the Little Bear Field Subdivision for one year to allow applicant additional time to meet the conditions of approval and record the subdivision plat
- e. **Property Tax Relief Requests**
- f. **Approval of Long-Term Disability Insurance Provider**

14. **OTHER BUSINESS**

- a. USACCC Fall Conference – September 27-28 at Academy Conference Center, Brigham City
Craig, Greg, Dave
- b. SR 30 Site Visit – Monday, October 2, 2017 at 4:00 p.m.
- c. Workshop – SR 30 EIS – Tuesday, October 10, 2017 at 4:00 p.m.
- d. USU Homecoming Parade – Saturday, October 14, 2017 at 12:00 noon
Greg, Barbara, Craig (?)
- e. UAC Annual Convention – November 15-17, 2017 at the Dixie Center, St. George
Craig, Greg, Dave, Jon, Karl, Gordon, Barbara, Gina

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

DRAFT

**CACHE COUNTY
COUNCIL MEETING
MINUTES
SEPTEMBER 12, 2017**

**COUNTY COUNCIL MEETING
September 12, 2017**

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CACHE COUNTY COUNCIL MEETING
August 22, 2017

The Cache County Council convened in a regular session on September 12, 2017 at 5:00 p.m. in the Cache County Council Chamber at 199 North Main, Logan, Utah.

ATTENDANCE:

Chairman: G. Gregory Merrill
Vice Chairman: David L. Erickson
Council Members: Barbara Tidwell, Karl B. Ward, Jon White, Gina H. Worthen & Gordon A. Zilles.
County Executive: Craig "W" Buttars
County Clerk: Jill N. Zollinger
Deputy County Attorney: James Swink

The following individuals were also in attendance: Janeen Allen, Brenda Anthony, Erick Ashcroft, Jess Bradfield, Bart Esplin, Kenneth Godfrey, Alton Hebdon, Sharon L. Hoth, Director Cameron Jensen, Sheriff Chad Jensen, Kirk Nielsen, Sheri Nielsen, Director Josh Runhaar, Casey Saxton, Darrin Smith, Media: Jennie Christensen (KVNU).

OPENING REMARKS AND PLEDGE OF ALLEGIANCE

Vice Chairman David Erickson gave the opening remarks and led those present in the Pledge of Allegiance.

REVIEW AND APPROVAL OF AGENDA

ACTION: Motion by Vice Chairman Erickson to approve the agenda as written. Tidwell seconded the motion. The vote was unanimous, 7-0.

REVIEW AND APPROVAL OF MINUTES

ACTION: Motion by Council member Worthen to approve the minutes of the August 22, 2017 Council Meeting as written. Erickson seconded the motion. The vote was unanimous, 7-0.

MINUTES FOLLOW-UP: Establishment of Oversight Committee to study and monitor Upper Payment Limit (UPL) Program at Sunshine Terrace. Committee Members: Executive Craig Buttars, Attorney James Swink, and Council members Barbara Tidwell, Karl Ward and Gina Worthen.

REPORT OF THE COUNTY EXECUTIVE: CRAIG "W" BUTTARS

APPOINTMENTS: Cache County Library Board of Directors Nan Small

ACTION: Motion by Council member Zilles to approve the recommended appointment. White seconded the motion. The vote was unanimous, 7-0.

WARRANTS: Warrants for the periods 08-19-2017 to 08-25-2017, 08-26-2017 to 09-01-2017 and 09-02-2017 to 09-08-2017 were given to the Clerk for filing.

OTHER ITEMS:

- ❑ **Fairgrounds Construction Update** – Executive Buttars said several of the buildings are down. The final bid came in a little above budget. The original budget approved was \$6.4 million and the bid is \$6.73 million.
- ❑ **Indigent Defense Fund** is being rapidly depleted and fund transfers will be needed. Executive Buttars will check on the reasons for the cost overrun.
- ❑ **Tour of SR 30** needs to be scheduled with the County Council and Mayors so they can see the comparison between Option 5 (a four-lane all the way through) and Option 6f (a four lane narrowing to two lanes through the marsh area). Buttars has met with staff from Senator Hatch's and Congressman Bishop's offices to discuss the issue. It appears this is more of a UDOT issue than a Corps of Engineers problem. A workshop on the issue is scheduled prior to the October 10, 2017 Council meeting. Council member Worthen noted she had invited Representative Val Potter, who is on the Transportation Committee, to attend the October 10th Council meeting. She will notify him the issue will be discussed at the workshop prior to the Council meeting.

ITEMS OF SPECIAL INTEREST

- **Recognition of Historic Fair Buildings Committee** – Council member Worthen read and presented certificates of appreciation to the committee members along with a piece of the wood from the Home Arts Building demolition. The following were committee members: Brenda Anthony, Kenneth Godfrey, Casey Saxton and Darrin Smith.

Council Chairman Merrill presented Council member Worthen a certificate of appreciation for her work as Chair of the committee.

- **Cache Valley Transit District Report** – Erik Ashcroft, as Cache County's representative on the Transit District Board, reported that ridership has declined. The Transit District has hired an outside consultant to help formulate a short range transit plan. Ashcroft stated the Transit District is a good service in the valley for many who depend on it. He distributed an information sheet and urged the Council to contact him with questions or concerns.

Council member Tidwell asked if any reasons have been discovered for the decline in ridership. Ashcroft replied they thought it might be related to gas prices, but that does not seem to exert a tremendous influence on ridership. The consulting firm hired will be checking into possible reasons for the decline.

Chairman Merrill remarked that since the Transit District is heavily funded by the Federal government, are there any concerns about loss of funding? Ashcroft said the majority of their funding comes from sales tax, but they do receive some Federal funding. There are six goals that need to be met in order to qualify for the full Federal dollars. In the past they have usually met four of those goals receiving about \$125,000.00; however this year only two goals were met. Hence, the desire to formulate a short range transit plan.

- **Request for RAPZ funding reallocation** – Bart Esplin informed the Council that the Home Arts building is down. Because of the unsteadiness of the gutted building and possible injury to curious residents after hours, the decision was made to take it down today instead of tomorrow.

Esplin asked for a reallocation of RAPZ funds explaining that in 2015-2016 a project was approved to replank the center section of the seats with \$35,000 each year awarded. The project came in under budget with a remaining balance of \$8,889.86. Other projects can be put on hold and Esplin proposed reallocating about \$80,000.00 to the Events Center. Chairman Merrill asked if there are any really pressing needs at the Fairgrounds. Esplin responded the Rodeo Committee has asked that the bucking chutes be replaced – about \$35,000.00. Esplin agreed the chutes are in really bad shape and the Fair has outgrown its animal holding facilities.

ACTION: Motion by Council member White to reallocate approximately \$45,000.00 RAPZ funding from various projects to the Events Center and reallocate \$35,000.00 of RAPZ funds for bucking chute replacement in the rodeo arena. Ward seconded the motion. The vote was unanimous, 7-0.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING: SEPTEMBER 12, 2017- 5:30 P.M.-CURTIS REZONE – Request for a rezone of approximately 5.42 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Located approximately 10684 South 800 East in Avon. Chris Harrild reviewed the request noting that the request exceeds the existing density of the surrounding land uses and is not serviced by an improved roadway.

Chairman Merrill opened the Public Hearing and invited public comment.

Leslie Curtis, property owner, challenged the density stating there are forty-one homes with less than two acres within a mile of their property. The very large pieces are government owned. The county approved the Whisper Ridge rezone request which impacts the road much more than this rezone will. This will not be different than the surrounding Avon community and the property abuts a county road.

Harrild said the traffic analysis provided with the Whisper Ridge request indicated traffic would be less than a single family home would generate. Single family homes are under different criteria than Whisper Ridge because access for fire suppression is a higher priority for a single family residence than for recreational property.

Council member Ward observed the Curtis's seem to be "getting the cart before the horse" with their request. They should wait until they are ready to subdivide to request the rezone.

There was no other public comment.

ACTION: Motion by Council member White to close the Public Hearing-Curtis Rezone. Worthen seconded the motion. The vote was unanimous, 7-0.

Vice Chairman Erickson questioned the county's density analysis. The county web viewer shows several homes of one acre or less nearby and asked if the rezone request needed to have an adequate road or if a subdivision request has to have an adequate road.

Director Runhaar replied the Council set the criteria for the RU2 Zone as:

- having an adequate road
- adequate service provisions
- located close to a municipality

The criteria were to correct the problem of thirty years of eroding services because of allowing fringe development. Director Runhaar reminded the Council that the county does not have enough money to provide services for current roads and cannot afford to continue allowing houses past where the county has the ability to provide reasonable access.

Council member Ward reiterated that the parties should wait and request the rezone when a subdivision is contemplated.

Council member Worthen asked why the Curtis's are asking for the rezone now when they are not subdividing.

Rand Curtis replied Whisper Ridge has negatively affected their property's value and he has had a heart attack and wants to have the rezone in place so his wife can easily sell the property at a good price in the event of his death. He expressed the feeling that his request meets the requirements.

(Attachment 1)

ACTION: Motion by Council member Zilles to deny the Curtis Rezone request for a rezone of approximately 5.42 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. Located approximately 10684 South 800 East in Avon. Ward seconded the motion. The motion passed, 6 aye – Erickson, Merrill, Tidwell, Ward, White & Zilles and 1 nay – Worthen.

ITEMS OF SPECIAL INTEREST

- **Walk to End Alzheimer's** – Director Cory Wood thanked all county employees who helped with the community service project – “Walk to End Alzheimer's”. Fourteen county employees helped.

UNIT OR COMMITTEE REPORTS

- * **Flood Road Repair Update** – Director Runhaar reported the county is currently tapped into three funds:

- FEMA Flood repair (75%/25% split)-repair to pre-disaster condition-18-month time frame with extend option
- FEMA Flood mitigation (75%/25% split)-improve infrastructure
- NRCS EWP [Emergency Watershed Protection] (75%/25% split plus 7-10% for design)-primary focus on riparian and drainage areas-220 day time frame with one option to extend

Runhaar has identified sixty FEMA qualified sites and eleven possible NRCS sites. A timeline of November to March is anticipated with the priority to make all roads safe for winter access. April to October 2018 is when FEMA repairs are anticipated to be completed.

PUBLIC HEARINGS, APPEALS AND BOARD OF EQUALIZATION MATTERS

PUBLIC HEARING SET: SEPTEMBER 26, 2017-6:00 P.M.-OPEN 2017 BUDGET

ACTION: Motion by Council member White to set a Public Hearing-September 26, 2017-6:00 p.m.-Open 2017 Budget. Erickson seconded the motion. The vote was unanimous, 7-0.

INITIAL PROPOSAL FOR CONSIDERATION OF ACTION

- **Resolution No. 2017-24 – Nielsen Extension of Maintenance – A request to extend Cache County Maintenance services for approximately 800 feet on a portion of 5900 West** – Chris Harrild explained the property owner wants to build a home and request an extension of services. The road already has summer maintenance from the county and has other single family homes on the road. Staff recommends approval with the condition the property owner will put in a turnaround for county service vehicles which presently have to back up over a ravine because the present turnaround is above two of the houses on the road.

Council members asked why this is any different than the Curtis Rezone request. Director Runhaar explained the rezone would be adding more density. This property is already zoned for another home. The county already services the two homes below the turnaround and the proposed location of the new turnaround will make it safer for county service vehicles and personnel.

(Attachment 2)

ACTION: Motion by Council member Zilles to waive the rules and approve Resolution No. 2017-24-Nielsen Extension of Maintenance. Ward seconded the motion. The motion passed, 5 aye – Merrill, Tidwell, Ward, Worthen & Zilles and 2 nay – Erickson & White.

- **Property Tax Relief Requests** (*Details are on file in the Cache County Clerk/Auditor's Office*)
 - 0029
 - 0004
 - 0003
 - 0036
 - 0017
 - 0603
 - 0008

ACTION: Motion by Vice Chairman Erickson to approve the Property Tax Relief Requests at the 50% allowed except 0603 at 25%. Zilles seconded the Motion. The vote was unanimous, 7-0.

- **Decision on 2018 Cloud Seeding Program** – If Box Elder participates Cache County's cost will be \$51,100.00. If cloud seeding is not needed, the funds will not be used. There is money left in that line item from last year's budget because seeding was not needed the entire season.

(Attachment 3)

ACTION: Motion by Vice Chairman Erickson to approve participation in the cloud seeding program during the 2017-2018 Winter Season. White seconded the motion. The vote was unanimous, 7-0.

- **Decision on Foundation for Integrated Resource Management** – Executive Buttars explained these individuals have formed a proactive group with responsibility to fight for responsible access to public lands.

(Attachment 4)

ACTION: Motion by Council member Ward to approve becoming a founding member of the Foundation for Integrated Resource Management (FIRM). Erickson seconded the motion. The vote was unanimous, 7-0.

- **2018 Budget Priorities** – Executive Buttars indicated county health insurance usage is way down from 36% to 3.4%. The Compensation Committee is scheduled to meet September 25, 2017. Director Cory Wood is still working with BEHD to get further decreases in insurance and the Association of Counties is working on the self-funding pool.

Executive Buttars had a discussion with Chamber President David Zook concerning the Makers program. Zook would like to get the Chamber, schools, school districts, the University and local business leaders involved in a cooperative funding effort. Buttars is enthusiastic about Zook's ideas.

Buttars is still working on the Fair and Events Center budgets as well as the Sheriff's budget. He will schedule meetings with department heads shortly.

The tax rate needs to be decided by October 10, 2017 and Buttars wants to schedule budget workshops. A workshop will be scheduled for September 26, 2017 at 3:00 p.m.

OTHER BUSINESS

- ✓ **USACCC Fall Conference – September 27-28 – Academy Conference Center, Brigham City** – Buttars, Erickson and Merrill will attend.
- ✓ **Workshop – SR30 EIS, Tuesday, October 10, 2017-4:00 p.m.-Council Chambers**
- ✓ **USU Homecoming Parade – Saturday, October 14, 2017 at 12:00 noon** –Merrill and Tidwell will attend.

COUNCIL MEMBER REPORTS

Dave Erickson asked what the county has done concerning meeting with the Governor once an economic plan has been developed. Council member Worthen is meeting with USU President Cockett on September 25, 2017 in regards to this and Linda Gilmore will be joining them.

Barbara Tidwell said the Water District has approved the interlocal agreement and will present it to the Council soon. Chairman Merrill urged the Water District to find a secretary to take the minutes of their meetings.

Gordon Zilles said the Mendon citizens are happy with the repairs on the Mendon Road.

Gina Worthen said perhaps the SR30 project options are more of a UDOT issue than a Corps of Engineers issue because in talking to Wayne Anderson there are issues with the new North Logan High School because of wetlands, but they are working through it. Worthen asked if the county can offer a swap/exchange of wetlands for the SR30 project.

Greg Merrill reminded the Council of the September 23, 2017 County Trails Festival at Lundstrom Park. Attorney Swink said he needs six more volunteers to help with the mile run at the festival. Let him or Stephani in his office know if you can help. Council member Ward said he will help.

Executive Buttars encouraged the Council to sign up for Meals on Wheels delivery help.

ADJOURNMENT

The Council meeting adjourned at 7:45 p.m.

ATTEST: Jill N. Zollinger
County Clerk

APPROVAL: G. Gregory Merrill
Chair



STAFF REPORT: CURTIS REZONE

06 July 2017

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: S. Rand and Leslie Curtis

Parcel ID#: 16-047-0046

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

10684 South 800 East

Avon

Acres: 5.42

Surrounding Uses:

North – Agricultural

South – Agricultural/Residential

East – Agricultural

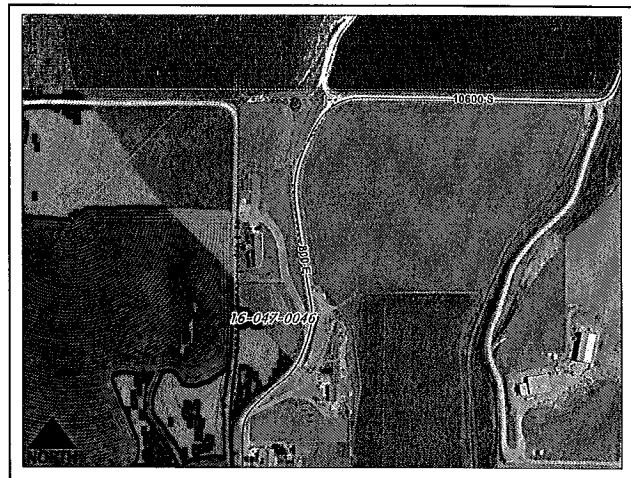
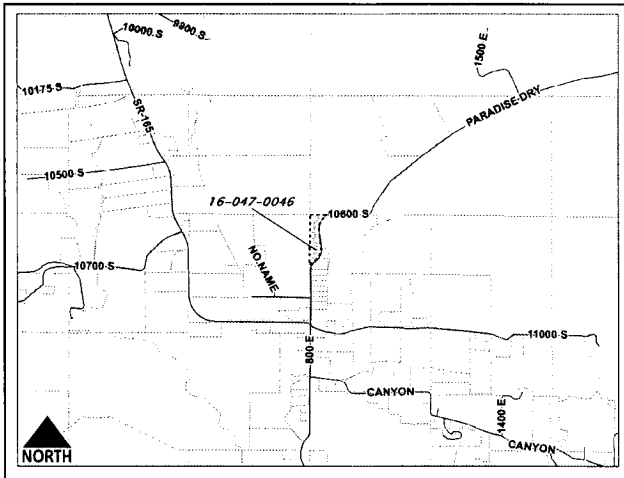
West – Residential

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



FINDINGS OF FACT (21)

A. Request description

1. A request to rezone the 5.42 acre parcel 16-047-0046 currently zoned Agricultural (A10) to the Rural 2 (RU-2) Zone.
2. This rezone may allow the parcel to be legally divided into two separate lots as part of a subdivision process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached maps (Exhibits A & B) and in the following text:

a. Land Use Context:

- i. Parcel status: Parcel 16-047-0046 (5.42 acres) was divided from 16-047-0001 (53.23 acres) in July 2001 with a Conditional Use Permit. The division was approved based on 800 East, a County road, being a natural barrier dividing a 60-acre pre-1970 parcel. Parcel 16-047-0001 has subsequently been further divided without approval, but the subject parcel, 16-047-0046, remains in the same configuration as the date of approval.
- ii. Density: Within a mile of the proposed rezone, the average size of unincorporated county parcels with a dwelling is 8.3 acres; the average size of parcels without a dwelling is 25 acres. (Exhibit A) The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. The subject parcel with one dwelling is 5.42 acres and a rezone would allow two buildable lots instead of one on this property.
- iii. Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
 - Agricultural Manufacturing
 - Recreational Facility
 - Cemetery
 - Private Airport
 - Concentrated Animal Feed Operation
 - Livestock Auction Facility
 - Topsoil Extraction
- iv. Adjacent uses: The properties directly adjacent to the subject property are currently used for agriculture and single family dwellings.
- v. Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The proposed rezone is approximately 1.3 miles as the crow flies from the south boundary of Paradise Town and approximately 2.3 miles via the most direct road route. In the one-mile buffer area, the surrounding properties are zoned either A10 (Agricultural) or FR40 (Forest Recreation). The nearest RU2 zone is adjacent to the southwest boundary of Paradise Town, approximately 1.75 miles from the subject parcel; a rezone application approved by County Council in April 2017 (i.e., “Reed and Joan Baldwin Rezone”). *See conclusion #1*

B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [A] [1] identifies the purpose of the RU2 Zone and includes the following:

- a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.” *See conclusion #1*
- 6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.
 - 7. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

C. Access—16.04.040 [A], 16.04.080 [E], Road Manual

- 8. The Road Manual specifies the following:
 - a. Local Road: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
 - b. Local Roads must meet the minimum standard of two, 10-foot wide paved travel lanes with 2-foot wide shoulders: 1-foot paved, 1-foot gravel (24 feet total width), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 66-foot wide right-of-way (ROW).
 - c. Rural Road: Roads with up to 30 ADT. This includes roadways that have the capacity for moderate to low speeds and low volumes. This category provides access to farms, other agricultural uses, and dispersed rural residences. Gravel or chip & seal road surfacing is typically acceptable and must meet the minimum standard of two, 10-foot wide gravel travel lanes with 2-foot wide gravel shoulders (24-foot total width), 14-inches depth of granular borrow, and a 6-inches depth of road base. *See conclusion #2*
- 9. A basic analysis of county road 800 East (Local Road, Rural Road) is as follows:
 - a. 800 East for approximately ¼ mile north from 11000 South is a paved road and provides access to ~nine dwellings.
 - b. After the paved road ends, 800 East turns into a gravel road that extends north for another ¼ mile and ends at 10600 South; this stretch of the road provides access to the subject property and another residence. 10600 South extends another 0.2 miles before it ends at Paradise Dry Road; both these roads provide access to agricultural and forest recreation areas and a recreation business. There are no residential properties north of the subject property.
 - c. At the location of the rezone request, 800 East consists of a ~18-foot gravel width with no shoulders.
 - d. The depth and type of material under 800 East is unknown. However, this is an existing county facility that provides access to the general public.

- e. At this location, winter maintenance is provided up to the private drive of the subject property with a large truck and then by a grader north to the end of 10600 South. *See conclusion #2*
- 10. The gravel road portion of 800 East that provides access to the subject property is currently not adequate (Exhibit B). It is currently only 18 feet wide with no shoulders and the Road Manual requires a local or rural road to have a 24-foot minimum width (i.e., 20 feet of road and 2 foot shoulders). Creating adequate access may be feasible, but would require substantial improvements to the road surface and width. Existing features such as a drop-off on the east side of the road and a slope rising on the west side at this location further complicate road improvements here. *See conclusion #2.*
- 11. As the improvement of this county road is not a County priority, any necessary improvements are the responsibility of the developer with approval of an Encroachment Permit to ensure the work in the county right-of-way meets the minimum Road Manual standards. *See conclusion #2*
- 12. In addition to the minimum requirements of the Road Manual, the County Code Land Use Ordinance states that a primary component of the higher density RU2 zone is to implement policy that RU2 zones are serviced by improved roadways given the higher density allowed. Improved roadways equate to paved roadways which meet the minimum road requirements for width, shoulders, and depth and type of materials. The portion of 800 East that provides access to the subject parcel is an 18-foot wide gravel road, which is substandard and does not meet the Code requirement for improved roads that are intended to serve the RU2 zone. A rezone to a higher density should not be considered on a gravel road. *See conclusion #1*

D. Service Provisions:

- 13. The County Fire District requires a minimum 20-foot wide all weather surface for emergency access. The fire department access road meets fire code, but access to the property will be reevaluated and may require improvements based on the location of any proposed structure on the lot.
- 14. Water supply for fire suppression would be provided by the Paradise Fire Department.
- 15. The Logan City Environmental Department has been providing collection service on this private road as a convenience to the customer. However, due to the ongoing failure of the property owner to provide an adequate turn-around access and concerns about access during poor weather conditions, Logan City Environmental Department will discontinue on-site pick-up. The property owner will be required to place their containers by the mailboxes near 10760 South 800 East for Wednesday collection.
- 16. A bus stop is located at 11000 South 800 East.

E. Public Notice and Comment—§17.02.040 Notice of Meetings

- 17. Public notice was posted online to the Utah Public Notice Website on 22 June 2017.
- 18. Notice was published in the Herald Journal on 25 June 2017.
- 19. Notices were posted in three public places on 22 June 2017.
- 20. Notices were mailed to all property owners within 300 feet of the subject property on 22 June 2017.
- 21. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSIONS (2)

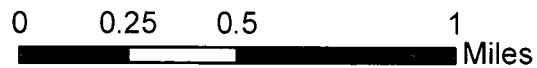
Based on the findings of fact noted herein, the Curtis Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the subject property is not compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. Exceeds the existing density of the surrounding land uses in the unincorporated county. *See A-3-a*
 - b. Is not serviced by an improved roadway (i.e., paved) that is required for the RU2 higher density zoning designation. *See C-12*
2. The property is not served by suitable public roads as the portion of 800 East that provides access to the subject property does not meet the minimum standards of the Road Manual as it is too narrow and is gravel, not paved. *See C-5, C-9, C-10, C-11, C-12*



Legend

- Parcels
- Proposed Rezone
- Parcels with Dwellings
- Parcels in 1 Mile Buffer



Average Parcel Size Without a Home: 25 Acres
Average Parcel Size With a Home: 8.3 Acres



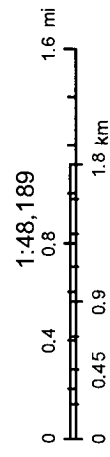
June 2017

This is an aerial map of the Paradise area in Nevada. The map shows the town of Paradise in the bottom left corner, with the label "Paradise" in a large, bold font. To the right of the town, SR-165 runs north-south. Several other roads are labeled, including 200 W, 670 W, 10175 S, 10500 S, 10700 S, 10940 S, 109600 S, 11000 S, 11000 S, 1300 E, 1600 E, and 16000 E. A road labeled "PARADISE DRY RD" runs north-south to the right of SR-165. Another road labeled "LITTLE CANYON RD" runs north-south further to the right. The map also shows a road labeled "CANYON" running east-west. The terrain is mostly flat with some vegetation, and there are some buildings and structures visible in the town area.

Search Parcel ID, Owner, or Restricted_Query Result

Mask

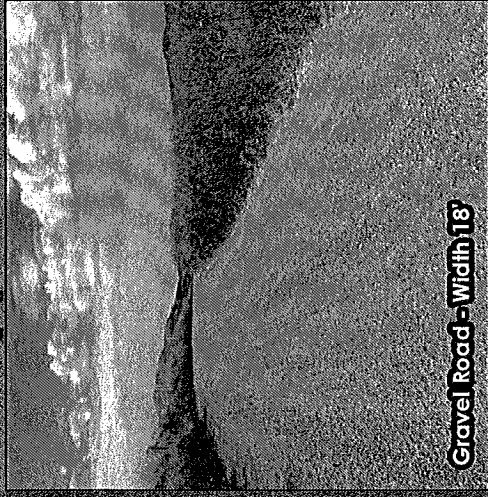
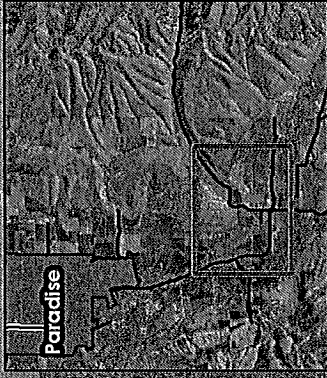
Development Services Office



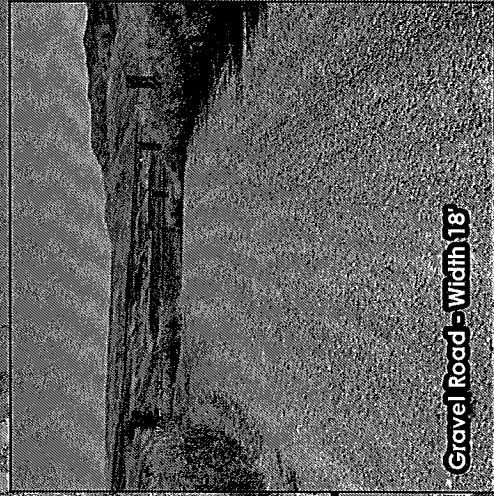


800 E Road Review

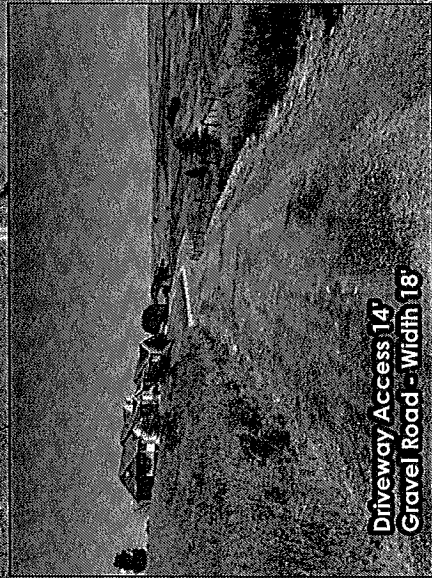
Overview Map



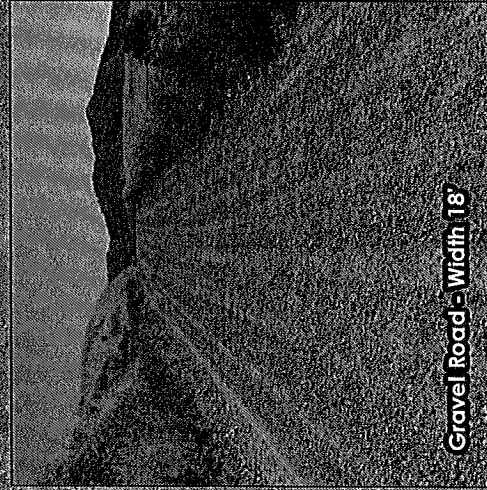
Gravel Road - Width 18'



Gravel Road - Width 18'



Driveway Access 14'
Gravel Road - Width 18'



Gravel Road - Width 18'



#1 Public Hearing (5:35 p.m.): Curtis Rezone

Zetterquist reviewed the staff report for the Curtis Rezone.

Leslie Curtis commented regarding access, zoning of the surrounding area, and garbage pickup.

Christensen asked where the line would be for subdivision of the land.

Ms. Curtis responded that no decision has been made at this time because it is not something that will be developed for some time. The road is in need of improvements as well.

Sands asked if Ms. Curtis understood that she would be responsible for the road improvements.

Ms. Curtis responded that the current county road is what would be used.

Harrild responded that access would have to be reviewed with the road department because access cannot happen on the corner.

Ms. Curtis responded that there is a hollow between the hills and would possible use that as a turn in.

Sands responded that the reason for staff recommending denial is the road is not improved and in order for approval to be possible the road along Ms. Curtis's property would need to be improved.

Ms. Curtis responded that they would use the access on the county road.

Harrild responded that the road would need to be reviewed by the road department.

Sands responded that no matter where the subdivision were to occur, road improvements would be required.

Ms. Curtis responded that the county keeps approving other activities occur on that road such as the recreational property just approved and Ms. Curtis wrote a letter about that use.

Harrild responded that the recreation application had a study done by an engineer that showed they would have adequate parking.

Ms. Curtis responded that the use didn't meet any of the requirements.

Harrild responded that for her application, the gravel portion of the road will have to be improved to county standards.

Ms. Curtis asked if the road requirements were a new law and if not why it isn't regularly enforced it.

Harrild responded that it has been in place since 2011.

05:50:00

Gunnell motioned to open the public hearing for the Curtis Rezone; **Olsen** seconded; **Passed 7, 0.**

Dorin Baker asked the Planning Commission to deny the request because it would create a peninsula in an agricultural zone, inadequate access, small lots, and no storm water provisions.

Ms. Curtis commented on the Whisper Ridge development Conditional Use Permit (CUP).

05:54:00

Gunnell** motioned to close the public hearing for the Curtis Rezone; **Parker** seconded; **Passed 7, 0.

Staff and **Commission** discussed the area surrounding the property that has dwellings, the seasonal nature of Whisper Ridge, and access.

Sands** motioned to recommend denial to the Cache County Council for the Curtis Rezone based on the two conclusions as written; **Smith** seconded; **Passed 7, 0.

06:00:00

DRAFT

RESOLUTION NO. 2017-24

CACHE COUNTY, UTAH

NIELSEN EXTENSION OF MAINTENANCE A PORTION OF 5900 WEST

THE EXTENSION OF COUNTY MAINTENANCE ON 5900 WEST, A COUNTY ROAD, TO SERVE EXISTING SINGLE FAMILY DWELLINGS AND ONE PROPOSED SINGLE FAMILY DWELLING.

WHEREAS, Cache County Resolution 2015-20 Service Provision on County Roads, establishes the county policy regarding the expansion or continuation of services on county roads, and;

WHEREAS, the proposed maintenance extension request and Development Services Review (Exhibit A) has been reviewed by the Cache County Council, and;

WHEREAS, the Cache County Council has determined that it is appropriate for the County to extend maintenance on 5900 West.

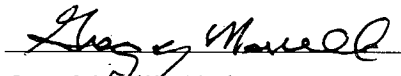
NOW, THEREFORE, BE IT RESOLVED that the Cache County Council hereby adopts this resolution to approve the proposed extension of maintenance, based on the findings of fact included in Exhibit A, and upon the following conclusions:

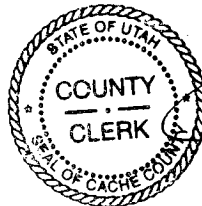
1. The proposed road improvements improve the health and/or safety of existing homes, and;
2. The County Road Department currently provides summer maintenance on this section of roadway.
3. The proponent intends to complete the necessary roadway improvements as noted in Exhibit A.

APPROVED AND ADOPTED this 12th day of September, 2017.

	In Favor	Against	Abstained	Absent
Erickson		X		
Merrill	X			
Tidwell	X			
Ward	X			
White		X		
Worthen	X			
Zilles	X			
Total	5	2		

CACHE COUNTY COUNCIL


Greg Merrill, Chair
Cache County Council



ATTEST:


Jill Zollinger
Cache County Clerk

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

MEMORANDUM

05 September 2017

To: Cache County Council**Subject:** Extension of Maintenance Request – Kirk Nielsen

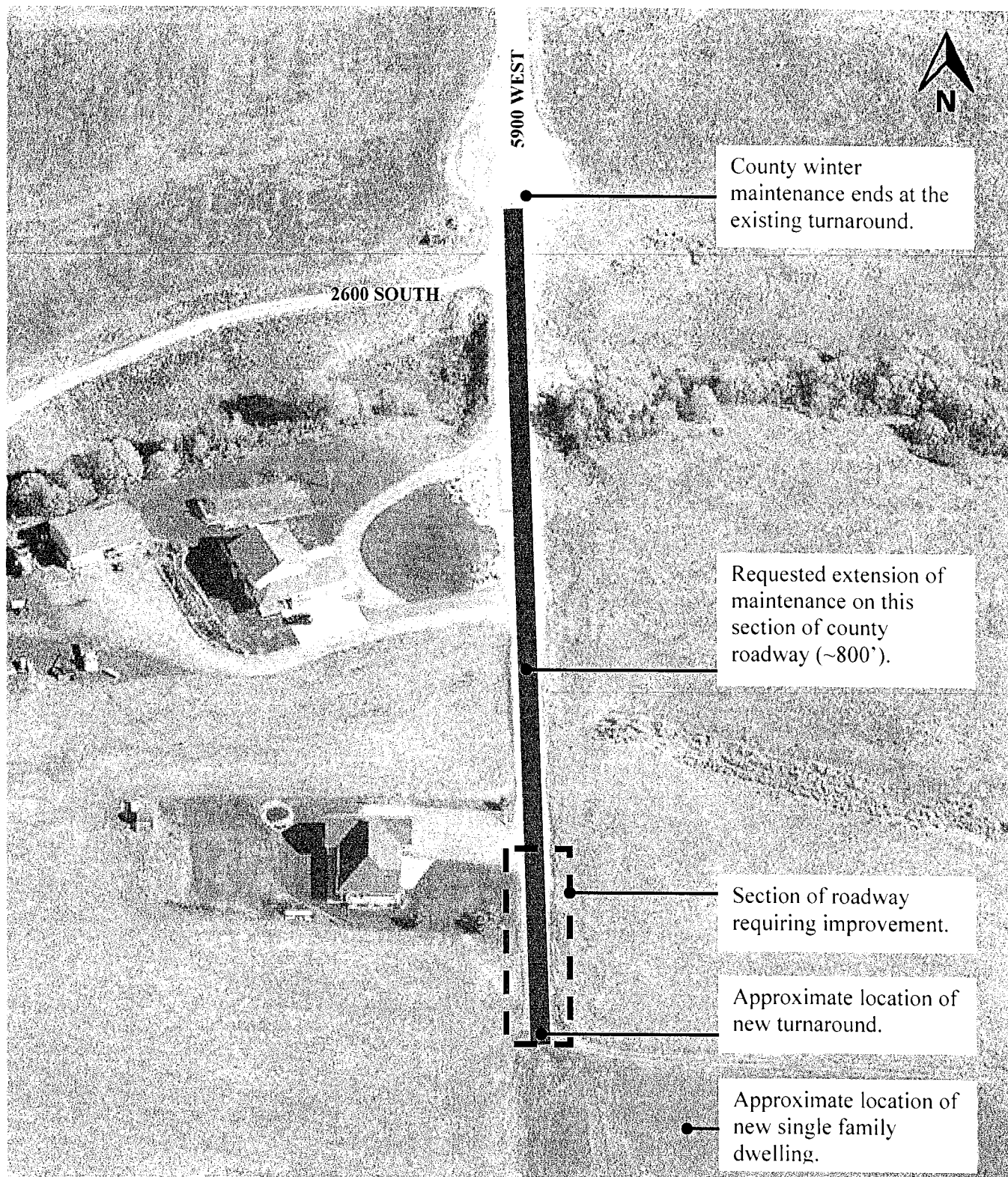
In compliance with Cache County Resolution 2015-20 Service Provision on County Roads, Mr. Kirk Nielsen has requested that Cache County extend roadway maintenance on 5900 West, south of Mendon, for the placement of a Single Family Dwelling on a legal, existing lot.

The review of the Development Services Office has identified the following findings of fact:

1. 5900 West is an existing county road, and from the point of the existing turnaround to the termination of the country road, 5900 West consists of a 28-foot wide gravel surface that narrows to an ~20-foot wide gravel/dirt surface.
2. The County Road Department currently provides summer maintenance on this section of roadway.
3. An extension of winter maintenance would include approximately 800 additional feet of roadway.
4. Cache County Resolution 2015-20 Service Provision on County Roads , specifies:
 - a. There shall be no further expansion of road services on substandard roads that do not already serve existing homes including:
 - i. No expansion of winter maintenance activities (snow plowing).
 - ii. No gravel roads be paved or "Chip Sealed".
 - iii. No acceptance of new roadways, gravel or paved.
 - b. The County Council may grant exceptions to this policy if proposed road improvements improve the health and/or safety of existing subdivisions, homes, or businesses.
5. The section of 5900 West proposed for extended winter maintenance currently serves two existing single family dwellings and connects to another county roadway, 2600 South.
6. The road department has identified that winter maintenance currently ends at the existing turn-around, and that it may be possible to extend winter maintenance to the termination of 5900 West if an approved turn-around that meets the minimum standard of the County Road Manual is constructed by the proponent at the termination of 5900 West.
7. An easement for access and a turn-around and the maintenance of the same on parcel 11-043-0005 or 11-044-0002, and/or 11-043-0004, must also be recorded, and a copy of that recorded document provided to the Development Services Department.
8. Substandard portions of this section of roadway from the furthest south residential access to parcel must be improved to the minimum county standard of a 22' wide gravel surface. See the County Road Manual, p. 42, item N. Gravel Road Structural Construction, for additional construction requirements.

Based on the findings of fact above, staff therefore recommends that an exception to Resolution 2015-20 be extended under the following conclusions:

1. The proposed road improvements improve the health and/or safety of existing homes, and;
2. The County Road Department currently provides summer maintenance on this section of roadway.
3. The proponent intends to complete the necessary roadway improvements as noted.



**North American
Weather Consultants, Inc.**

Air Quality, Applied Meteorology, Meteorological Research, Weather Modification

8180 South Highland Drive, Suite B-2
Sandy, Utah 84093
Telephone 801-942-9005
Facsimile 801-942-9007
E-Mail nawc@nawcinc.com

August 30, 2017

Craig Buttars
Cache County Executive
199 North Main
Logan, Utah 84321

Dear Craig:

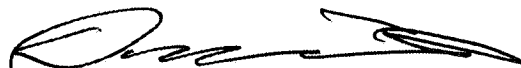
I have enclosed two copies of NAWC Proposal No. 17-406 entitled "Proposal to Conduct a Winter Orographic Weather Modification Program for Box Elder and Cache Counties during the 2017-2018 Winter Season." I assume the Bear River Water Conservancy District will wish to continue their participation in this program.

The Utah Division of Water Resources cost sharing funds are available for this program. Candice Hasenyager's August 16th letter indicates that up to 50% of the total cost of this program is available this winter season.

If you notify the Utah Division of Water Resources, as requested in Candice's letter, that you intend to participate in this program this winter, I will send you a separate agreement for your approval.

Please call if you have any questions or comments.

Sincerely,



Don A. Griffith, CCM
President

enclosures

**PROPOSAL TO CONDUCT A WINTER OROGRAPHIC
CLOUD SEEDING PROGRAM
FOR BOX ELDER AND CACHE COUNTIES
DURING THE 2017-2018 WINTER SEASON**

Prepared for

Bear River Water Conservancy District

and

Cache County

by

**North American Weather Consultants, Inc.
8180 South Highland Dr., Suite B-2
Sandy, Utah 84093**

Proposal No. 17-406

August 2017

**PROPOSAL TO CONDUCT A WINTER OROGRAPHIC
CLOUD SEEDING PROGRAM
FOR BOX ELDER AND CACHE COUNTIES
DURING THE 2017-2018 WINTER SEASON**

Proposal No. P 17-406

1.0 INTRODUCTION

North American Weather Consultants (NAWC) has operated a weather modification program for Box Elder and Cache Counties for the 1988-89 through the 1996-97 winter seasons. Cache County independently sponsored a program for the 1997-98 and 1998-1999 winter seasons. Box Elder County again joined Cache County in sponsoring a program during the 1999-2000 and 2000-2001 winter seasons. Cache County supported a program during the 2001-2002 and 2002-2003 winter seasons. Box Elder County again joined Cache County in sponsoring a program for the 2003-2004 through the 2015-2016 winter seasons. These programs were funded by the two counties and supplemental funding was provided by the State of Utah, Division of Water Resources. For the 1988-89 season the two counties contracted with the Utah Water Resources Development Corporation of Centerfield, Utah (a non-profit corporation). This corporation contracted with NAWC to conduct the program. For the remaining years, each county has contracted directly with NAWC to perform the work.

In the 1989-90 winter season Rich County was an additional sponsor of the program. A similar cloud seeding program was also conducted during the 1990-91 winter season. In the 1991-92 winter season a four-month program was conducted for Box Elder and Cache Counties from December through March; Rich County did not participate in this seeding program. Another four-month program (December 1, 1992-March 31, 1993) was conducted for Box Elder and Cache Counties. A three-month program (December to March) was conducted for Box Elder and Cache Counties in the 1993-1994 season. A four-month program (December through

March) was conducted in the 1994-95 winter season. A similar program was conducted during the 1995-96 and 1996-97 winter seasons from December through February. Cache County sponsored a three-month program from December 1997 through February 1998. Cache County sponsored a program from December 1998 through March 1999. Box Elder and Cache Counties jointly sponsored a program from December 1999 - April 2000 and December - April 2001. Cache County supported a program from December 1, 2001 - March 2002, December 1, 2002 - March 31, 2003. Box Elder and Cache Counties again sponsored a program from December 1, 2003 through March 31, 2004 and December 1, 2004 through March 31, 2005. A similar four-month program was conducted during the 2005-2006 winter season except Cache County exercised its option of curtailing operations at the end of February. Operations for the two counties were conducted for the four-month period of December 1 through March 31 for each winter since 2006-2007.

An evaluation of twenty-nine seasons indicates an average 8 percent increase in April 1st snow water content and an average 8-12 percent increase in December - February precipitation in the Cache-eastern Box Elder County target area and a 14 percent increase in April 1st snow water content in northwestern Box Elder County for twenty-four seeded seasons. A study published by the Utah Division of Water Resources estimated that the additional runoff being produced by the cloud seeding programs in Utah is costing approximately \$2.30 per acre-foot.

This proposal is submitted to conduct a program similar to the one conducted during the 2016-2017 winter season for both counties. A program could be conducted for either of the counties. An operational period of December 1, 2017 to March 31, 2018 is suggested. Seeding operations could be terminated or suspended before the March 31st date should snowpack conditions become of concern.

2.0 RECOMMENDED PROJECT DESIGN

A design similar to that utilized in conducting the Box Elder - Cache program during the 2016-2017 winter season is proposed to be used in this program. Seeding of selected winter

storms, or portions of storms, will be performed utilizing an extensive ground generator network to disperse silver iodide nuclei.

The primary target area is defined as those mountainous areas above 7000 feet MSL located in Northwest and Northeast Box Elder and Western and Eastern Cache Counties. Operations will be conducted with the goal of increasing the snowpack in the high runoff yield areas in northern Utah during a four-month operational period.

Operational seeding decisions of when and which ground based generators should be utilized during specific storm occurrences will be made from North American Weather Consultants, Inc.(NAWC) headquarters located at 8180 South Highland Dr., Ste. B-2, Sandy, Utah. This headquarters is equipped with four personal computers with high-speed internet access. A variety of weather products, available through the internet, will be monitored to assist in making these seeding decisions. These products, most of which are provided by the National Weather Service (NWS) will include: weather satellite (infra-red and visual) photos, surface charts, constant pressure charts (i.e. 700,500 mb), upper-air rawinsonde observations (weather balloons), NEXRAD weather radar information, surface weather reports (typically available at hourly intervals), NWS weather forecasts and prognostic (forecast) charts of a variety of weather parameters.

The project meteorologists will include Mark Solak, Don Griffith, David Yorty, Stephanie Beall and Todd Flanagan. All five are experienced weather modification meteorologists and all are certified by the Weather Modification Association (WMA). NAWC part-time technicians will be utilized in the set-up, maintenance, and removal of the ground generator network. Local residents will be hired as independent contractors to operate the ground generators.

NAWC meteorologists will monitor the above information to determine if NAWC's generalized cloud seeding criteria are met and, if so, which generators should be operated. NAWC's generalized seeding criteria are provided in Table 1. These criteria have been developed based upon practical considerations plus the results from previous winter orographic (mountainous) weather modification research programs. Project operations will be suspended

when requested by the Cache and/or Box Elder Counties, the State Division of Water Resources, or when established suspension criteria are exceeded.

Table 1
NAWC Winter Cloud Seeding Criteria

1)	CLOUD BASES ARE BELOW THE MOUNTAIN BARRIER CREST.
2)	LOW-LEVEL WIND DIRECTIONS AND SPEEDS THAT WOULD FAVOR THE MOVEMENT OF THE SILVER IODIDE PARTICLES FROM THEIR RELEASE POINTS INTO THE INTENDED TARGET AREA.
3)	NO LOW LEVEL ATMOSPHERIC INVERSIONS OR STABLE LAYERS THAT WOULD RESTRICT THE VERTICAL MOVEMENT OF THE SILVER IODIDE PARTICLES FROM THE SURFACE TO AT LEAST THE -5°C (23°F) LEVEL OR COLDER.
4)	TEMPERATURE AT MOUNTAIN BARRIER CREST HEIGHT EXPECTED TO BE -5°C (23°F) OR COLDER.
5)	TEMPERATURE AT THE 700 MB LEVEL (APPROXIMATELY 10,000 FEET) EXPECTED TO BE WARMER THAN -15°C (5°F).

A network of approximately 35 ground based silver iodide generators will be used in the conduct of this project. These generators will be sited at private residences, public places of business, and possibly remote locations. The residents or business operators will be trained in the operational procedures to be used in turning the manually operated generators on or off. Remote generators, as the name implies, would be operated using radio, telephone, or satellite communications systems. NAWC meteorologists will contact the manual generator operators when conditions have been determined to be favorable for operations and request that the generators be activated. When conditions are no longer favorable, the operators will be called to turn the generators off.

Figure 1 provides a photograph of one of NAWC's ground based, manually operated

units. Each generator site is equipped with a propane tank. The propane is lit within the generators burn chamber and then the silver iodide (dissolved in acetone) is injected into the propane flame. As the effluent from the generator cools, literally trillions of microscopic sized particles of silver iodide are produced. These particles have the ability to cause water droplets within clouds that are colder than approximately -5°C to freeze. The tiny ice crystal that is produced, if it remains in a favorable environment, will grow into a snowflake. NAWC will use a seeding solution composed of acetone, silver iodide, sodium iodide and paradichlorobenzene. This solution has been shown to produce more effective seeding particles at warmer temperatures (i.e. about -10° to -5°C) and to produce these crystals more quickly than pure silver iodide. Each generator will release approximately 8 grams of silver iodide per hour of operation. Figure 2 provides a map of the intended target areas and the locations of the generators used in the conduct of the 2016-2017 program.

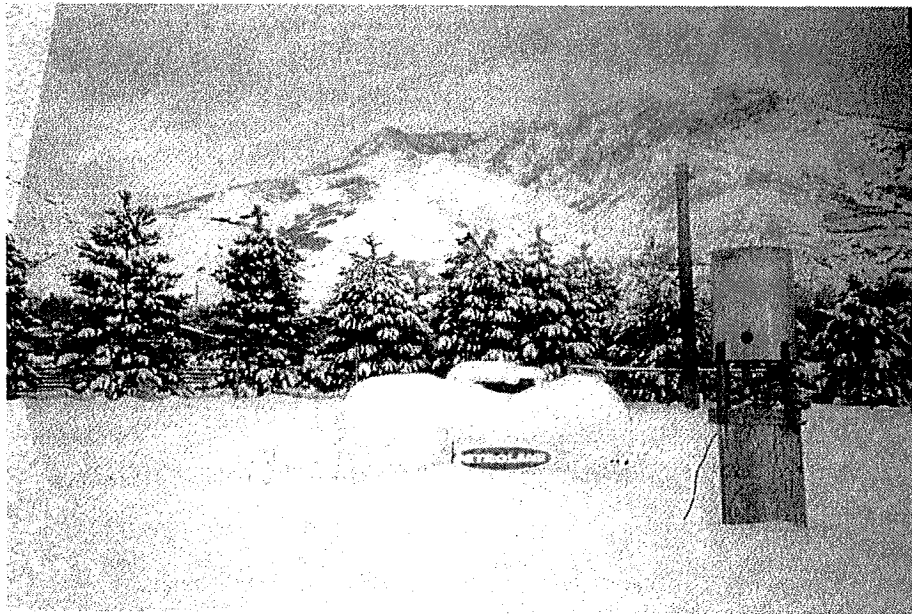


Figure 1 Ground Based Silver Iodide Generator

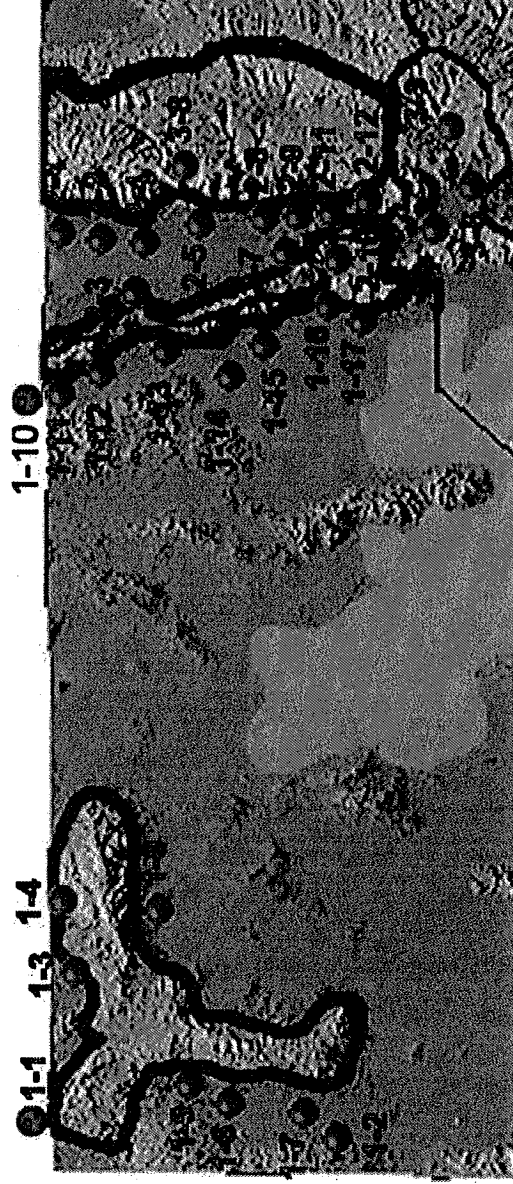


Figure 2 Target Areas for the 2016-2017 Winter Season and Locations of Ground Generators

3.0 REPORTING AND INSURANCE

NAWC will fulfill all licensing, permit, maintenance of logs, and reporting activities required by either the State of Utah or the National Oceanic and Atmospheric Administration. Reports of seeding activities are required to be maintained by the weather modification operator and a monthly report will be issued to Box Elder and Cache Counties on these activities. NAWC also maintains various insurance coverages. Certificates of insurance will be provided to Box Elder and Cache Counties. Following completion of the field operational season, NAWC will prepare a report on the season's activities which will include an evaluation of the seeding effects. This report will be completed by September 1, 2018.

4.0 CORPORATE QUALIFICATIONS

North American Weather Consultants (NAWC) is recognized by the scientific community as a leader in consulting meteorology. With 65 years of experience, NAWC has developed the expertise necessary to provide state of the art programs in the field of meteorology. Headquartered in Sandy, Utah, NAWC maintains or has access to highly trained professional meteorologists, environmental scientists, computer programmers, technicians and data processing specialists. Several of NAWC's professional meteorologists and affiliates have been designated as Certified Consulting Meteorologists (CCM) by the American Meteorological Society or by the Weather Modification Association as qualified weather modification operators and/or managers. NAWC has extensive experience in the design, installation, and maintenance of meteorological and air quality monitoring systems, dispersion modeling, weather modification, atmospheric tracer programs, synoptic forecasting, indoor air quality studies, and climatological surveys.

5.0 COSTS AND PAYMENT SCHEDULES

NAWC normally contracts to conduct operational weather modification programs on a fixed price plus cost reimbursable basis. The fixed costs cover our non-variable expenses such as salaries, equipment rental, etc.

Reimbursable charges are made based on actual experience regarding such items as ground generator usage. We feel this is a mutually advantageous approach to both the client and NAWC. Since the prediction of the number of seeding opportunities and their duration is impossible, the establishment of set rates for these variables removes any guesswork from the process. In this approach there is neither an advantage nor disadvantage to NAWC to seed more or less, etc. This allows us to use our best professional judgment of when seeding should be conducted. Box Elder and Cache Counties would only be charged for the actual generator hours used in the conduct of the program.

This approach has been used to prepare a budget for the proposed program. We have split out our fixed costs into two categories:

- 1) Set-up, take-down and reporting costs and
- 2) Monthly costs.

NAWC proposes to conduct a four program, as outlined herein, for a total cost not to exceed \$102,200. The program costs would be split equally between the two counties.

Fixed costs and estimated reimbursable charges are as follows:

Set-up Take-down, Reporting Costs	\$30,000
Seeding operation, Fixed cost, 4 months @ \$9,500/mo.	\$38,000

Estimated Reimbursable Costs:

3,800 hours of ground generator usage @ \$9.00/hour	<u>\$34,200</u>
---	-----------------

TOTAL ESTIMATED COST	\$102,200
-----------------------------	------------------

NAWC proposes the following payment schedule (assuming a project period of December 1 through March 31):

<u>Due and Payable</u>	<u>Amount</u>
Within 30 days of contract signing	\$30,000
December 15, 2017	\$ 9,500
January 15, 2018	\$ 9,500
February 15, 2018	\$ 9,500
March 15, 2018	<u>\$ 9,500</u>
Subtotal	\$68,000
<u>Estimated Reimbursables</u>	<u>\$34,200</u>

(Invoiced at the start of following month based upon actual usage)

In the situation where Cache County or Box Elder County chooses to conduct a program this winter but the other does not, we can conduct a stand-alone program for either county. In this situation we would propose installing approximately 20-25 ground-based generators.

A four-month program for either Box Elder or Cache County alone would cost:

Set-up, take-down, reporting costs	\$17,600
Seeding operation, fixed cost, 4 months @ \$5,775/mo.	\$23,100
Estimated reimbursable costs, 2,000 hours @ \$9.00/hr.	<u>\$18,000</u>
Estimated Total Cost	\$58,700

The State of Utah has allocated funds to cost share the support of operational cloud seeding programs in Utah this winter. These cost sharing funds should be approximately 50% of the total cost of the program.

6.0 GENERAL PROVISIONS

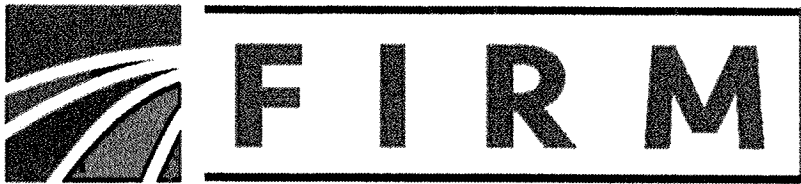
NAWC requires at least 30 days time after signing of the contract to site the ground generators, and train operators, etc. before operations can begin. A December 1, 2017 start date would therefore require contract approval by November 1, 2017. A 15-day termination notice will be required, with the last monthly payment prorated to the actual date of termination. Terms of payment will be net 30 days following issuance of invoices.

This proposal is valid until December 31, 2017 unless withdrawn earlier in writing. NAWC requests that this proposal be considered of a proprietary nature.

SUBMITTED BY:

North American Weather Consultants, Inc.

Don A. Griffith, CCM
President



Foundation for Integrated Resource Management

Dear Commissioner/Councilperson,

April 7, 2017

The Foundation for Integrated Resource Management (FIRM) has a simple objective; we fight for responsible access to public lands. Our dedicated members love the lands of their heritage and are watchdogs against government agencies that would use their bureaucratic powers to close off public lands to responsible use.

FIRM focuses its efforts on:

- Educating elected officials and the public on the benefits of integrated use;
- Supporting research on multiple use policy on public lands; and
- When necessary, filing legal actions to stand up for responsible access to these lands.

While organizations that would like to see public lands closed off to any type of use utilize the media, and social media, to spread disinformation, FIRM levels the playing field by providing factual information on how responsible multiple use keeps our public lands healthy for future generations.

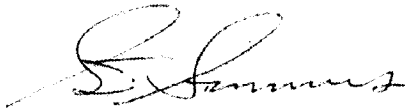
Now we hope you will consider joining us as a Founding Member of FIRM. Founding Members enjoy the following benefits:

- Reduced registration fees for FIRM educational meetings, seminars and summits
- Included on email and text lists on important issues
- Eligible to request legal action assistance
- Eligible for public relations assistance
- Member recognition on FIRM's website, social media and at FIRM events

While a formal resolution to join FIRM may not be required, we have attached a sample resolution for your convenience. **We hope you will decide to become a Founding Member today by forwarding your first year Founding Member dues of \$500.00.** Standard membership dues, if you chose not to join as a Founding Member, are \$250.00.

Protecting access to public lands for generations to come is a vital effort. Our success lies in our members' devotion to making a difference.

Sincerely,



Stan Summers, President



Johnnie Miller, Executive Director

5397 South Vine Street - Murray, Utah 84107

www.FIRMCOUNTRY.com

B. Parcel legality

2. Parcel 01-057-0017 is a legal parcel. The parent parcel of the subject property (01-057-0017) is parcel #01-057-0007. In November 2001 a Conditional Use Permit (CUP) was approved on parcel 01-057-0007, which was 59.25 acres, to allow a small building housing a commercial welding shop that was operating without approval. Then a Quit Claim Deed was recorded in December 2006 for a 0.75 acre portion of the parcel that is currently identified as 01-057-0007, leaving a remainder portion of 58.50 acres of the original property, which is now identified as 01-057-0017. Finally in July 2010, another CUP was approved for the 58.50-acre subject property, 01-057-0017, to allow the expansion of the existing fabrication business and allow a portable classroom building to be installed for an office.
3. The approval and issuance of the CUPs on the subject property and parent parcel legalize the existing configuration although a formal subdivision of property was not approved through the Land Use Authority.

C. Authority

4. §17.02.060 Establishment of Land Use Authority – The County Council is authorized to act as the Land Use Authority for this application. *See conclusion #1.*

D. Culinary water, septic system, storm water, and irrigation system

5. §16.04.080 [A] Water Requirements – Per Hyrum City, the subject property has a water connection with Hyrum for the current operations. The City stated in a letter dated June 29, 2017, that no further expansion of water use, or connections, would be allowed by the City without annexation of this area to the city. The proposed subdivision will not create additional buildable lots; no additional water rights or connections are required.
6. §16.04.080 [B] Sewage Requirements – Bear River Health Department (BRHD) issued a permit on June 29, 2017, to install a septic system on Lot 1.
7. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #1.*

E. Access

8. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
9. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
10. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. A analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - d. And any additional impacts to the proposed development access roads.
11. The Road Manual specifies the following:
 - a. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
 - b. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.

- c. §2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - d. Table A-8 Typical Cross Section Structural Values: The minimum structural composition for gravel roads requires 14" depth of granular borrow, 6" depth of road base, and paved roads required an additional 2.5" depth of asphalt.
12. A basic review of the access to the property identifies the following:
- a. The proposed subdivision gains access from the State Road Highway 101.
 - b. Highway 101:
 - i. Is a state highway that provides access to the general public and is under the jurisdiction of the Utah Department of Transportation (UDOT).
 - ii. The applicant must obtain any required permitting for access to Highway 101 and provide a copy of the said permitting to the Development Services Office. *See condition #2.*
13. The proposed agricultural remainders are accessed via a 20-foot wide private drive along the west property line. Agricultural Remainder B can also be accessed via 2000 West, a county road with no winter maintenance. The county road providing access to Agricultural Remainder B will not be impacted by an increase in Average Daily Traffic due to this proposal.

F. Service Provision

- 14. §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable, but that future development on the property must be reevaluated and may require improvements based on the location of any proposed development. Water supply for fire suppression would be provided by the Hyrum Fire Department.
- 15. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental has identified that collection for the existing welding use can be either residential carts or a dumpster, depending on the needs of the business.
- 16. §16.04.080 [D] School Bus Service – School bus service is provided through a stop at 2150 West Highway 101.

G. Sensitive Areas

- 17. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area
 - a. A canal owned by the Wellsville East Field Irrigation and Canal Company intersects the parcel and is used as the dividing line between the two agricultural remainders. Development shall not occur in waterways.
 - b. The Utah Geological Survey has identified areas of the subject parcel, primarily in the location of proposed Agricultural Remainder B, as having landslide and liquefaction potential. A geotechnical report is required if development is proposed in a geologic hazard area.
 - c. The subject property is located within the buffer of a recognized Agriculture Protection Area. A note shall be added to the subdivision plat regarding the location of the protection area.

H. Public Notice and Comment—§17.02.040 Notice of Meetings

- 18. Public notice was posted online to the Utah Public Notice Website on 19 July 2017 and 24 August 2017.
- 19. Notice was published in the Herald Journal on 23 July 2017 and 27 August 2017.
- 20. Notices were posted in three public places on 19 July 2017 and 24 August 2017.
- 21. Notices were mailed to all property owners within 300 feet of the subject property on 19 July 2017 and 24 August 2017.
- 22. Hyrum City was notified via email on 12 July 2017 and 25 August 2017.

23. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (2)

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

1. A Land Disturbance Permit is required for any future development. (*See D-7*)
2. Prior to recordation, the applicant must obtain any required UDOT permitting for access to Highway 101 and provide a copy of said permitting to the Development Services Office. (*See E-12*)

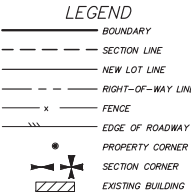
CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, staff recommends Planning Commission recommend approval of the K & K Welding Subdivision to the County Council as:

1. The County Council is authorized to act as the Land Use Authority for this application (*See C-4*), and;
2. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.

K & K WELDING SUBDIVISION

PART OF SEC. 6, T10N, R1E, S1M
CACHE COUNTY, UTAH



KEY NOTES

- ① OVERHEAD POWER
- ② HYRUM CITY WATER METER
- ③ YARD HYDRANT
- ④ SEPTIC TANK TEST PIT
- ⑤ BRIDGE
- ⑥ PRIVATE RIGHT-OF-WAY
- ⑦ OVERHEAD POWER EASEMENT (2200 W. ST.) - SEE NOTE 7
- ⑧ 100-YEAR FLOOD PLAIN (2011 FEMA)
- ⑨ 100' FLOOD PLAIN BUFFER
- ⑩ CATTLE WATERING POND
- ⑪ NATURAL GAS PIPELINE

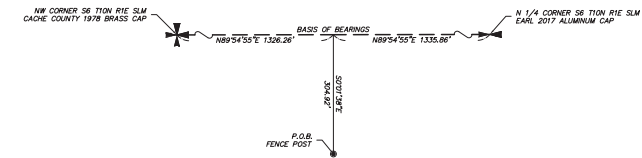
SURVEY NARRATIVE

THIS SURVEY WAS ORDERED BY KIRT ARCHIBALD FOR THE PURPOSE OF SUBDIVIDING THE PROPERTY FOR PARTIAL PURCHASE. HIGH VALLEY SUBDIVISION WAS RETRACTED TO ESTABLISH THE HIGHWAY RIGHT-OF-WAY. MONUMENTS FOUND WITHIN THE SECTION WERE USED TO EVALUATE FENCES THAT SURROUND THE PROPERTY. DUE TO LACK OF OTHER EVIDENCE, THE FENCES WERE HELD AS SHOWN. NO MAJOR DISCREPANCIES WERE FOUND.

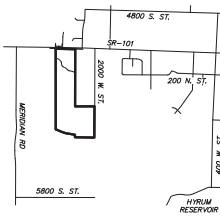
REBARS W/CAPS STAMPED "STEVEN C. EARL PLS 318575" WERE SET AT ALL CORNERS, EXCEPTIONS NOTED.

NOTES & RESTRICTIONS

- AGRICULTURAL USES: 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 PERMITTED USES IN THE AGRICULTURAL ZONE AND FOREST RECREATION ZONE.
- CULINARY WATER: CACHE COUNTY HAS NOT DETERMINED THE AVAILABILITY OR ADEQUACY OF CULINARY WATER TO ANY OF THE LOTS IDENTIFIED. ALL OWNERS ARE ADVISED OF THE REQUIREMENTS TO OBTAIN AN APPROVED CULINARY WATER SOURCE AND COMPLY WITH ALL OTHER REQUIREMENTS FOR THE ISSUANCE OF A ZONING CLEARANCE, PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.
- STORM WATER DRAINAGE: NO INCREASED LEVEL OF STORM WATER DRAINAGE SHALL BE ALLOWED TO FLOW FROM ANY PORTION OF ANY LOT OR REMAINDER PARCEL OF THIS SUBDIVISION TO ANY ADJACENT PROPERTIES, DITCHES, CANALS, OR WATERWAYS NOR MAY ANY EXISTING, HISTORIC, OR NATURAL DRAINAGE BE ALTERED WITHOUT PRIOR WRITTEN AUTHORIZATION PROVIDED BY THE AFFECTED PARTY OR ENTITY (MAY INCLUDING BUT IS NOT LIMITED TO ADJACENT PROPERTY OWNERS), DITCH OR CANAL COMPANY, CACHE COUNTY, OR THE STATE WATER ENGINEER'S OFFICE.
- COUNTY BUILDING SETBACKS ARE 30' FRONT YARD, 30' REAR YARD, 12' SIDE YARD, 30' SIDE YARD ALONG A ROAD, AND 50' ALONG A WATERWAY. BUILDING SETBACKS ARE FOR PRIMARY BUILDINGS.
- NO SLOPES OF 2:08 OR GREATER WERE FOUND ON THIS PROPERTY.
- LOT 1 IS CURRENTLY USED BY AN INDUSTRIAL BUSINESS THAT PLANS TO CONTINUE THIS USE.
- PER KEY NOTE 6, ON LOT 1 AND AGRICULTURAL REMAINDER A, A 20-FT WIDE RIGHT-OF-WAY IS DEDICATED FOR THE CONSTRUCTION AND MAINTENANCE OF A DRIVEWAY AND INGRESS/EGRESS OF THE OWNERS OF PARCELS WITHIN THIS SUBDIVISION. ALSO A 20-FT WIDE OVERHEAD POWER EASEMENT IS DEDICATED WITHIN THIS SAME CORRIDOR, FOR THE MAINTENANCE AND OPERATION OF AN EXISTING OVERHEAD POWER LINE.
- STREET ADDRESS OF LOT 1 IS 2150 WEST HIGHWAY 101.
- AGRICULTURAL PROTECTION AREA: THIS PROPERTY IS LOCATED IN THE VICINITY OF AN ESTABLISHED AGRICULTURAL PROTECTION AREA IN WHICH NORMAL AGRICULTURAL USES AND ACTIVITIES HAVE BEEN AFFORDED THE HIGHEST PRIORITY USE STATUS. IT CAN BE ANTICIPATED THAT SUCH AGRICULTURAL USES AND ACTIVITIES MAY NOW OR IN THE FUTURE BE CONDUCTED ON PROPERTY INCLUDED IN THE AGRICULTURAL PROTECTION AREA. THE USE AND ENJOYMENT OF THIS PROPERTY IS EXPRESSLY CONDITIONED ON THE ACCEPTANCE ANY CIRCUMSTANCE RELATED TO LAND USE WHICH MAY RESULT FROM SUCH NORMAL AGRICULTURAL USES AND ACTIVITIES.
- THE UTAH GEOLOGICAL SURVEY HAS IDENTIFIED AREAS OF LANDSLIDE AND LIQUEFACTION POTENTIAL WITHIN AGRICULTURAL REMAINDER B.



VICINITY MAP



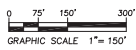
LINE TABLE

LINE	LENGTH	BEARING
L1	77.68'	N84°46'48"W
L2	96.26'	N84°50'37"W
L3	79.73'	N85°14'30"W
L4	60.00'	S80°23'17"E
L5	50.16'	S56°17'09"E

CURVE TABLE

CURVE	LENGTH	RADIUS	Δ	CH. BEARING	CHORD
C1	235.17'	286.18'	48°02'28"	N42°27'04"W	228.33'
C2	37.74'	100.00'	21°37'52"	N19°54'54"W	37.30'
C3	68.27'	70.00'	65°52'23"	S38°13'04"E	65.59'
C4	23.72'	70.00'	19°24'51"	N47°06'26"W	23.61'
C5	61.34'	100.00'	33°08'48"	S62°48'53"E	60.39'
C6	84.13'	200.00'	24°03'18"	N68°20'13"W	83.51'

OWNER OF RECORD
G & R FAMILY LLC
6 S SOUTH MAIN STE A
LOGAN, UT 84301



BEAR RIVER HEALTH DEPARTMENT
APPROVAL

THE SUBDIVISION DESCRIBED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT THIS _____ DAY OF _____, 2017.

BY: _____ TITLE: _____

SURVEY CERTIFICATE

I, STEVEN C. EARL, A PROFESSIONAL LAND SURVEYOR, HOLD CERTIFICATE NO. 318575-2201, AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND DO HEREBY CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT, WHICH IS ACCURATELY DESCRIBED HEREON, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS, STREETS, AND EASEMENTS TO BE HEREAFTER KNOWN AS K & K WELDING SUBDIVISION, AND THAT THE SAME HAS BEEN SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

LEGAL DESCRIPTION

PART OF SECTION 6, TOWNSHIP 10 NORTH, RANGE 1 EAST, SALT LAKE MERIDIAN, LOCATED IN THE COUNTY OF CACHE, STATE OF UTAH, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION;

THENCE N89°54'55"E 1336.98 FEET ALONG THE NORTH LINE OF SAID SECTION;

THENCE S01°01'38"E 304.92 FEET TO A FENCE POST AT THE POINT OF BEGINNING ON THE SOUTH LINE OF STATE HIGHWAY 101;

THENCE S88°31'25"E 666.73 FEET (40 RODS BY RECORD) ALONG SAID SOUTH LINE;

THENCE S07°08'32"W 1948.48 FEET (1930.5 FEET BY RECORD);

THENCE N89°55'10"E 660.90 FEET (40 RODS BY RECORD) ALONG A FENCE;

THENCE S07°53'17"W 1065.56 FEET (64 RODS BY RECORD);

THENCE N88°58'58"W 659.69 FEET (40 RODS BY RECORD);

THENCE N02°03'30"E 85.15 FEET (5 RODS BY RECORD);

THENCE N80°25'32"W 328.81 FEET ALONG A FENCE;

THENCE N70°50'11"W 139.66 FEET ALONG A FENCE;

THENCE N66°27'52"W 218.02 FEET ALONG A FENCE AND ITS PROLONGATION;

THENCE N07°15'58"W 2745.80 FEET (168 RODS BY RECORD) TO THE POINT OF BEGINNING.

CONTAINING 59.39 ACRES, MORE OR LESS.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE TRACT OF LAND DEPICTED HEREON, CAUSE THE SAME TO BE SUBDIVIDED INTO LOTS, RIGHTS-OF-WAY, AND EASEMENTS TO BE HEREAFTER KNOWN AS:

K & K WELDING SUBDIVISION

FURTHERMORE, WE INCORPORATE THE NOTES AND RESTRICTIONS AS LISTED HEREON.

G & R FAMILY LLC

ROD ROUNDS, MANAGING MEMBER

ACKNOWLEDGMENT

STATE OF UTAH } §

COUNTY OF CACHE

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS DAY OF _____, 2017 BY ROD ROUNDS, MANAGING MEMBER OF G&R FAMILY LLC.

NOTARY PUBLIC SIGNATURE: _____

NOTARY PUBLIC FULL NAME: _____

COMMISSION NUMBER: _____

MY COMMISSION EXPIRES: _____

A NOTARY PUBLIC COMMISSIONED IN UTAH

COUNTY ATTORNEY APPROVAL

I CERTIFY THAT I HAVE EXAMINED THIS PLAT AND APPROVE THIS PLAT AS TO FORM AS REQUIRED BY STATE LAW AND COUNTY ORDINANCE.

DATE _____ CACHE COUNTY ATTORNEY

DEPUTY COUNTY SURVEYOR

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

DATE _____ DEPUTY COUNTY SURVEYOR

CACHE COUNTY PLANNING COMMISSION

THIS PLAT WAS RECOMMENDED FOR APPROVAL/DENIAL BY THE PLANNING COMMISSION ON THE _____ DAY OF _____, 20____.

DATED THIS _____ DAY OF _____, 2017.

CHAIR

CACHE COUNTY COUNCIL

THIS PLAT WAS APPROVED AND ACCEPTED BY THE CACHE COUNTY COUNCIL ON THE _____ DAY OF _____, 2017. DATED THIS _____ DAY OF _____, 2017.

BY: _____ CHAIR

ATTESTED TO: _____ CACHE COUNTY CLERK

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF CACHE, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ FEE _____

ABSTRACTED _____

INDEX
FILED IN: FILE OF PLATS

MICHAEL GLEED, COUNTY RECORDER



PRELIMINARY PLAT

SHEET DESCRIPTION

K & K WELDING SUBDIVISION

PROJECT TITLE:



Cache • Landmark
Engineers
Surveyors
Planners

95 Golf Course Rd.
Suite 101
Logan, UT 84301
435.713.0099

DATE: 3 AUGUST 2017

SCALE: 1"= 150'

CALCULATIONS BY: S. EARL

CHECKED BY: J. HANSEN

APPROVED BY: S. EARL

PROJECT NUMBER: 17055ARC

SHEET:

STAFF REPORT: JUNE WEST COWLEY LOT SPLIT SUBDIVISION 2ND AMD. 7 September 2017

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: Erin Taylor Johnson

Parcel ID#: 12-017-0028, -0077, -0088

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:

3622 West 2600 North

Benson

Current Zoning:

Agricultural (A10)

Acres: 14.21

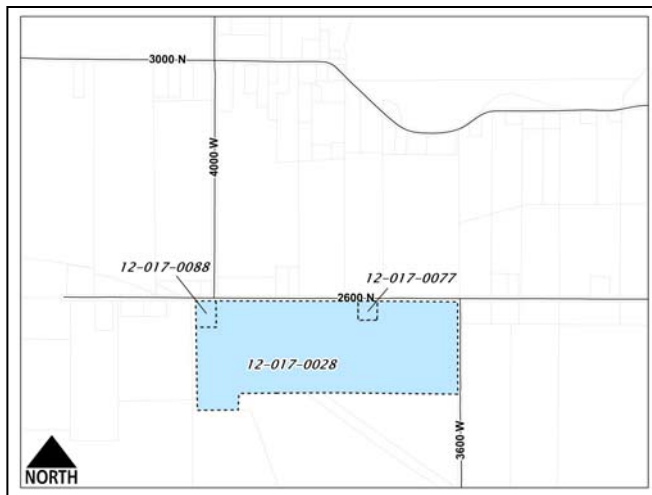
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural

East – Agricultural/Residential

West – Agricultural/Residential



FINDINGS OF FACT (20)

A. Request description

1. The June West Cowley Lot Split Subdivision 2nd Amendment is a request to divide Lot 2 (12-017-0028) of the previously approved 3-lot subdivision to create an additional developable lot, Lot 4.
 - a. Lot 2 (12-017-0028) will change from 65.89 acres to 64.79 acres.
 - b. The new lot, Lot 4, will be 1.0 acre.
 - c. There are no changes to Lot 1 (12-017-0077) and Lot 3 (12-017-0088), which are 1.0 acre and 1.47 acres, respectively.

B. Parcel legality

2. The original division of the property occurred through a lot split subdivision approved in August 2004 and a subdivision amendment approved in May 2009.

C. Authority

3. §17.02.060 Establishment of Land Use Authority – The Director of Development Services or designee is authorized to act as the Land Use Authority for subdivision amendments between three or fewer property owners.

D. Culinary water, septic system, and storm water

4. §16.04.080 [A] Water Requirements – A domestic, approved water right is required for each of the lots. The subdivision is located within the Benson Culinary Water Improvement District. The applicant is in the process of acquiring a water share for Lot 4 from the water district. Proof of a water share for Lot 4 is required prior to recordation. *See condition #1.*
5. §16.04.080 [B] Sewage Requirements – All proposed lots require a Bear River Health Department (BRHD) review to determine feasibility of a septic system on the subject property. The applicant has provided a copy of an approved septic tank permit from BRHD for the proposed Lot 4.
6. §16.04.070 Storm Drainage Requirements – A Land Disturbance Permit is required for any future development. *See condition #2.*

E. Access

7. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
8. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
9. §16.04.080 [E] Roads and Access – A basic road review is required and must consider:
 - a. The layout of proposed roads;
 - b. An analysis of existing roadway compliance with the Road Manual requirements;
 - c. Existing maintenance;
 - d. And any additional impacts to the proposed development access roads.
10. The Road Manual specifies the following:
 - a. §2.1-A-4 Local Road, Table 2.2 Roadway Typical Sections: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
 - b. Table 2.2 Roadway Typical Sections: Local roads must meet the minimum standards of a 66-foot-wide right-of-way, two 10-foot-wide paved travel lanes with 2-foot-wide shoulders (1-foot-wide gravel and 1-foot-wide paved) for a total width of 24 feet.
 - c. §2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - d. Table A-8 Typical Cross Section Structural Values: The minimum structural composition for gravel roads requires 14" depth of granular borrow, 6" depth of road base, and paved roads required an additional 2.5" depth of asphalt.
 - e. §2.4-A-4-b: The review of requests for development on existing roadways must occur through the Design Exception process.
 - f. §1.8 Authority and Design Exception: Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the

reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information.

11. A basic review of the access to the existing lots identifies the following:

- a.** The existing & proposed lots gain access from 2600 North.
- b.** 2600 North:
 - i.** Is an existing county facility that provides access to the general public.
 - ii.** Currently provides access to multiple dwellings, vacant lots, and agricultural parcels.
 - iii.** Consists of an average 22-foot paved width with 4-foot wide gravel shoulders.
 - iv.** Has an unknown depth and type of material under the chip and seal surface.
 - v.** Is maintained year round. *See conclusion #2*

F. Service Provision

- 12. §16.04.080 [C] Fire Control** – The County Fire District identified that the existing access is acceptable. Any future development on the property must be reevaluated and may require improvements based on the location of any proposed development. Water supply for fire suppression would be provided by the municipal water system for fire protection in Benson.
- 13. §16.04.080 [F] Solid Waste Disposal** – Logan City Environmental currently provides service in this area along the north side of 2600 North. Any future development will also be required to locate containers on the north side and may require that the applicant provide sufficient shoulder space to space the containers 3-to-4 feet apart and will not interfere with passing traffic.
- 14. §16.04.080 [D] School Bus Service** – School bus service is located at a stop at 3605 West 2600 North.

G. Sensitive Areas

- 15. §17.08.040 General Definitions, Sensitive Area; §17.18 Sensitive Area**
 - a.** The subject property has a canal that runs along the north and west boundaries of the subdivision.

H. Public Notice and Comment—§17.02.040 Notice of Meetings

- 16.** Public notice was posted online to the Utah Public Notice Website on 24 August 2017.
- 17.** Notice was published in the Herald Journal on 27 August 2017.
- 18.** Notices were posted in three public places on 24 August 2017.
- 19.** Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 24 August 2017.
- 20.** At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (2)

Based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact as noted herein, staff recommends the following conditions:

- 1.** Prior to recordation, the applicant must provide proof of a domestic culinary water right in the owner's name for Lot 4 from the Benson Culinary Water Improvement District. (*See D-4*)
- 2.** A Land Disturbance Permit is required for any future development. (*See D-6*)

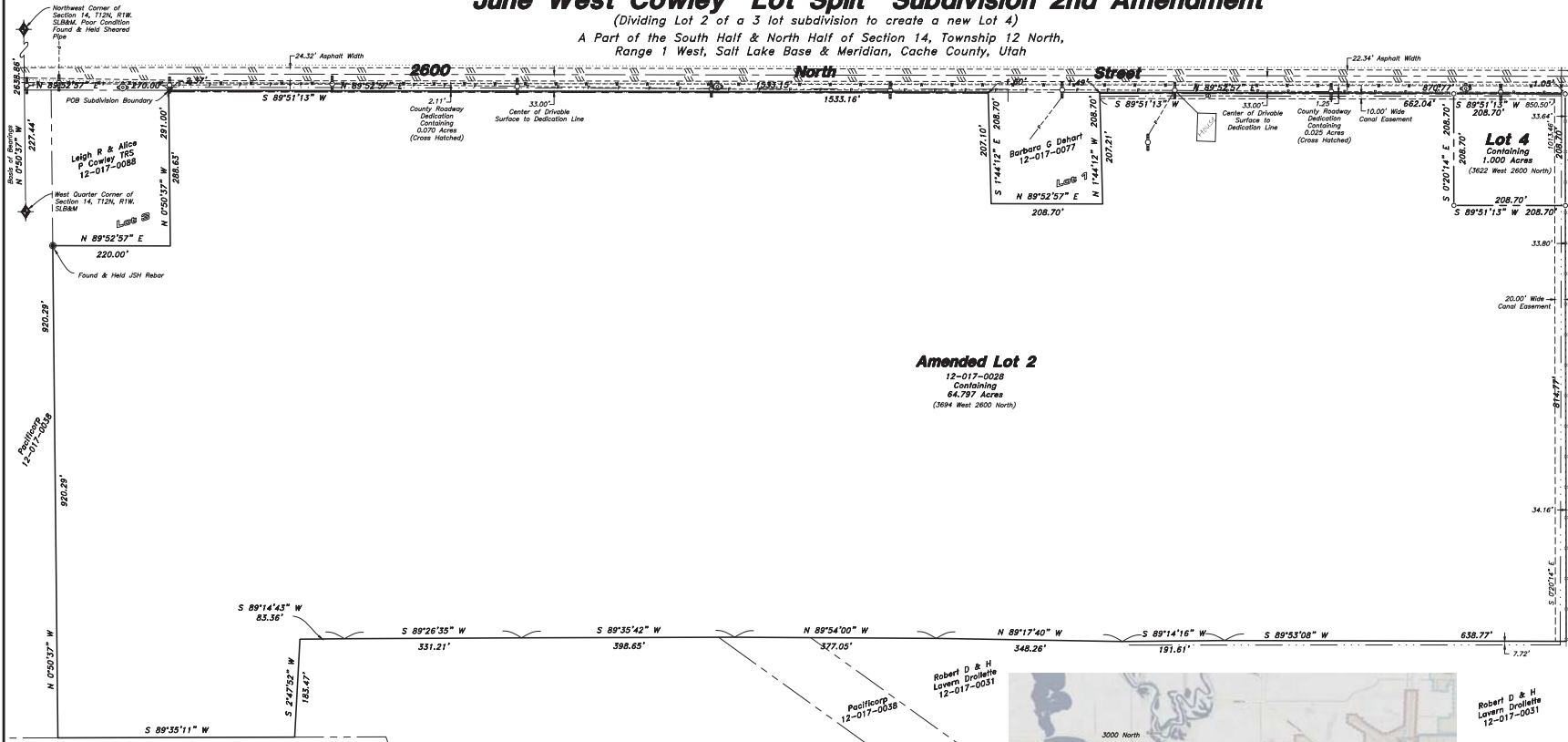
CONCLUSIONS (2)

Based on the findings of fact and conditions noted herein, staff recommends approval of the June West Cowley Lot Split Subdivision 2nd Amendment as:

1. It has been reviewed in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances, and;
2. Design Exception (***See E-10, E-11***): A design exception is hereby approved for the substandard areas of 2600 North regarding structural fill as:
 - a. 2600 North is a public facility owned and maintained by the county.

June West Cowley "Lot Split" Subdivision 2nd Amendment

(Dividing Lot 2 of a 3 lot subdivision to create a new Lot 4)
A Part of the South Half & North Half of Section 14, Township 12 North,
Range 1 West, Salt Lake Base & Meridian, Cache County, Utah



SURVEYOR'S CERTIFICATE
I, Clinton G. Hansen, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 7881387, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land hereafter to be known as June West Cowley "Lot Split" Subdivision 2nd Amendment, and the same has been correctly surveyed and all streets are the dimensions shown.



Clinton G. Hansen
P.L.S. No. 7881387
Date _____

AMENDED SUBDIVISION BOUNDARY
A Part of the South Half of Section 14,
Township 12 North, Range 1 West, Salt Lake
Base & Meridian

Beginning at the Northwest Corner of Lot 2 of the June West Cowley "Lot Split" Subdivision Amended, Entry #1000950, at a Point Located 227.44 Feet North 07°50'37" West Along the West Line of the Northwest Quarter of said Section and 270.00 Feet North 89°52'57" East of the Southwest Corner of said Northwest Quarter and said Lot 2 the following Eighteen (18) Courses:
(1) North 89°52'57" East 1533.15 Feet; (2) South 01°44'12" East 208.70 Feet; (3) North 89°52'57" East 208.70 Feet; (4) North 01°44'12" West 208.70 Feet; (5) North 89°52'57" East 870.77 Feet; (6) South 00°20'14" East 1024.52 Feet; (7) South 89°53'08" West 636.77 Feet; (8) South 89°14'16" West 191.61 Feet; (9) North 89°17'40" West 345.26 Feet; (10) North 89°54'00" West 377.05 Feet; (11) South 89°35'42" West 398.65 Feet; (12) South 89°26'35" West 331.21 Feet; (13) South 89°14'43" West 63.36 Feet; (14) South 02°47'52" West 183.47 Feet; (15) South 89°35'11" West 445.04 Feet; (16) North 00°50'37" West 920.29 Feet; (17) North 89°52'57" East 220.00 Feet; (18) North 00°50'37" West 291.00 Feet to the Point of Beginning, Containing 65.882 Acres.

OWNER'S DEDICATION
Know all men by these presents that we the undersigned owners of the tract of land (Parcel 12-017-0028) depicted and described hereon, having caused the same to be subdivided into lots and streets (as pertains), the whole to be hereinafter known as the "June West Cowley 'Lot Split' Subdivision 2nd Amendment". Further we dedicate and/or quit claim as appropriate the portion of property of (12-017-0028) that lies within 33' of the center line of the existing roadway, and as shown on this plat, 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. Also, we hereby grant and convey, to Benson Irrigation Company, an easement for their canal as depicted hereon, we hereby set our signatures

Leigh R. Cowley Date _____
LLC ACKNOWLEDGMENT

State of Utah
County of _____
On this _____ day of _____, 20____,
Leigh R. Cowley, Agent for the CC Ranch Family, LLC, personally appeared before me, the undersigned notary public in and for said county, in the state of Utah, the signer of the attached owners dedication, who duly acknowledged to me he signed it freely and voluntarily and for the purpose therein mentioned on behalf of said Company.

Notary Public

COUNTY RECORDER
State of Utah
County of Cache

This plat has been duly acknowledged, certified, and approved and may lawfully be recorded in Cache County, Utah.
Filed and Recorded:
Filing No.: _____
Date: _____
Book: _____
Page: _____
Request of: _____

Cache County Recorder

GENERAL NOTES:
A. Cullinary Water Note: Cache County has not determined the availability or adequacy of cullinary water to any of the lots identified. All owners are advised of the requirements to obtain an approved cullinary water source and comply with all other requirements for the issuance of a zoning clearance, prior to the issuance of a building permit.
B. Storm Water Drainage Note: The purpose of this survey was to amend the subdivision as shown and described hereon. The survey was ordered by Erin Johnson. The survey is located in Section 14, Township 12 North, Range 1 West, Salt Lake Base & Meridian. The basis of bearing is the West Line of the Northwest Quarter of said Section, which bears North 00°50'37" West. Localized Bearings per the Original Subdivision Plat and Rotated 0°14'32" from State Plane NAD83(2011) Grid Bearing.
C. Setback Lines for Primary Buildings are: 12.00' on Side Yards; 30.00' on Front Yards; 30.00' on Rear Yards
D. Agricultural Uses: Current and future property owners must be aware that they will be subject to the rights, sounds, and smells associated with agricultural activities which are permitted uses in the Agricultural Zone.

COUNTY ATTORNEY APPROVAL
I certify that I have examined this plat and approve this plat as to form as required by State law and County ordinance.

Cache County Attorney Date _____

DEPUTY COUNTY SURVEYOR'S CERTIFICATE
I certify that I have had this plat examined and find that it is correct and in accordance with the information on file in this office and further, it meets the minimum standards for plats required by county ordinance and state law.

Deputy County Surveyor Date _____

COUNTY COUNCIL APPROVAL
Approved & Accepted by the Cache County Council, this _____ day of _____, A.D., 20____.

Chairperson _____
Affest: _____
Clerk _____

COUNTY PLANNING COMMISSION
This plat recommended for approval by the Cache County Planning Commission this _____ day of _____, A.D., 20____.

Chairperson _____
Title: _____

BEAR RIVER HEALTH DEPARTMENT APPROVAL
This subdivision described in this plat has been approved by the Bear River Health Department on the _____ day of _____, 20____.

By: _____
Title: _____

ADVANCED LAND SURVEYING INC.
1730 Research Park Way #101
Logan Utah 84341
(p) 435-778-9585 (f) 435-514-5883
www.advancedland.com
17-140 - CDH - 7/25/2017 - Rev. 2

1 **Consent Agenda**

2 **#1 K&K Welding Subdivision**

3
4 **Zetterquist** reviewed the staff report.

5
6 **#2 June West Cowley Lot Split Subdivision 2nd Amendment**

7
8 **Zetterquist** reviewed the staff report.

9
10 ***Olsen** motioned to recommend approval of the consent agenda to the County Council; **Christensen***
11 *seconded; **Passed 4, 0.***
12

RESOLUTION NO. 2017 – 25

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 2017 are reasonable and necessary; that the said budget has been reviewed by the County Executive 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 made to the 2017 budget for Cache County:

See attached

Section 2.

Other than as specifically set forth above, all other matters set forth in the 2017 budget shall remain in full force and effect.

Section 3.

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

This resolution was duly adopted by the Cache County Council on the 26th day of September, 2017.

ATTESTED TO:

CACHE COUNTY COUNCIL

Jill N. Zollinger, Cache County Clerk-Auditor

Greg Merrill, Council Chair



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2017-25

GENERAL FUND

Adopted Budget: \$26,499,827

Proposed Budget: \$26,466,322

Total revenues and expenditures decrease by \$33,505 or 0.1%

Revenues

Charges for Services – Decreases by \$44,000 or 0.8%

Fees charged by the Recorder's Office are partially allocated to the Assessing and Collecting fund. In the past, the rate of allocation has been 40%, but for the 2017 budget the amount approved for allocation was 50%. However, an amount equal to the 40% allocation remained in the budget. This amendment of \$44,000 corrects the allocation amount to 50%.

Contributions – Increases by \$10,495 or 1.6%

Another \$10,495 is appropriated to receive the administration fee from the CDRA fund as specified in the CDRA contract for the sponsoring entity.

Expenditures

Public Defender – Increases by \$105,000 or 21.4%

The need/requirement for public legal defense has increased significantly. The proposed amount of \$105,000 is to cover estimated expenses to the end of the year.

GIS – Decreases by \$1,500 or 0.6%

In June the GIS budget was adjusted to allow for the purchase of additional software licenses. However, the correlating allocation to the Assessing and Collecting fund was not made. This amendment of \$1,500 corrects the allocation amount.

Auditor – No Change

Temporary staffing is now contracted through a third party agency, rather than directly hired by the County as an employee. The Clerk-Auditor routinely hires temporary staffing for assistance with Board of Equalization matters. The amendment is to reallocate \$4,080 from the Seasonal Employee payroll account to a miscellaneous account to pay the staffing agency.

Recorder – Decreases by \$6,000 or 1.9%

The original budget included the correct allocation to the Assessing and Collecting fund at a rate of 50%. In February an adjustment was made to the Recorder's Office budget which calculated the allocation to the Assessing and Collecting fund at a rate of 40%. This amendment of \$6,000 corrects the budgeted allocation to 50%.

Sheriff: Criminal – Decreases by \$9,200 or 0.2%

There has been a higher turnover rate in the division, which has lead to the need for additional funding for new uniforms and equipment for the new deputies. It is requested that \$8,000 be appropriated for this purpose with funding coming from reductions in other accounts in the division.

Also, payroll budgets were adjusted in June to reflect employee reassignments throughout the Sheriff's Office. Those changes impacted the Criminal division, which allocates 10% of its cost to the Municipal Services fund. The allocation was not adjusted in June to match the reassignment of employees. The proposed amendment of \$9,200 corrects the allocation to the Municipal Services fund.

Sheriff: Corrections – Increases by \$100,000 or 1.3%

The Sheriff's Office has experienced an increased need for medical care for the inmates. The proposed amendment estimates an additional \$25,000 of pharmaceuticals and \$75,000 for other medical needs for a total of \$100,000.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2017-25

Fairgrounds – No Change

On September 12, as part of the regular meeting, the County Council authorized \$35,600 of RAPZ Tax funds, previously awarded to the Fairgrounds for other projects, be used for funding the replacement of bucking chutes in the rodeo arena facility. This amendment moves that amount into the equipment line for accounting purposes.

Contributions – Decreases by \$221,805 or 7.5%

The current budget includes a contribution of fund balance in the General fund in the amount of \$457,797. This amendment proposes to reduce the contribution to fund balance by \$221,805 in order to provide funding for the adjustments to public legal defense (\$105,000), the inmate medical expenses (\$100,000), and the net amount of the cost allocations to other funds (\$27,300). The administration fee from the CDRA fund as specified in the CDRA contract offsets these reductions by \$10,495.

ASSESSING AND COLLECTING FUND

Adopted Budget: \$3,789,671

Proposed Budget: \$3,797,171

Total revenues and expenditures increase by \$7,500 or 0.2%

Revenues

Charges for Services – Increases by \$44,000 or 9.6%

Fees charged by the Recorder's Office are partially allocated to the Assessing and Collecting fund. In the past, the rate of allocation has been 40%, but for the 2017 budget the amount approved for allocation was 50%. However, an amount equal to the 40% allocation remained in the budget. This amendment of \$44,000 corrects the allocation amount to 50%.

Contributions – Decreases by \$36,500 or 18.7%

The correction of the allocation of the fees charged by the Recorder's Office allows the appropriation from fund balance to be reduced by \$44,000. The corrections for the allocations from the GIS department and from the Recorder's Office require the use of fund balance in the amount of \$7,500. So, the amount of fund balance appropriated into the 2017 budget is reduced by \$36,500.

Expenditures

GIS – Increases by \$1,500 or 0.9%

In June the GIS budget was adjusted to allow the purchase of additional software licenses. However, the correlating allocation from the General fund was not made. This amendment of \$1,500 corrects the allocation amount.

Recorder – Increases by \$6,000 or 3.9%

The original budget included the correct allocation from the General fund at a rate of 50%. In February an adjustment was made to the Recorder's Office budget which calculated the allocation from the General fund at a rate of 40%. This amendment of \$6,000 corrects the budgeted allocation to 50%.

Assessor – No Change

Market adjustments made to wages for employees increase the wages by \$15,400 and related payroll taxes and benefits by \$1,900. It is also requested to increase the Office Expense account by \$4,000 to meet expected costs through the end of the year. These costs total \$21,300 and are funded by reducing the amount budgeted for software packages.

MUNICIPAL SERVICES FUND

Adopted Budget: \$8,605,464

Proposed Budget: \$8,890,164

Total revenues and expenditures increase by \$284,700 or 3.3%

Revenues*Taxes – Increases by \$9,200 or 1.0%*

The proposed amendment to increase the tax revenue by \$9,200 provides funding for the corrected allocation from the Criminal division of the Sheriff's Office. The forecast for tax revenues could justify a much higher increase, but only the amount needed is proposed for adjustment.

Contributions and Transfers – Increases by \$275,500 or 9.1%

It is requested that \$210,000 be appropriated to fund road repairs that are needed due to flooding. Also, funding for the Highline Canal project was provided by RAPZ/Restaurant Tax funding in previous years. The full amount of the funding was not spent prior to the beginning of 2017 and this amendment proposes to appropriate the remaining balance of the project of \$65,500 into the current budget.

Expenditures*Sheriff: Criminal – Increases by \$9,200 or 2.0%*

Payroll budgets were adjusted in June to reflect employee reassignments throughout the Sheriff's Office. Those changes impacted the Criminal division, which allocates 10% of its cost to the Municipal Services fund. The allocation was not adjusted in June to match the reassignment of employees. The proposed amendment of \$9,200 corrects the allocation to the Municipal Services fund from the General fund.

Road – Increases by \$210,000 or 3.8%

Additional road projects for flood repairs require \$10,000 in rock product and \$200,000 in asphalt. Also, it is requested that \$230,000 in funding for the purchase of capital equipment be moved from the Building account. The capital project to renovate and construct new buildings at the road shop is being put on hold due to time and budget constraints. The individual equipment items are as follows: \$50,000 for a 1 ton dump bed truck, \$40,000 for a 1 ton flatbed truck, \$75,000 for a Dura Patch, \$40,000 for 3 axle pup dump trailers, and \$25,000 for a semi-truck tractor (Day Cab).

Trails Management – Increases by \$65,500 or 30.1%

Funding for the Highline Canal project was provided by RAPZ/Restaurant Tax funding in previous years. The full amount of the funding was not spent prior to the beginning of 2017 and this amendment proposes to appropriate the remaining balance of \$65,500 into the current budget.

CDRA FUND**Adopted Budget: \$229,000****Proposed Budget: \$280,495****Total revenues and expenditures increase by \$51,495 or 22.5%****Revenues***Taxes – Increases by \$8,000 or 19.0%*

Current estimates indicate an increase of \$8,000 in tax revenues that will be received as the County's portion of the tax revenue received as the managing entity for the Community Development and Renewal Agency (CDRA), which sponsored the economic development project at Pepperidge Farm.

Contributions – Increases by \$43,495 or 23.3%

Current estimates indicate an increase of \$33,000 in tax revenues contributed from other participating entities of the Community Development and Renewal Agency (CDRA), which sponsored the economic development project at Pepperidge Farm. Another \$10,495 is appropriated to pay the administration fee to the County as specified in the CDRA contract for the sponsoring entity.



BUDGET AMENDMENT

EXECUTIVE SUMMARY FOR RESOLUTION 2017-25

Expenditures

CDRA – Increases by \$39,360 or 17.9%

The portion of the estimated increase in tax revenue that goes to the CDRA project is \$39,360.

Contributions – Increases by \$1,640 or 0.1%

The portion of the estimated increase in tax revenue that should be made available for future use is \$1,640. This amount will be contributed to the fund balance of the CDRA fund.

Transfers Out – Increases by \$10,495 or 0.3%

There is \$10,495 appropriated as a transfer to the General fund to pay the County for the administration fee as specified in the CDRA contract for the sponsoring entity.

AIRPORT FUND	Adopted Budget: \$3,015,172	Proposed Budget: \$3,327,172
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Total revenues and expenditures increase by \$312,000 or 10.3%

Revenues

Miscellaneous – Increases by \$170,000 or 331.8%

An airplane hangar has been sold for the amount of \$170,000. This amount is not included in the current budget.

Contributions – Increases by \$142,000 or 55.0%

There is \$142,000 requested to be appropriated from the fund balance to provide partial funding for the Taxiway India project.

Expenditures

Airport – Increases by \$312,000 or 10.3%

There is \$312,000 appropriated for the Taxiway India project. Funding for this project comes partially from the sale of a hangar in the amount of \$172,000 and the appropriation of fund balance in the amount of \$142,000. It is anticipated that some of this funding may be reimbursed to the County from the FAA in 2018.



BUDGET AMENDMENT

Resolution: 2017-25

Hearing: September 26, 2017

6:00 PM

Department	Account	Title	Description	Adjustment
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GENERAL FUND		Adopted Budget: \$26,499,827		Proposed Budget: \$26,466,322
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Revenues

CHARGES FOR SERVICE	100-34-12001	A&C ALLOC - RECORDER FEES	Change Allocation to 50%	(44,000)
CONTRIB./TRANSFERS	100-38-75000	TRANSFERS FROM OTHER FUNDS	CDRA Administration Fee	10,495

Total Revenue Adjustment: (33,505)

Expenditures

PUBLIC DEFENDER	100-4126-310	PROFESSIONAL & TECHNICAL	Public Legal Defense Fees	105,000
GIS	100-4135-999	A&C ALLOC - GIS 60%	Adjusted Allocation for Software Licences	(1,500)
AUDITOR	100-4141-125	SEASONAL EMPLOYEES	Temporary Staffing	(4,080)
AUDITOR	100-4141-610	MISC SUPPLIES	Temporary Staffing	4,080
RECORDER	100-4144-999	A&C ALLOC - RECORDER 50%	Correct Allocation Amount	(6,000)
CRIMINAL	100-4210-310	PROFESSIONAL & TECHNICAL	Funding for Uniforms/Equip for New Deputies	(3,000)
CRIMINAL	100-4210-485	PEER COURT EXPENSE	Funding for Uniforms/Equip for New Deputies	(5,000)
CRIMINAL	100-4210-486	UNIFORMS AND SUPPLIES	Uniforms/Equipment for New Deputies	8,000
CRIMINAL	100-4210-999	MUNICIPAL SERV ALLOCATION 10%	Adjusted Allocation for PS Employee Reallocation	(9,200)
CORRECTIONS	100-4230-315	MEDICAL EXPENSE	Inmate Medical Expenses	100,000
FAIRGROUNDS	100-4511-730	IMPROVEMENTS	Funding for Bucking Chutes	(35,600)
FAIRGROUNDS	100-4511-740	CAPITALIZED EQUIPMENT	Bucking Chutes	35,600
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Funding for Public Legal Defense Fees	(105,000)
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Funding for Inmate Medical Expenses	(100,000)
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	Adjustment for Allocations to Other Funds	(27,300)
CONTRIBUTIONS	100-4800-990	CONTRIBUTION TO FUND BALANCE	CDRA Administration Fee	10,495

Total Expenditure Adjustment: (33,505)

ASSESSING & COLLECTING FUND		Adopted Budget: \$3,789,671		Proposed Budget: \$3,797,171
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Revenues

CHARGES FOR SERVICE	150-34-12000	RECORDER FEES	Change Allocation to 50%	44,000
CONTRIB./TRANSFERS	150-38-90000	APPROPRIATED FUND BALANCE	Net reduction from Recorder and GIS	(36,500)

Total Revenue Adjustment: 7,500

Expenditures

GIS	150-4135-999	A&C ALLOC - GIS 60%	Adjusted Allocation for Software Licences	1,500
RECORDER	150-4144-999	A&C ALLOC - RECORDER 50%	Correct Allocation Amount	6,000
ASSESSOR	150-4146-110	FULL TIME EMPLOYEES	Market Adjustments	15,400
ASSESSOR	150-4146-130	EMPLOYEE BENEFITS	Market Adjustments - Related Benefits and Taxes	1,900
ASSESSOR	150-4146-240	OFFICE EXPENSE	Additional Supplies	4,000
ASSESSOR	150-4146-311	COMPUTER SOFTWARE PACKAGES	Funding for Market Adjustments and Office Supplies	(21,300)

Total Expenditure Adjustment: 7,500

MUNICIPAL SERVICES FUND		Adopted Budget: \$8,605,464		Proposed Budget: \$8,890,164
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Revenues

TAXES	200-31-30000	SALES & USE TAX	Increased Tax Revenue Estimate	9,200
CONTRIB./TRANSFERS	200-38-92000	APPROP FUND BALANCE - MSF	Funding for Flood Repairs	210,000
CONTRIB./TRANSFERS	200-38-93000	APPR FUND BALANCE - PARKS/REC	Highline Canal Trail	65,500

Total Revenue Adjustment: 284,700

Expenditures



BUDGET AMENDMENT

Resolution: 2017-25

Hearing: September 26, 2017

6:00 PM

Department	Account	Title	Description	Adjustment
CRIMINAL	200-4210-999	MUNICIPAL SERV ALLOCATION 10%	Adjusted Allocation for PS Employee Reallocation	9,200
ROAD	200-4415-410	ROAD MAINTENANCE	Rock Product for Flood Repairs	10,000
ROAD	200-4415-418	ASPHALT & CONCRETE	Asphalt for Flood Repairs	200,000
ROAD	200-4415-720	BUILDINGS	Funding for Capital Equipment Purchases	(230,000)
ROAD	200-4415-740	CAPITALIZED EQUIPMENT	4D 1T Dump Bed Truck	50,000
ROAD	200-4415-740	CAPITALIZED EQUIPMENT	4D 1T Flat Bed Truck	40,000
ROAD	200-4415-740	CAPITALIZED EQUIPMENT	Dura Patch	75,000
ROAD	200-4415-740	CAPITALIZED EQUIPMENT	3 Axle Pup Dump Trailers	40,000
ROAD	200-4415-740	CAPITALIZED EQUIPMENT	Semi Truck - Tractor (Day Cab)	25,000
TRAILS MANAGEMEN	200-4780-482	HIGHLINE CANAL TRAIL	Highline Canal Trail	65,500

Total Expenditure Adjustment: 284,700

CDRA FUND	Adopted Budget: \$229,000	Proposed Budget: \$280,495
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Revenues

TAXES	220-31-10000	PROPERTY TAXES - CDRA	Increased Revenue Estimate	8,000
CONTRIB./TRANSFERS	220-38-80000	CONTRIBUTION - TAXING ENTITIES	Increased Revenue Estimate	33,000
CONTRIB./TRANSFERS	220-38-90000	APPROPRIATED FUND BALANCE	Administration Fee	10,495

Total Revenue Adjustment: 51,495

Expenditures

CDRA	220-4193-480	CDRA PROJECTS	Increased Project Estimate	39,360
CONTRIBUTIONS	220-4800-990	CONTRIBUTION TO FUND BALANCE	Increased Project Estimate	1,640
TRANSFERS OUT	220-4810-100	TRANSFER OUT - GENERAL FUND	Administration Fee	10,495

Total Expenditure Adjustment: 51,495

AIRPORT FUND	Adopted Budget: \$3,015,172	Proposed Budget: \$3,327,172
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Revenues

MISCELLANEOUS	277-36-51000	SALE OF CAPITAL ASSETS	Sale of Airplane Hangar	170,000
CONTRIB./TRANSFERS	277-38-70000	APPROPRIATED FUND BALANCE	Taxi Way India	142,000

Total Revenue Adjustment: 312,000

Expenditures

AIRPORT	277-4460-739	GRANT PROJECTS	Taxi Way India	312,000
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Total Expenditure Adjustment: 312,000



**RECORD OF DECISION
CURTIS REZONE**

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 proposal that represents the Planning Commission’s recommendations for zoning the area within the county, and;

WHEREAS, on July 6, 2017 at 5:30 P.M. the Planning Commission held a public hearing for a request to rezone parcel 16-047-0046, 5.42 acres of property, from the Agricultural (A-10) 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 at which meeting a recommendation of denial (7-0) was provided to the County Council for final action, and;

WHEREAS, on September 12, 2017 at 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 the information provided by county staff, the Council has determined that it is not in the best interest of the citizens of Cache County to approve said rezone;

NOW THEREFORE, on this the 26th of September 2017, the Cache County Council denies the Curtis Rezone based on the following conclusions:

1. The location of the subject property is not compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. Exceeds the existing density of the surrounding land uses in the unincorporated county.
 - b. Is not serviced by an improved roadway (i.e., paved) that is required for the RU2 higher density zoning designation.
2. The property is not served by suitable public roads as the portion of 800 East that provides access to the subject property does not meet the minimum standards of the Road Manual as it is too narrow and is gravel, not paved.

	In Favor	Against	Abstained	Absent
Erickson				
Merrill				
Tidwell				
Ward				
White				
Worthen				
Zilles				
Total				

CACHE COUNTY COUNCIL

ATTEST:

Gregory Merrill, Chair
Cache County Council

Jill Zollinger
Cache County Clerk

STAFF REPORT: CURTIS REZONE

06 July 2017

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: S. Rand and Leslie Curtis

Parcel ID#: 16-047-0046

Staff Recommendation: Denial

Type of Action: Legislative

Land Use Authority: Cache County Council

LOCATION

Reviewed by Angie Zetterquist

Project Address:
10684 South 800 East
Avon

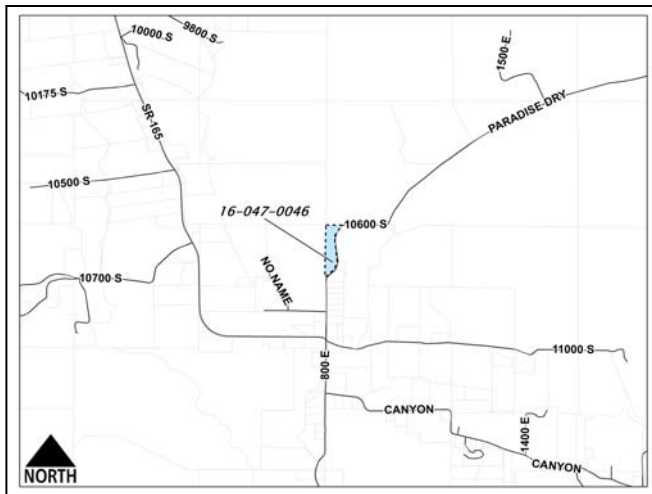
Acres: 5.42

Surrounding Uses:

North – Agricultural
South – Agricultural/Residential
East – Agricultural
West – Residential

Current Zoning:
Agricultural (A10)

Proposed Zoning:
Rural 2 (RU2)



FINDINGS OF FACT (21)

A. Request description

1. A request to rezone the 5.42 acre parcel 16-047-0046 currently zoned Agricultural (A10) to the Rural 2 (RU-2) Zone.
2. This rezone may allow the parcel to be legally divided into two separate lots as part of a subdivision process.
3. Staff has identified general information as pertains to the subject property to assist the Planning Commission and County Council in arriving at a decision. This information is reflected in the attached maps (Exhibits A & B) and in the following text:

a. Land Use Context:

- i. Parcel status: Parcel 16-047-0046 (5.42 acres) was divided from 16-047-0001 (53.23 acres) in July 2001 with a Conditional Use Permit. The division was approved based on 800 East, a County road, being a natural barrier dividing a 60-acre pre-1970 parcel. Parcel 16-047-0001 has subsequently been further divided without approval, but the subject parcel, 16-047-0046, remains in the same configuration as the date of approval.
- ii. Density: Within a mile of the proposed rezone, the average size of unincorporated county parcels with a dwelling is 8.3 acres; the average size of parcels without a dwelling is 25 acres. (Exhibit A) The proposed RU2 zone allows a maximum density of 1 lot for every 2 acres, whereas the current A10 zone allows a maximum density of 1 lot for every 10 acres. The subject parcel with one dwelling is 5.42 acres and a rezone would allow two buildable lots instead of one on this property.
- iii. Schedule of Zoning Uses: Under the current County Land Use Ordinance, the RU2 Zone is more restrictive in the uses allowed when compared to the Agricultural (A10) Zone. There are no uses that are allowed as a permitted or conditional use within the RU2 Zone that are not allowed as a permitted or conditional use within the A10 Zone. The following uses are conditional uses in the A10 Zone but are not allowed in the RU2 Zone:
 - Agricultural Manufacturing
 - Recreational Facility
 - Cemetery
 - Private Airport
 - Concentrated Animal Feed Operation
 - Livestock Auction Facility
 - Topsoil Extraction
- iv. Adjacent uses: The properties directly adjacent to the subject property are currently used for agriculture and single family dwellings.
- v. Zone Placement: As identified by the Planning Commission and the County Council at the time the RU2 Zone was adopted, the intended/anticipated placement of this zone was in areas of the unincorporated county adjacent to municipalities. The proposed rezone is approximately 1.3 miles as the crow flies from the south boundary of Paradise Town and approximately 2.3 miles via the most direct road route. In the one-mile buffer area, the surrounding properties are zoned either A10 (Agricultural) or FR40 (Forest Recreation). The nearest RU2 zone is adjacent to the southwest boundary of Paradise Town, approximately 1.75 miles from the subject parcel; a rezone application approved by County Council in April 2017 (i.e., “Reed and Joan Baldwin Rezone”). *See conclusion #1*

B. Ordinance—§12.02.010, §17.02.060; §17.08.030 [E]

4. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this application.
5. The current County Land Use Ordinance does not specify appropriate locations for the Rural 2 (RU2) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030 [A] [1] identifies the purpose of the RU2 Zone and includes the following:

- a. “To allow for residential development in a moderately dense pattern that can allow for rural subdivisions, and to allow for clustering plans larger than a single parcel. This type of development should be located and designed to not unreasonably impede adjacent agricultural uses, nor to unreasonably conflict with the development standards of adjacent municipalities.
 - b. To implement the policies of the Cache Countywide Comprehensive Plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipal standards.
 - c. This zone must be appropriately served by suitable public roads, have access to the necessary water and utilities, and have adequate provision of public services.” *See conclusion #1*
- 6. Consideration of impacts related to uses allowed within the RU2 Zone will be addressed as part of each respective approval process required prior to site development activities.
 - 7. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

C. Access—16.04.040 [A], 16.04.080 [E], Road Manual

- 8. The Road Manual specifies the following:
 - a. Local Road: Roads with approximately 40 to 1500 Average Daily Traffic (ADT). This includes roadways that have the capacity for moderate to low speeds and moderate volumes. This category provides a balance between through traffic movements and direct access. These facilities move both regional and local rural traffic with emphasis on local movements.
 - b. Local Roads must meet the minimum standard of two, 10-foot wide paved travel lanes with 2-foot wide shoulders: 1-foot paved, 1-foot gravel (24 feet total width), 14-inches depth of granular borrow, a 6-inches depth of road base, 2.5-inches of bituminous surface course (asphalt), and a 66-foot wide right-of-way (ROW).
 - c. Rural Road: Roads with up to 30 ADT. This includes roadways that have the capacity for moderate to low speeds and low volumes. This category provides access to farms, other agricultural uses, and dispersed rural residences. Gravel or chip & seal road surfacing is typically acceptable and must meet the minimum standard of two, 10-foot wide gravel travel lanes with 2-foot wide gravel shoulders (24-foot total width), 14-inches depth of granular borrow, and a 6-inches depth of road base. *See conclusion #2*
- 9. A basic analysis of county road 800 East (Local Road, Rural Road) is as follows:
 - a. 800 East for approximately ¼ mile north from 11000 South is a paved road and provides access to ~nine dwellings.
 - b. After the paved road ends, 800 East turns into a gravel road that extends north for another ¼ mile and ends at 10600 South; this stretch of the road provides access to the subject property and another residence. 10600 South extends another 0.2 miles before it ends at Paradise Dry Road; both these roads provide access to agricultural and forest recreation areas and a recreation business. There are no residential properties north of the subject property.
 - c. At the location of the rezone request, 800 East consists of a ~18-foot gravel width with no shoulders.
 - d. The depth and type of material under 800 East is unknown. However, this is an existing county facility that provides access to the general public.

e. At this location, winter maintenance is provided up to the private drive of the subject property with a large truck and then by a grader north to the end of 10600 South. *See conclusion #2*

10. The gravel road portion of 800 East that provides access to the subject property is currently not adequate (Exhibit B). It is currently only 18 feet wide with no shoulders and the Road Manual requires a local or rural road to have a 24-foot minimum width (i.e., 20 feet of road and 2 foot shoulders). Creating adequate access may be feasible, but would require substantial improvements to the road surface and width. Existing features such as a drop-off on the east side of the road and a slope rising on the west side at this location further complicate road improvements here. *See conclusion #2.*
11. As the improvement of this county road is not a County priority, any necessary improvements are the responsibility of the developer with approval of an Encroachment Permit to ensure the work in the county right-of-way meets the minimum Road Manual standards. *See conclusion #2*
12. In addition to the minimum requirements of the Road Manual, the County Code Land Use Ordinance states that a primary component of the higher density RU2 zone is to implement policy that RU2 zones are serviced by improved roadways given the higher density allowed. Improved roadways equate to paved roadways which meet the minimum road requirements for width, shoulders, and depth and type of materials. The portion of 800 East that provides access to the subject parcel is an 18-foot wide gravel road, which is substandard and does not meet the Code requirement for improved roads that are intended to serve the RU2 zone. A rezone to a higher density should not be considered on a gravel road. *See conclusion #1*

D. Service Provisions:

13. The County Fire District requires a minimum 20-foot wide all weather surface for emergency access. The fire department access road meets fire code, but access to the property will be reevaluated and may require improvements based on the location of any proposed structure on the lot.
14. Water supply for fire suppression would be provided by the Paradise Fire Department.
15. The Logan City Environmental Department has been providing collection service on this private road as a convenience to the customer. However, due to the ongoing failure of the property owner to provide an adequate turn-around access and concerns about access during poor weather conditions, Logan City Environmental Department will discontinue on-site pick-up. The property owner will be required to place their containers by the mailboxes near 10760 South 800 East for Wednesday collection.
16. A bus stop is located at 11000 South 800 East.

E. Public Notice and Comment—§17.02.040 Notice of Meetings

17. Public notice was posted online to the Utah Public Notice Website on 22 June 2017.
18. Notice was published in the Herald Journal on 25 June 2017.
19. Notices were posted in three public places on 22 June 2017.
20. Notices were mailed to all property owners within 300 feet of the subject property on 22 June 2017.
21. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONCLUSIONS (2)

Based on the findings of fact noted herein, the Curtis Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the subject property is not compatible with the purpose of the Rural (RU2) Zone as identified under §17.08.030[A] of the Cache County Code as it:
 - a. Exceeds the existing density of the surrounding land uses in the unincorporated county. *See A-3-a*
 - b. Is not serviced by an improved roadway (i.e., paved) that is required for the RU2 higher density zoning designation. *See C-12*
2. The property is not served by suitable public roads as the portion of 800 East that provides access to the subject property does not meet the minimum standards of the Road Manual as it is too narrow and is gravel, not paved. *See C-5, C-9, C-10, C-11, C-12*



STAFF REPORT: WELLSVILLE CITY SEWER IMPROVEMENT CUP

7 September 2017

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: Scott Wells

Parcel ID#: 11-063-0006, 11-064-0011, 11-084-0006

Staff Determination: Approval with conditions

Type of Action: Administrative

Land Use Authority: County Council

PROJECT LOCATION

Reviewed by Angie Zetterquist

Project Address:

~4150 South 3800 West

North of Wellsville City

Current Zoning:

Acres: 114.52

Agricultural (A10) with Public Infrastructure (PI) Overlay

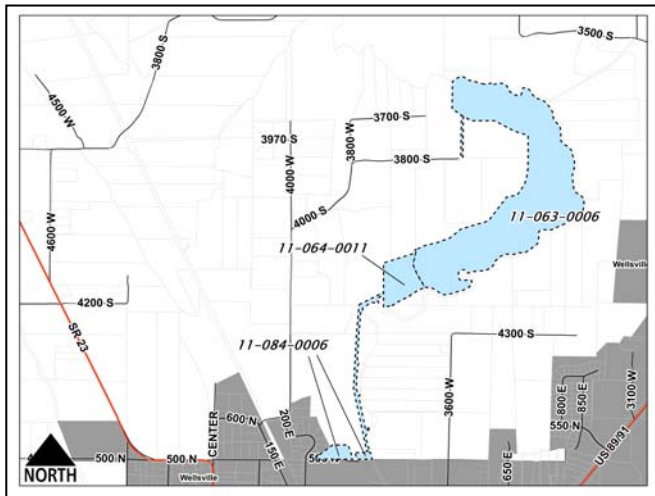
Surrounding Uses:

North – Agricultural/Residential

South – Agricultural/Residential/Wellsville City

East – Agricultural/Residential/Wellsville City

West – Agricultural/Residential



FINDINGS OF FACT (27)

A. Request description

This request was continued from the 6 July 2017 Planning Commission meeting.

1. The Wellsville City Sewer Improvement Conditional Use Permit (CUP) is a request to expand the existing sewage transmission and treatment operation by adding a wastewater influent screening building that will contain a moving belt screen and compactor. The screening process is intended to improve the aesthetics of the primary pond area, as well as reduce the organic loading into the existing sewer ponds.
2. In May 2017, the County Council approved a request to add a Public Infrastructure (PI) Overlay to the existing Agricultural (A10) Zone (Ordinance No. 2017-08).

3. The applicant is now proposing to expand the existing operation of the solid waste facility by adding a building that will house additional screening of wastewater. The letter of intent for the Wellsville City Sewer Improvement CUP reflects the proposed improvements (Exhibit A):
 - a. New Construction
 - i. The expanding screening operation will operate out of a new 864-square-foot building measuring 24 feet by 36 feet and approximately 25 feet high located on a 12.08 acre property (parcel 11-064-0011).
 - ii. The new building is located approximately 80-feet away from an existing structure onsite. The new structure will be designed to resemble a hay barn and has concrete walls with a gray stucco finish, a metal roof in brick red, white aluminum siding on the gable ends and soffit, and false decorative hay loft doors in red brick.
 - b. Operation
 - i. The new structure will house a mechanically operated moving belt screen and compactor.
 - ii. The screen and compactor will filter wastewater to a 3-millimeter particle size and remove plastic, rags, and organic material. The compacted screen material will be disposed of in the landfill. The screening process is intended to improve the aesthetics of the primary pond area, as well as reduce the organic loading into the existing sewer ponds.
 - iii. The applicant states that there are currently two employees that work at the wastewater facility. The screening operation will operate 24 hours a day, seven days a week, but is fully automated and requires approximately three-hours of on-site manual labor a week for maintenance.
4. Any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *See condition #1*

B. Conditional Uses *See conclusion #1*

5. §17.06.050-B, Conditional Uses, directs the Land Use Authority to review conditional use permit (CUP) requests based on the standards and criteria that are defined therein and include:
 - a. Compliance with law;
 - b. Health, safety, and welfare;
 - c. Adequate service provision;
 - d. Impacts and mitigation.

C. Compliance with law *See conclusion #1*

6. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must comply with the regulations and conditions specified in the County Code and other applicable agency standards for such use.
 - b. The proposed conditional use must be consistent with the intent, function, and policies of the Cache County General Plan, Ordinance(s), and land use, and/or compatible with existing uses in the immediate vicinity.
7. §17.02.060, Establishment of Land Use Authority, authorizes the County Council to act as a Land Use Authority for a CUP involving sewage treatment works. *See conclusion #2*
8. The subject parcels have been determined to be a legal per the “Policy for Determination of Parcel Legality” dated 29 August 2013 as follows:
 - a. 11-063-0006 – Legal; a CUP was recorded on the current configuration of parcel 11-063-0006 in 1996 with the exception of a minor boundary adjustment of 0.014 acres that occurred in 2001.

- b. 11-064-0011 – Legal; a 1970 parcel. The southern boundary has adjusted slightly as the Little Bear River has changed course.
- c. 11-084-0006 – Legal; this parcel is a result of multiple boundary line adjustments that are not part of a subdivision, and did not result in the creation of an additional lot from the original 1970 parcel.
- 9. §17.07.030, Use Related Definitions defines this use as “5900 Solid Waste Facility: A facility engaged in solid waste management, including: ...4. Sewage Treatment Works: A facility designed for the collection, removal, treatment, and disposal of waterborne sewage generated within a given service area. Includes sewage lagoons and sewage treatment plants. Excludes septic systems.”
- 10. §17.09.030, Schedule of Uses by Zoning District, permits this use as a CUP in the Public Infrastructure (PI) Overlay Zone only if reviewed and approved in accordance with the conditional use review procedures of §17.06 Uses as noted.

D. Health, safety, and welfare *See conclusion #1*

- 11. The County Land Use Ordinance stipulates that:
 - a. Proposed CUP uses must not be detrimental to the public health, safety and welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity. A conditional use shall be considered detrimental if:
 - i. It causes unreasonable risks to the safety of persons or property because of vehicular traffic or parking, or other similar risks, and/or;
 - ii. It unreasonably interferes with the lawful use of surrounding property.
- 12. All activities as identified within the Wellsville City Sewer Improvement CUP Letter of Intent are proposed to only occur on parcels 11-064-0011, 11-084-0006, and 11-063-0006 and will not cause unreasonable risks to the safety of persons or property and it does not unreasonably interfere with the lawful use of surrounding properties.
 - a. The expanded operation to screen influent wastewater is specifically intended to improve conditions on the subject parcel and surrounding properties by wastewater to a 3-millimeter particle size and remove plastic, rags, and organic material. The compacted screen material will be disposed of in the landfill. The screening process will reduce the organic loading into the existing sewer ponds.

E. Adequate service provision *See conclusion #1*

- 13. The County Land Use Ordinance stipulates that:
 - a. The proposed conditional use must not result in a situation that creates a need for essential services that cannot be reasonably met by local service providers, including but not limited to: Roads and year round access for emergency vehicles and residents, fire protection, law enforcement protection, schools and school busing, potable water, septic/sewer, storm water drainage, and garbage removal.
- 14. Access: The property gains access from county roads 4000 West, 4000 South, and 3800 South.
 - a. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
- 15. The Road Manual specifies the following:
 - a. §2.4-A-1-c-iii – Unmanned utility facilities are exempt from meeting roadway standards. *See conclusion #3*
- 16. A basic review of the access to the existing lots identifies the following:
 - a. The existing lots gain access from county roads 4000 West, 4000 South, and 3800 South.
 - b. 4000 West and 4000 South:

- i. Are existing county facilities that provide access to the general public.
 - ii. Currently provide access to multiple dwellings, vacant lots, and agricultural parcels.
 - iii. Consist of an average 24' wide gravel roadway.
 - iv. Have an unknown depth and type of material.
 - v. Have a dedicated county right-of-way that varies in width.
 - vi. Are maintained year round by the county.
 - c. 3800 South:
 - i. Is a private access drive.
 - ii. Currently provides access to the sewage lagoon and multiple agricultural parcels.
 - iii. Consists of an average 17' wide gravel road.
 - iv. Has an unknown depth of material. *See conclusion #3.*
 - d. The identified access roads will not be impacted by in an increase in Average Daily Traffic due to this proposal. *See conclusion #3.*
17. Parking:
- a. §17.22 Off Street Parking Standards – All uses included under Use Index 5000, Public, Institutional, and Utility Uses, require a Parking Analysis be conducted to determine the required number of parking spaces needed to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. The Parking Analysis must conform to §17.07.040 General Definitions and §17.22 Off Street Parking Standards. *See condition #2*
18. Refuse:
- a. The applicant has stated that the on-site refuse will be transported to the Wellsville City maintenance yard for weekly pickup. Logan Environmental will not need to access the site for pick-ups.
19. Fire: §16.04.080 [C] Fire Control – The County Fire District identified that the existing access is acceptable, but that future development on the property must be reevaluated and may require improvements based on the location of any proposed development. Water supply for fire suppression would be provided by the Wellsville City Fire Department

F. Impacts and mitigation *See conclusion #1*

- 20. Utah Code Annotated §17-27a-506, Conditional uses, item 2-a specifies that “A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.”
- 21. The County Land Use Ordinance stipulates that:
 - a. Reasonably anticipated detrimental effects of the proposed conditional use must be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards.
 - b. Examples of potential negative impacts include but are not limited to odor, vibration, light, dust, smoke, noise, impacts on sensitive areas as defined by the Code, and/or disruption of agricultural practices.
- 22. Known or reasonably anticipated detrimental effects of the use are as follows:
 - a. Odor/Water Quality: With the operation of a sewage facility, odor and impacts to water quality are reasonably anticipated detrimental effects. Wellsville City currently operates a sewage facility at this location under a Utah Pollutant Discharge Elimination System (UPDES) permit for minor municipalities (permit #UT0020371) from the Utah Department of Environmental Quality, Division of Water Quality (“State”) (exhibit available online:

<https://www.cachecounty.org/pz/current/cup.html>). With the expanded operation and the addition of the new screening building, the influent wastewater will be screened to a 3mm particle size and plastic, rags, and other organic material will be removed. The screening and removal process will reduce the build-up of solids in the ponds/cells on-site, extending the life of the cells, and consequently reducing odors emanating from the ponds.

The State is aware of the proposed improvements to the site and confirmed that a new permit through the Department of Environmental Quality is not required at this time as the proposed expansion under this CUP should not increase capacity above what it allowed under the existing UPDES permit. The permit expires in February 2019 and all improvements to the site considered under this CUP will be reviewed again in 2019 during the State's renewal process. Per the engineer designing the building, the new structure and screening system is considered an infrastructure upgrade and does require review and approval from the State, but no changes to the actual permit. *See condition #3*

- b. Disposal of Compacted Material: As previously mentioned, the screening process proposed under this CUP will filter out plastics, rags, and other organic material that are moved to a compactor and ultimately disposed of at the landfill. As explained to staff, the compacting process includes the material washed with water and then all excess water being removed and the material steadily compacted until it can pass the paint filters liquids test ("paint test"). This test is used to determine the presence of free liquids in a representative sample of waste; the presence of free liquids is indicative of hazardous waste (i.e., waste that is not allowed in landfills). According to the State, the compacted material produced as part of the new screening process will have to pass the paint test in order for the material to be accepted by a landfill. To pass the test, a pre-determined amount of waste is placed in a paint filter. After 5 minutes, if any portion of the sample passes through and drops from the filter the material is considered liquid waste and has failed the test and the waste cannot be disposed at a landfill. The applicant shall ensure all compacted material meets the requirements to properly dispose of at the landfill, per the State and Logan Environmental Services requirements. *See condition #4*
- c. Noise: The proposed expansion will include a mechanically operated moving belt screen and compactor that will operate 24 hours a day, seven days a week. There is potential for the noise from the screening machine to impact the surrounding properties. The walls of the building containing the screening equipment will be 8-inch thick concrete and the subject parcel is surrounded by the sewer ponds and agricultural properties. Also, per the applicant, the nearest residence is located approximately 1,450 feet to the west. Given the construction of the building and the isolated nature of the subject parcels, noise from the proposed expansion should not be an issue for surrounding properties. *See condition #5*
- d. Sensitive Areas: The parcels proposed as part of the CUP contain the following sensitive areas:
 - i. FEMA FIRM Floodplain has been identified on portions of the parcels proposed for the CUP. Any development in this sensitive area must meet current Code requirements.
 - ii. NWI identified Wetlands appear to be present on portions of the parcels proposed for CUP. Any development within this area must meet current Code requirements.
 - iii. An area of Moderate to High Liquefaction Potential is present on the majority of the parcels proposed for the CUP. Any development within this area must meet current Code requirements.

- iv. Moderate and Steep Slopes appear to be on portions of the parcels proposed for the CUP. Any development within this area must meet current Code requirements.
- v. A portion of the parcels are within 300' of an Agriculture Protection area.

G. Public Notice and Comment—§17.02.040 Notice of Meetings

- 23. Public notice was posted online to the Utah Public Notice Website on 22 June 2017, 19 July 2017, and 24 August 2017.
- 24. Notice was published in the Herald Journal on 25 June 2017, 23 July 2017, and 27 August 2017.
- 25. Notices were posted in three public places on 22 June 2017, 19 July 2017, and 24 August 2017.
- 26. Notices were mailed to all property owners within 300 feet and cities within 1-mile of the subject property on 22 June 2017 and 24 August 2017.
- 27. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (5)

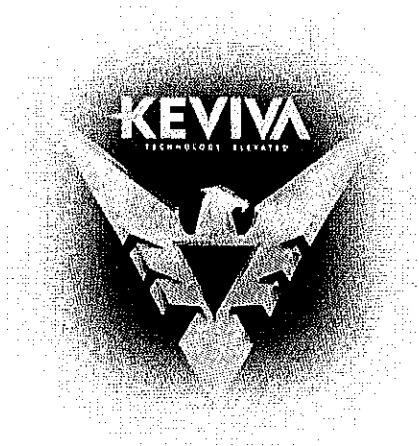
These conditions are based on the Cache County Land Use Ordinance and on the findings of fact as noted herein:

- 1. The applicant shall operate the solid waste facility in accordance with the Letter Intent provided and any expansion or modification of the proposed use must obtain the approval of the Land Use Authority. *See A-4*
- 2. Prior to recordation, a Parking Analysis as defined by the Cache County Land Use Ordinance must be submitted to the Development Services Office for the review and approval of the Director to determine the sufficient number of parking spaces needed for the sewage treatment facility. *See F-16, F-23-a*
- 3. The applicant must provide any permits or compliance documentation from the State of Utah in regards to operating a sewage facility. *See F-21-a*
- 4. The applicant shall meet all requirements of the State of Utah and Logan Environmental for the proper disposal of the compacted waste. *See F-21-b*
- 5. The applicant shall provide evidence of the adequacy of the sound damping capabilities of the proposed structure as relates to the operation of the screening facility, or must provide another solution to adequately damp the associated noise. *See F-21-c*

CONCLUSIONS (3)

Based on the findings of fact and conditions noted herein, the Planning Commission recommends that the Council Council approve the Wellsville City Sewer Improvement CUP as follows:

- 1. It has been reviewed by the Planning Commission in conformance with, and meets the requirements of, the Cache County Land Use Ordinance, and; *See B,C, D, E, F*
- 2. As per §17.02.060, Establishment of Land Use Authority, the County Council is authorized to act as the Land Use Authority for this CUP request. *See C-7*
- 3. As per §2.4-A-1-c-iii, unmanned utility facilities are exempt from meeting roadway standards. *See E-14, E-15-c, E-15-d*



17 May, 2017

To: Scott Wells, Wellsville City Manager

From: Kraig Johnson, PhD, PE, Design Engineer

Re: Wastewater Influent Screening Building

Dear Scott, listed below are the details for the Wastewater Influent Screening Building to fulfill the Letter of Intent Conditional Use Permit:

Explanation of request in detail.

- a) The proposed wastewater influent screening building will screen the influent wastewater to 3 mm particle size, removing plastic, rags and organic material. This will improve the aesthetics of the primary pond area, as well as reduce the organic loading into the pond. Reduced organic loading will reduce odors and solids buildup in the primary pond. The proposed building will be 24' x 36' at the foundation (864 sq ft.)
- b) There are two employees currently at Wellsville that work at the wastewater facility. Operation of the proposed screen building will require roughly 3 man-hours per week. There are no residents at the site.
- c) The screen building will operate 24 hours per day, seven days a week on automatic control. The systems will be monitored and alarms will be conveyed through the existing SCADA system to the operators.
- d) There is adequate parking for one city vehicle. Additionally, a service dumpster truck will access the site once per week to empty the accumulated screened and compacted material from the receptacle.
- e) The entire area is fenced off with a chain link fence and signage that reads "SEWAGE LAGOON – KEEP OUT" or "SEWAGE FACILITY – KEEP OUT" or equivalent.



KEVIVA WATER TECHNOLOGIES, LLC

ADDRESS: 3333 W 1500 N LEHI, UT 84043 USA PHONE: 801-808-7110 EMAIL: KRAIGJ@GMAIL.COM



- f) The screen building will house a mechanically operated moving belt screen and compactor. Access to the equipment and dumpster is through a 12' x 12' roll-up door. There is no equipment external to the building except the dumpster service truck.
- g) The compacted screened material will be disposed of in the landfill.

Site plan – See attached for items a) through g)

- h) The proposed screen building is part of the existing footprint of the wastewater lagoons and access roads. There are no numbered streets in the area; it is located at approximately 4200 S. 3700 W. on the County Grid. The nearest residence is 1450 feet to the west. The proposed screen building is architecturally designed to look like a hay barn, thus blending in with the rural atmosphere.

New Construction Building Elevations

- a) The floor elevation for the building is 4466.5 feet above mean sea level (FAMSL). The peak of the building is roughly 25' high. The site is essentially level, and is located in the area below a bluff line and the Little Bear River.
- b) The walls of the building will be 8" reinforced concrete, with the exterior of the concrete finished in a natural gray stucco pattern. The roof will be brick red metal, and the gable ends and soffit will be white aluminum siding, with false decorative hay loft doors in matching brick red.
- c) The dimensions of the building are 24' x 36' at the foundation. The wall height is 14.5', and the height at the peak is 25'. (see attached drawings)
- d) No additional notes are included at this time.



KEVIVA WATER TECHNOLOGIES, LLC

ADDRESS: 3333 W 1500 N LEHI, UT 84043 USA PHONE: 801-808-7110 EMAIL: KRAIGJ@GMAIL.COM



Additionally, this letter is to confirm that Keviva Water Technologies intends to provide to Wellsville City the following:

- Engineering design and construction drawings for the 24'x36' building (currently in process)
- Proprietary moving belt mechanical screen and compactor
- Accessory stainless steel gates, manual screen and control panel
- Engineering oversight and quality control during the construction of the building
- Complete system checkout, operations manual, and handover to city operators

We anticipate that construction will begin in July, 2017, pending DEQ approval and all other necessary permits.

Please let me know if I can further clarify anything regarding this project.

Sincerely,

A handwritten signature in black ink, which appears to read "Kraig Johnson". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

Kraig Johnson, PhD, PE

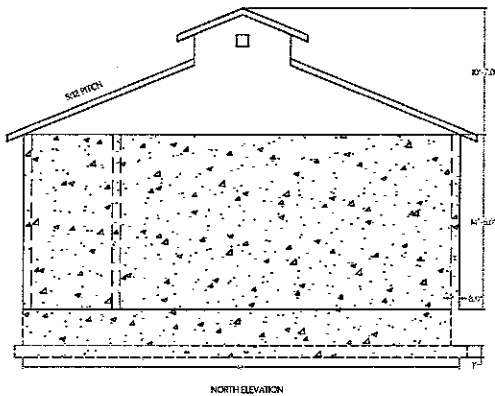
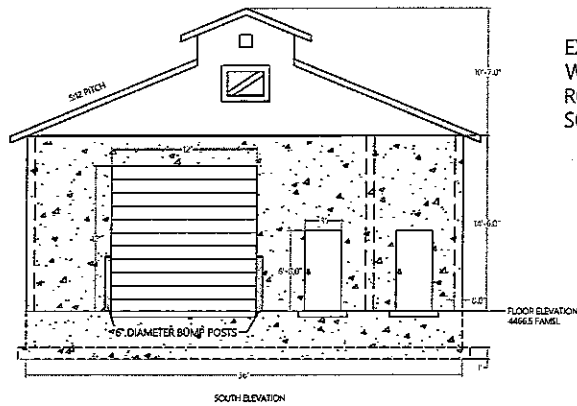
Email: kraigj@gmail.com

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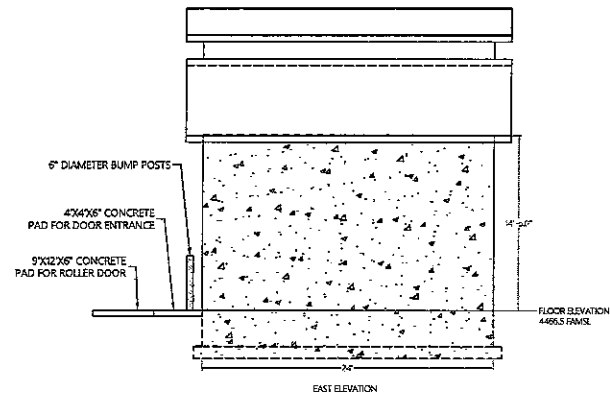
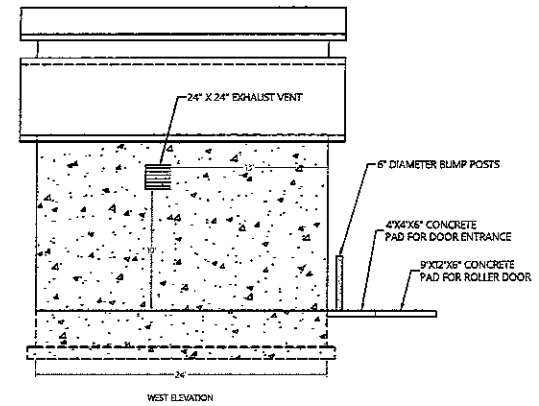


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EXTERIOR BUILDING MATERIAL
WALL: FINISHED CONCRETE (GRAY)
ROOF: METAL
SOFFIT: ALUMINUM SIDING



PROJECT: BELT SCREEN BUILDING, WELLSVILLE, UT

TITLE: ARCHITECTURAL BUILDING ELEVATIONS

CLIENT: CITY OF WELLSVILLE

DRAWING: HUA XU

DATE: 05/17/2017

APPROVED: KRAIG JOHNSON

SHEET: A1



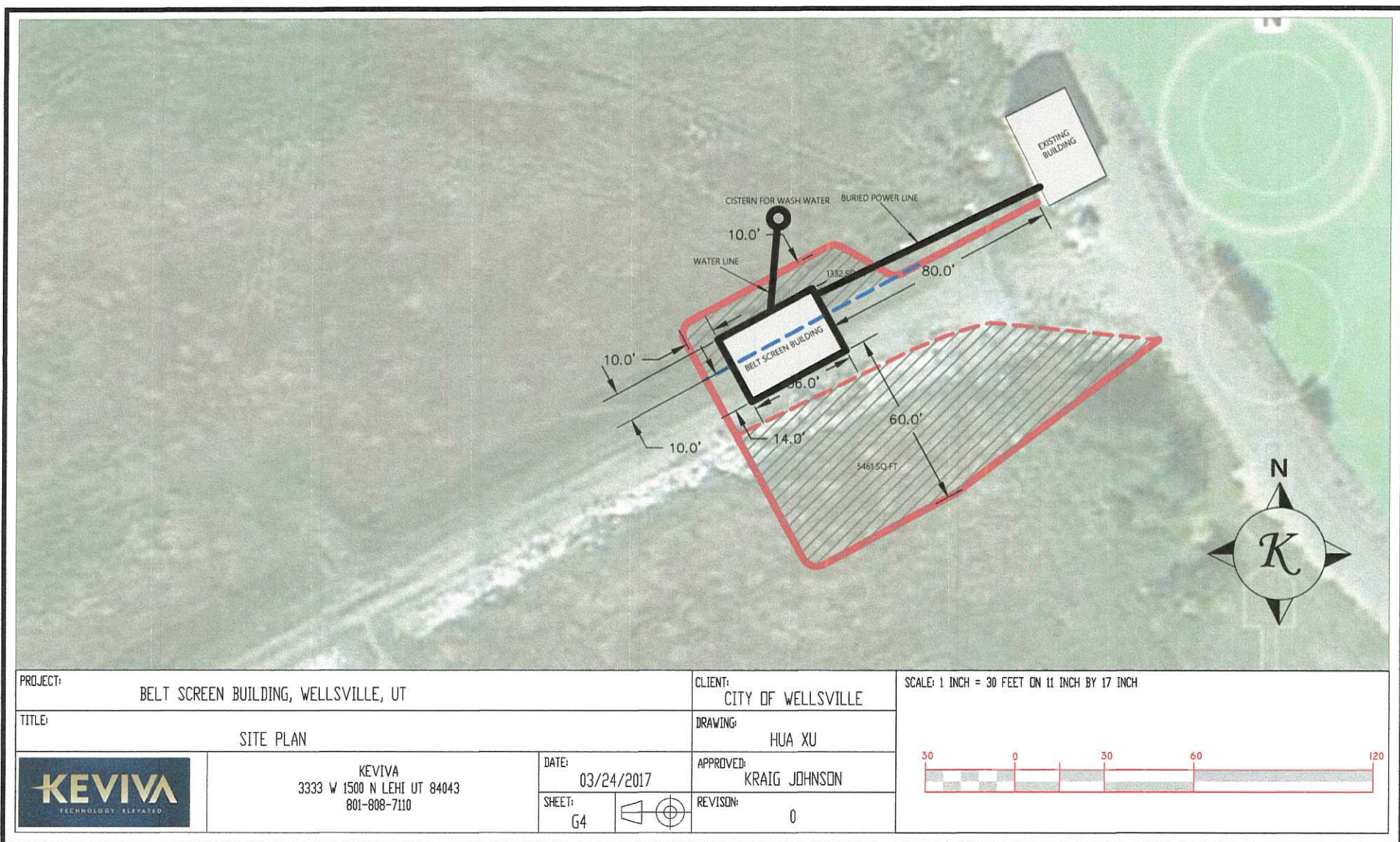
REVISION: 0

SCALE: 1 INCH = 10 FEET ON 11 INCH BY 17 INCH



KEVIVA
TECHNOLOGY ELEVATED

KEVIVA
3333 W 1500 N LEHI UT 84043
801-808-7110




LEGEND

- SECTIONAL CORNER
- STREET MOVEMENT
- REPRESENTATIVE PROPERTY LINE
- SURVEY CONTROL POINT
- EXISTING STORM DRAIN
- EXISTING SEWER MANHOLE
- EXISTING BUILDING
- MARSH AREA
- TREATMENT POND
- GRAVEL
- EXISTING CHAINLINK FENCE
- EXISTING CONTOURS
- SEWER LINES
- DIRT BANK
- PROPOSED BUILDING

PARCEL 4

TREATMENT

PROJECT: BELT SCREEN BUILDING, WELLSVILLE, UT		CLIENT: CITY OF WELLSVILLE		PERMIT-SEAL	 SCALE: 1 in. = 20 FT.
TITLE: SMALL AREA TOPOGRAPHY (PART II)		DRAWING: HUA XU			
KEVIVA 3333 W 1500 N LEHI UT 84043 801-808-7110		DATE: 05/10/2017 SHEET: G5 B			
		APPROVED: KRAIG JOHNSON REVISION: 0			

1 **#6 Wellsville City Sewer Improvement Conditional Use Permit**

2
3 **Zetterquist** reviewed the staff report.

4
5 **Staff** and **Commission** discussed the project.

6
7 **Kraig Johnson** commented on the UPDES permit.

8
9 **White** asked how much would be produced a day.

10
11 **Mr. Johnson** responded that waste from facilities of this size that he has worked with in the past would
12 fill a residential trash can about half full for a week.

13 **Watterson** asked about how the waste will reach the landfill.

14
15 **Mr. Johnson** responded that the operator would transport the dumpster to the street that has pickup and
16 then return the dumpster to the facility.

17
18 ***Olsen** motioned to recommend approval of the Wellsville City CUP to the County Council with the stated*
19 *findings of fact, conditions, and conclusions; **Sands** seconded; **Passed 4, 0.***
20



MEMORANDUM

Date: 26 September 2017
From: Cache County Development Services
To: County Council
Subject: Extension of effective period of approval for the Little Bear Field Subdivision

A request has been made to extend the effective period of approval of the Little Bear Field Subdivision for one (1) year (Exhibit A).

Current expiration: October 25, 2017

Requested extension expiration: October 25, 2018

The Cache County Land Use Ordinance §17.02.070 Effective Period for Land Use Authority Approval, section B specifies that,

“At the discretion of the Land Use Authority, the effective period of approval may be extended for up to two (2) years beyond the one year period of the original approval. Within that extension no operation is allowed until the permit has been recorded and all conditions of the permit have been met. To request an extension, an applicant must submit nonfinancial justification to the Land Use Authority prior to the expiration of the original one year period of approval.”

Mr. Kyler Archibald’s justification for a request for extension (Exhibit A) identifies that the delay in recording the approved subdivision plat within a year of approval was due to:

1. High construction volume;
2. Unexpected revisions to roadway design documents, and;
3. The engineer that provided the initial roadway design documents is not immediately available to revise the roadway design documents before the October 25, 2017 deadline.

The Development Services staff has completed a review of the justifications for the extension of the effective period of approval and has identified the following:

1. Mr. Archibald has failed to show how the level of construction volume would prevent him from inquiring sooner than nine months after Council approval, regarding an improvement agreement.
 - a. At the time of approval, direction regarding the recording the subdivision plat was included in a letter from this office notifying Mr. Archibald of Council’s action to approve his subdivision (Exhibit B).
 - b. In July of 2017, nine months following the approval of the subdivision, Mr. Archibald first contacted the Development Services Office to ask when the improvements to the roadway must occur, and also asked what would be required to enter into an improvement agreement for those improvements.
2. Revisions to roadway design documents are an expected and common practice in every circumstance of which staff is aware.

3. The first set of roadway design documents was submitted to the Development Services Office on August 17, 2017. Staff and the County Engineer reviewed said plans and sent a memo detailing the needed corrections to the engineer and Mr. Archibald on August 31, 2016. An amended set of plans have not been submitted.

Staff concludes that the justifications including a lack of available professional assistance and unexpected revisions are insufficient, and that Mr. Archibald's failure to act in an expeditious manner is the primary reason compelling this extension request. However, it may be acceptable to extend the approval period by not more than three months. This would allow Mr. Archibald adequate time to complete the design review process, enter into an improvement agreement, and record the subdivision plat.

Staff therefore recommends the approval of a new expiration date no later than January 25, 2018, reflecting no more than a three month extension of the effective period of approval, as:

1. This extension should allow Mr. Archibald adequate time to complete the design review process for the roadway improvements, enter into an improvement agreement with the county, and record the subdivision plat.

Failure to record the plat by January 25, 2018 will void the Land Use Authority approval of the Little Bear Field Subdivision.

Chris Harrild
Senior Planner

Cc: Little Bear Field Subdivision file

To. County council

Little bear field subdivision is asking for a 1 Year extension . Due to the high volume of construction through the summer it has set us back on time. That being said we have completed 4 out of 5 of The finding of facts that are listed on the staff report. we are currently working on the roadway design We have submitted engineered drawing of the roadway to cache county for review. We have recently received the drawings back from review. There needs to be some changes made on the engineering of the roadway. Witch was unsuspected. This will be time consuming due to the availability of my engineers schedule. Once these changes have been made we will need to submit them to the county council for further review. We will not be able to have the engineering of the roadway presented to the county council before OCTOBER 25th witch is the application deadline. That's the reason for seeking a 1 year extension. Thank YOU

LITTLE BEAR FIELD SUBDIVISION

KYLER ARCHIBALD

435-757-5884



26 October 2016

Kyler Archibald
PO Box 150
Wellsville, UT 84339
archibald125@yahoo.com

On October 25, 2016, the Cache County Council approved your request for a one-lot subdivision with an agricultural remainder parcel to be called the Little Bear Field Subdivision based on the findings of fact, conditions, and conclusions identified in the staff report.

You must complete the following prior to recording your plat:

1. A deed restriction stating that "the remainder is non-buildable except for agricultural structures" must be recorded against the parcel identified as an Agricultural Remainder.
2. Reaffirm the 33-foot portion of Cache County's 66-foot wide right-of-way for all county roads along the proposed subdivision boundary.
3. Improve your portion of 3600 West to meet the minimum county requirements for a Rural Road, including a turn-around for county maintenance and emergency medical services. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review must be borne by the proponent.
4. Provide a copy of a geotechnical report addressing liquefaction and conforming to County Land Use Ordinance §17.18.060 to the Development Services Office.
5. Include a note on the subdivision plat, as specified in the County Code, referencing the Agriculture Protection Area. At the time the final plat is recorded, record a certificate against the property stating the same.

Once the final plat is approved by the Development Services Office, submit a mylar copy of your approved plat. Obtain the signatures of the Bear River Health Department and all owners listed on the plat prior to submittal to the Development Services Department. Once submitted, this office will collect the remaining signatures and then contact you when it is complete. You may then pick up your plat and have it recorded in the Cache County Recorder's Office. There is a fee in the County Recorder's Office for that service.

In circumstances where improvements as identified in the conditions of approval cannot be met prior to recordation of the final plat, the applicant may make a request for an improvement agreement with financial surety to be put in place to allow the recordation of the final plat. Please contact the Development Services Office if you desire to pursue this option.

No permits shall be issued until all required subdivision improvements as identified in the conditions are completed. This approval shall expire and be null and void one (1) year after the approval date unless the plat is recorded.

Expiration Date: 25 October 2017

If you have any questions, please feel free to contact this office at (435) 755-1640.

Sincerely,



Chris Harrild
Senior Planner

Enclosures (1): Staff report

Cc: Little Bear Field Subdivision file



STAFF REPORT: LITTLE BEAR FIELD SUBDIVISION

Date: 6 October 2016

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: Kyler Archibald

Parcel ID#: 11-084-0009

Staff Determination: Approval with Conditions

11-084-0024

Type of Action: Administrative

Land Use Authority: County Council

LOCATION

Reviewed by Chris Harrild

Project Address:

4341 South 3600 West

Northeast of Wellsville, UT

Current Zoning:

Agricultural (A10)

Acres: 6.19

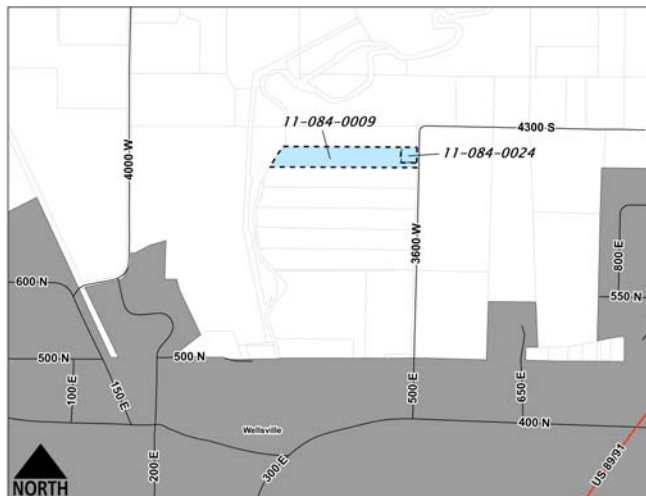
Surrounding Uses:

North – Agricultural

South – Agricultural

East – Agricultural

West – Little Bear River/Ag./Residential



FINDINGS OF FACT (33)

Summary

1. The Little Bear Field Subdivision is a request for a Single Lot Subdivision with an agricultural remainder.

Ordinance—§12.02.010; §16.02.080, §17.02.060, §17.07.040, §17.10.040

2. As per §17.02.060, Establishment of Land Use Authority, the Director of Development Services or designee is authorized to act as the Land Use Authority for single lot subdivisions.
See conclusion #1.
3. The parent parcel 11-084-0009 was a legal lot, identified as a 1970 parcel as per the “Policy for Determination of Parcel Legality” dated 29 August 2013.

4. The division of parcel 11-084-0024 from 11-084-0009 in 2015 without Land Use Authority approval restricts both parcels from non-agricultural development. If approved and recorded, this subdivision would remove the existing restriction from these parcels.
5. The proposed subdivision consists of a single 0.50 acre lot with a 5.405 acre agricultural remainder.
6. The proposed subdivision qualifies as a Single Lot Subdivision and is not required to meet the minimum density in the Agricultural (A10) Zone of one unit per ten acres if created from an existing legal lot.
7. For parcels identified as agricultural remainders, a deed restriction stating that the remainder is non-buildable except for agricultural structures is required to be recorded against said parcel. ***See condition #2.***
8. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

Access—§16.04.040 [A], §16.04.080 [E], Road Manual, Resolution 2015-20

9. The Cache County Manual of Roadway Design and Construction Standards (Road Manual) specifies the following:
 - a. Rural Road: Roads with up to 30 Average Daily Trips (ADT). This includes roadways that have the capacity for moderate to low speeds and low volumes. This category provides access to farms, other agricultural uses, and dispersed rural residences and may not provide access to proposed commercial or industrial development.
 - b. Rural roads must meet the minimum standards of a 66' wide right-of-way, two 10' wide gravel travel lanes with 2' wide gravel shoulders for a total width of 24'.
 - c. 2.4-A-1-c: Development on inadequate roadways is not allowed, and any substandard sections of roadway access must be improved to meet the minimum standards specified in the Road Manual.
 - d. 2.4-A-3-b:
 - i. The proponent must improve the travel lanes of the roadways providing access to the development to the minimum standards identified in Table 2.2 – Roadway Typical Sections.
 - ii. At a minimum, improvement of the shoulder and clear zone is required for the immediate frontage of the developing parcel. Based on traffic volume and site/safety considerations, the County may require that shoulder and clear zone improvements are completed on both sides of the affected roadway.
 - e. The minimum structural composition for gravel roads requires 14" depth of granular borrow and 6" depth of road base.

See conditions #2 and #3.
10. The proposed Lot 1 and Agricultural Remainder would gain access from county road 3600 West:
 - a. 3600 West currently provides access to one dwelling and numerous agricultural parcels.
 - b. 3600 West consists of an average 14' wide gravel width and a 33' wide right-of-way.
 - c. 3600 West is bordered by telephone poles on the west and by irrigation canals on the east and west, and these structures are located in such a way that the widening of 3600 West would impact these structures.
 - d. At this location the county does not provide adequate winter maintenance on 3600 West for a single family dwelling, and Council extension of maintenance services for ~1,000 feet on 3600 West would be required.
 - e. The proponent has not requested extension of county maintenance to the proposed lot.

See conditions #3 and #4.

11. The county is not expanding winter maintenance activities, paving existing gravel roads, or accepting new gravel or paved roads unless doing so would improve the health and/or safety of existing subdivisions, homes, or businesses at the discretion of the County Council as per County Council Resolution 2015-20. *See conditions #3 and #4.*
12. Consideration and evaluation of a design exception to the Road Manual standards requires full justification and documentation explaining the reasoning as to why the roadway standards cannot be met, why an alternative design or construction method can meet the intent of the roadway standards, and including any other relevant information.

Water & Septic—§16.040.0070, §16.04.080 [A] & [B]

13. The applicant has one approved, domestic-use water right in place.
14. Bear River Health Department has determined that septic systems are feasible for Lot 1.
15. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See condition #5.*

Service Provision—§16.04.080 [C], [D], [F]

16. Logan City Environmental has identified that residential refuse and recycling containers for the proposed lots must be placed on the corner of 400 North 500 East (3600 West) in Wellsville.
17. School bus service would be provided through a stop at 4700 South 3600 West.
18. The County Fire District requires a minimum 20' wide all weather surface for emergency access.
19. Water supply for fire suppression would be provided by the Wellsville Fire Department.

Sensitive Areas—§17.17, §17.18.040, §17.18.060

20. Portions of the proposed Agricultural Remainder are within the FEMA floodplain for the Little Bear River.
21. A floodplain permit is required for any development within the FEMA floodplain, and an elevation certificate showing 1' of freeboard is required for any development within 100' of the floodplain.
22. Portions of the proposed Agricultural Remainder contain areas identified as wetlands in the U.S. Fish and Wildlife Service.
23. Full wetland delineation may be required for development on or near identified wetland areas.
24. The entire proposed subdivision is within a Moderate to High liquefaction risk area.
25. A geotechnical report conforming to §17.18.060 is required for development in areas of Moderate to High liquefaction risk. *See condition #6.*
26. The proposed subdivision is within 300 feet of an Agriculture Protection Area as defined by State of Utah Code.
27. A note, as specified in the County Code, referencing the Agriculture Protection Area must be included on the subdivision plat. The County Code also requires that a certificate stating the same be recorded against the property. *See condition #7.*

Public Notice and Comment—§17.02.040

28. Public notice was posted online to the Utah Public Notice Website on 22 September 2016.
29. Notice was published in the Herald Journal on 25 September 2016.
30. Notices were posted in three public places on 22 September 2016.
31. Notices were mailed to all property owners within 300 feet of the subject property on 22 September 2016.
32. Wellsville City was noticed by e-mail as part of the development review process on 12 September 2016.
33. At this time, no written public comment regarding this proposal has been received by the Development Services Office.

CONDITIONS (6)

These conditions are based on the Cache County Subdivision and Land Use Ordinances, Road Manual, and on the findings of fact (F) as noted herein.

1. Prior to recording the final plat, a deed restriction stating that “the remainder is non-buildable except for agricultural structures” must be recorded against the parcel identified as an Agricultural Remainder. *See F-7.*
2. Prior to recording the final plat, the applicant must reaffirm their 33-foot portion of Cache County’s 66-foot wide right-of-way for all county roads along the proposed subdivision boundary. *See F-9.*
3. Prior to recording the final plat, the proponent must improve their portion of 3600 West to meet the minimum county requirements for a Rural Road, including a turn-around for county maintenance and emergency medical services. The design of all roads providing access to the development must be reviewed and approved by the Cache County Engineer for compliance with applicable codes. A full set of engineered design and construction plans must be submitted and must address issues of grade, drainage, and base preparation and construction. Fees for any engineering plan and construction review must be borne by the proponent. *See F-9, 10.*
4. If future development disturbs land area greater than 5,000 sf., a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan are required. *See F-15.*
5. Prior to recording the final plat, a geotechnical report addressing liquefaction and conforming to County Land Use Ordinance §17.18.060 must be submitted to the Development Services Office. *See F-24, 25.*
6. Prior to recording the plat, a note, as specified in the County Code, referencing the Agriculture Protection Area must be included on the subdivision plat, and a certificate stating the same must be recorded against the property. *See F-27.*

CONCLUSIONS (3)

Based on the findings of fact and conditions noted herein, the Little Bear Field Subdivision is hereby approved as follows:

1. The Director of Development Services hereby designates the County Council as the Land Use Authority for the Little Bear Field Subdivision application. *See F-2.*
2. It has been reviewed in conformance with, and meets the requirements of, the Cache County Subdivision and Land Use Ordinances.
3. The county does not currently provide adequate maintenance for a single family dwelling on 3600 West to the development site. The Council hereby grants an exception to Resolution 2015-20 and extends maintenance for a single family dwelling on 3600 West to the development site as identified on the Little Bear Field Subdivision plat. This extension is issued as the improvement of 3600 West with an improved turn-around for maintenance and emergency medical services will improve the safety for existing property owners. *See F-10, 11.*