

APPROVED

CACHE COUNTY COUNCIL

September 13, 2022 at 5:00 p.m. - Cache County Chamber at 199 North Main, Logan, Utah.

In accordance with the requirements of Utah Code Annotated Section 52-4-203, the County Clerk records in the minutes the names of all persons who appear and speak at a County Council meeting and the substance "in brief" of their comments. Such statements may include opinions or purported facts. The County does not verify the accuracy or truth of any statement but includes it as part of the record pursuant to State law.

MEMBERS PRESENT: Chair Barbara Tidwell, Councilmember David Erickson, Councilmember Gordon Zilles, Councilmember Nolan Gunnell, Councilmember Gina Worthen, Councilmember Karl Ward

MEMEBERS EXCUSED: Vice Chair Paul Borup

STAFF PRESENT: Deputy County Executive Dirk Anderson, Attorney John Luthy, Sheriff Chad Jensen, Cameron Jensen, Shawn Milne, Lauren Ryan, Terry Warner, Tim Watkins

OTHER ATTENDANCE: Jonathan Shill, John Drew

Workshop

1. Call to Order

2. Bear River Health Department Budget – Jordan Mathis, BRHD Director [0:32](#)

Council discussed the Bear River Health Department budget.

3. Council Policy Analyst Job Description – Amy Adams, HR Director [25:37](#)

Council discussed the policy analyst job.

4. Recommendations of the Compensation Committee – Amy Adams, HR Director [1:05:16](#)

5. Caselle Training – Cameron Jensen, Finance Director [1:46:37](#)

6. Adjourn

Council Meeting

1. Call to Order 5:00p.m. – Council Chair Barbara Tidwell

2. Opening Remarks and Pledge of Allegiance – Councilmember Karl Ward [0:27](#)

3. Review and Approval of Agenda **APPROVED** [1:51](#)

Action: Motion made by Councilmember Gina Worthen to move items 10a and 10b to the September 27, 2022 meeting; seconded by Councilmember David Erickson [2:04](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

Action: Motion made by Councilmember David Erickson to approve the amended agenda; seconded by Councilmember Gina Worthen [2:57](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

4. Review and Approval of Minutes (July 7, 2022 and August 23, 2022) [3:25](#)

Action: Motion made by Councilmember Karl Ward to approve the minutes; seconded by Councilmember Gordon Zilles [3:40](#)

Motion passes.

Aye: 5 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Karl Ward

Nay: 0

Abstain: 1 Gina Worthen

Absent: 1 Paul Borup

5. Report of the County Executive [4:18](#)

No report.

6. Items of Special Interest [4:33](#)

a. Review of Rural County Grant Process – Shawn Milne, Economic Development Director [4:44](#)

b. Request for approval of 25-30% match funds to apply for two Buildings Resilient Infrastructure and Communities (BRIC) grants from FEMA to purchase emergency generators at the Public Works facilities in Hyrum and Richmond [11:10](#)
Action: Motion made by Councilmember Karl Ward to grant the request for matching funds should the grant be rewarded; seconded by Councilmember David Erickson [13:43](#)

Motion passes. ([15:42](#)).

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

c. Request for extension of RAPZ funded Cache Bikeway Street Painting project – Tim Watkins, Development Services [15:57](#)
Action: Motion made by Councilmember Gina Worthen to approve an extension of 18 months for the RAPZ funded Bikeway Street Painting Project; seconded by Councilmember Nolan Gunnell [17:37](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

7. Department or Committee Reports

8. Board of Equalization Matters

9. Public Hearings [18:16](#)

a. Set Public Hearing for September 27, 2022 – Ordinance 2022-29 – Smithfield Country Estates Rezone [18:22](#)

Request to rezone 16.5 acres from Agricultural (A10) Zone to the Rural 2 (RU2) Zone, located at approximately 5400 North 1200 West, near Smithfield

b. Set Public Hearing for September 27, 2022 – Ordinance 2022-31 – Recreational Use [18:54](#)

Amending Title 17 – Use Type 4100 – ‘Recreational Facility,’ ‘Campground’ Definition as a New Use Type and the Schedule of Uses by Zoning District in Section 17.09.030

Action: Motion made by Councilmember David Erickson to set public hearings for Ordinance 2022-29 and Ordinance 2022-31 for September 27, 2022; seconded by Councilmember Gordon Zilles [19:26](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

c. Public Hearing – Ordinance 2022-30 – Campbell Rezone [19:55](#)

Request to rezone 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone located at approximately 5400 West Red Fox Lane near Mendon

Discussion: Tim Watkins spoke to the ordinance [20:28](#). Donna Campbell spoke [24:18](#). Michael Richardson spoke [25:53](#). Kelly Richardson spoke [26:59](#). Luke Anderson spoke [29:51](#). Lane Jones spoke [31:39](#).

Action: Motion made by Councilmember David Erickson to close the public hearing; seconded by Councilmember Gordon Zilles [32:36](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

d. Public Hearing – Ordinance 2022-30 – Private Airport [33:01](#)

Amending Cache County Code Section 17 to amend requirements of use type 5810 Private Airport

Discussion: Tim Watkins spoke to the ordinance [33:15](#). Jonathon Sheil spoke [38:00](#).

Action: Motion made by Councilmember Karl Ward to close the public hearing; seconded by Councilmember David Erickson [47:08](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

e. Public Hearing – Cache County General Plan [47:25](#)

Public Hearing to receive public comment on the Cache County General Plan Update

Discussion: Lauren Ryan spoke [47:40](#). Tim Watkins spoke [57:36](#). Bruno Jarva spoke [1:01:52](#). Amy Gerber spoke [1:05:07](#). Emily Funk spoke [1:07:49](#). Jonathon Sheil spoke [1:09:34](#). Dallin Tollman [1:12:08](#).

Action: Motion made by Councilmember Gina Worthen to close the public hearing; seconded by Councilmember Gordon Zilles [1:12:56](#)

Motion passes.

Aye: 6 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen, Karl Ward

Nay: 0

Absent: 1 Paul Borup

10. Pending Action [1:13:14](#)

Pending Action items a. Ordinance 2022-26 and b. Ordinance 2022-25 were moved to the agenda for the next council meeting, as per the motion made by Councilmember Gina Worthen during review and approval of the agenda (item 2).

a. Ordinance 2022-26

An ordinance amending County Code Chapter 2.70 Agriculture Protection Area Advisory Board

b. Resolution 2022-25

A resolution establishing the creation of an Agricultural Advisory Committee

c. Submission of Arguments in Favor of the ballot propositions for an Open Space Bond and for Reauthorization of the Recreation, Arts, Parks and Zoo (RAPZ) Tax [1:13:32](#) **ATTACHMENT 1**

Discussion: Councilmembers spoke [1:14:38](#). Dirk Anderson spoke [1:16:29](#). John Luthy spoke [1:18:20](#).

Action: Motion made by Councilmember Karl Ward that the Council stand in favor the ballot proposition for the Open Space Bond and the Reauthorization of the RAPZ Tax; seconded by Councilmember Gordon Zilles [1:14:01](#)

Motion amended by Councilmember Karl Ward for clarification as: that the Council submits or approves submitting of the arguments for the ballot propositions for the Open Space Bond and the Reauthorization of the RAPZ Tax to be put on the ballot [1:20:51](#)

Motion passes.

Aye: 5 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Karl Ward

Nay: 1 Gina Worthen

Absent: 1 Paul Borup

**Councilmember Karl Ward excused.*

11. Initial Proposals for Consideration of Action [1:21:58](#)

a. Ordinance 2022-27 Campbell Rezone [1:22:01](#) **ATTACHMENT 2**

An ordinance amending County Zoning Map by rezoning 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone

Discussion: Tim Watkins responded to council questions [1:22:23](#).

Action: Motion made by Councilmember Nolan Gunnell to deny the rezone based on the recommendation of the Planning and Zoning Commission; seconded by Councilmember David Erickson [1:28:57](#)

Motion passes.

Aye: 4 David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen

Nay: 1 Barbara Tidwell

Absent: 2 Paul Borup, Karl Ward

b. Ordinance 2022-30 Amending Title 17 – Use Type 5810 – Private Airport [1:30:45](#)

An ordinance amending the County Land Use Code as required by the adoption of Ordinance 2022-30 amending the definition and requirements applicable to Use Related Definition 5810 Private Airport

Discussion: Off-camera member of the public spoke [1:30:55](#). Nora Barret spoke [1:32:00](#). Tim Watkins spoke [1:37:02](#). John Luthy spoke [1:37:54](#). Councilmember discussion.

c. Consideration for Cost of Living Adjustment (COLA) for employees and all Elected Officials [1:47:05](#)

Discussion: Amy Adams spoke [1:47:19](#). Councilmember discussion [1:48:24](#).

Action: Motion made by Councilmember David Erickson to set a public hearing for Consideration for Cost of Living Adjustment (COLA) for employees and all Elected Officials for the next council meeting; no second [1:50:25](#)

Action: Motion made by Councilmember Gina Worthen to divide the question and consider separately the 2023 market adjustment for the Attorney's Office and to approve said adjustment; amended by Councilmember Gordon Zilles to also approve the cost of living adjustment for county employees; no second [2:06:04](#)

Action: Motion remade by Councilmember Gina Worthen to divide the question and approve the 2023 market adjustment for the Attorney's Office; seconded by Councilmember David Erickson [2:07:13](#)

Motion passes.

Aye: 4 David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen

Nay: 1 Barbara Tidwell

Absent: 2 Paul Borup, Karl Ward

Action: Motion made by Councilmember Gordon Zilles to approve the cost of living adjustment for county employees excluding elected officials; seconded by Councilmember Nolan Gunnell; amended by Councilmember David Erickson that the COLA raises in no way exceed \$990,000 [2:14:32](#)

Motion passes.

Aye: 4 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell

Nay: 1 Gina Worthen

Absent: 2 Paul Borup, Karl Ward

Action: Motion made by Councilmember Gordon Zilles that the next meeting agenda include a public hearing for consideration of a cost of living adjustment for elected officials; seconded by Councilmember Gina Worthen; amended by Councilmember Gina Worthen to include an agenda item for employee COLA funding [2:19:13](#)

Motion passes.

Aye: 5 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen

Nay: 0

Absent: 2 Paul Borup, Karl Ward

d. Consideration of Lobbyist Contract [2:21:18](#)

Discussion: Council discussion [2:22:01](#). Kerry Gibson spoke [2:25:30](#). Councilmembers asked questions [2:29:48](#). Sheriff Chad Jensen spoke [2:44:33](#).

Action: Motion made by Councilmember Gordon Zilles that the Council sign the Lobbyist Contract with Lincoln Hill and designate Chair Barbara Tidwell as the person of contact for the lobbying firm; seconded by Councilmember David Erickson [2:48:04](#)

Motion passes.

Aye: 5 Barbara Tidwell, David Erickson, Gordon Zilles, Nolan Gunnell, Gina Worthen

Nay: 0

Absent: 2 Paul Borup, Karl Ward

e. Consideration of Forensic Audit [2:54:22](#)

Action: Motion made by Councilmember Gina Worthen to approve the scope of the forensic audit as presented in email; seconded by David Erickson [2:54:36](#)

Motion passes.

Aye: 4 Barbara Tidwell, David Erickson, Nolan Gunnell, Gina Worthen

Nay: 1 Gordon Zilles

Absent: 2 Paul Borup, Karl Ward

12. Other Business [2:56:15](#)

a. Budget Workshop Sheriff's Office

b. USACCC Fall Conference

c. Budget Workshop Public Works Development Services

d. Cache Cheese & Dairy Festival

e. USU Homecoming Parade

f. UAC Annual Conference

September 14, 2022 at 3:00 p.m.

September 21-23, 2022 at Bryce Canyon

September 27, 2022 at 3:00 p.m.

Thursday, September 29 – Saturday, October 1, 2022

Saturday, October 8th at 10:00 a.m.

November 15-17, 2022 in St. George

13. Councilmember Reports [3:04:32](#)

David Erickson – No report.

Gordon Zilles – No report.

Karl Ward – Absent.

Barbara Tidwell – Spoke to a letter from Joann Bennet regarding elections.

Paul Borup – Absent.

Nolan Gunnell – No report.

Gina Worthen – No report.

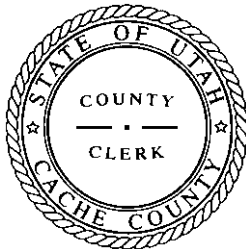
Adjourn: 8:30 PM



ATTEST: Jess W. Bradfield
County Clerk/Auditor



APPROVAL: Barbara Tidwell
Chair



CACHE COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

ATTACHMENT 1



CACHECOUNTY.ORG/ELECTIONS - 435-755-1460 - ELECTIONS@CACHECOUNTY.ORG
**CACHE COUNTY VOTER INFORMATION PAMPHLET FOR
ELECTION DAY NOV 8, 2022**

POLLING PLACES - VOTE BY MAIL OR IN PERSON
11/1 - 11/4 8AM TO 5PM CACHE COUNTY ADMINISTRATION BUILDING
11/8 7AM - 8PM CACHE COUNTY EVENT CENTER
FOR CONTINUED UPDATES VISIT [CACHECOUNTY.ORG/ELECTIONS](https://cachecounty.org/elections) AND [VOTE.UTAH.GOV](https://vote.utah.gov)

Dear Cache County Voter,

The below information is a handout regarding two propositions that will be on your upcoming ballot.
Proposition 1: A bond to preserve open spaces in the county.

Proposition 2: A reauthorization of Recreation, Arts, Parks and Zoo Tax (RAPZ Tax)

BALLOT LANGUAGE

PROPOSITION 1 OPEN SPACE BOND

Shall Cache County, Utah, be authorized to issue General Obligation Bonds in a principal amount not to exceed TWENTY MILLION DOLLARS for the purpose of paying all or a portion of the costs of purchasing land, conservation easements, and other interests in land from willing landowners in order to protect scenic vistas, preserve open lands near valley gateways, add trails and trail connectivity, and maintain agriculture, waterways, and wildlife habitat, with all acquisitions to be selected by the County Council based upon recommendations of an Open Lands Board and subject to periodic independent audit commissioned by the County; said Bonds to be due and payable in not to exceed 20 years from the date of issuance of the Bonds? Property Tax Cost of Bonds: If the Bonds are issued as planned, an annual property tax sufficient to pay debt service on the Bonds will be required over a period of 20 years in the estimated amount of \$26.85 per year on a \$429,000 primary residence and in the estimated amount of \$45.52 on a business property of the same value. The foregoing information is only an estimate and is not a limit on the amount of taxes that the County may be required to levy to pay debt service on the Bonds. The County would be obligated to levy taxes to the extent provided by law in order to pay the Bonds. The amounts are based on various assumptions and estimates, including estimated debt service on the Bonds and taxable values of property in the County.

PROPOSITION 2 RAPZ TAX REAUTHORIZATION

Shall Cache County, Utah, be authorized to impose a 0.1% sales and use tax for the purpose of funding recreation, arts, parks and zoos in Cache County, Utah?

OPEN SPACE BOND WRITTEN ARGUMENTS

The argument for or against a ballot proposition are the opinions of the authors.

FOR

Each generation decides on what legacy to leave to its descendants. In some families, it is a quilt or well-worn hand tool. Perhaps photographs or books of worship. Whatever is passed down, it is an intentional choice that conveys shared values and identity. In terms of land, what legacy does this generation of Cache County residents want to leave to future generations? What are the special places, vistas, and land uses that we value and want to share with them? Perhaps more importantly, how do we all bear the cost of providing that legacy and ensure that the burden is not placed on landowners unfairly? Proposition 1 on the 2022 Cache County ballot provides the means to secure a legacy of open lands in the county. It authorizes borrowing \$20 million that would be repaid through property taxes over 20 years. The estimated tax increase on the typical residence would be \$2.24/month (\$26.85/year), and would not be a permanent increase—it would disappear when the debt is repaid. Another critical aspect of the program is the formation of an Open Space Board that will develop and administer the program. The volunteer Board members will be selected by the County Council, and develop selection criteria, review proposals, and make recommendations to the Council, who will make the final choice of projects to be undertaken. Public hearings may occur when recommendations are developed and/or projects selected, and the work of the Board will be subject to periodic independent audit. A cornerstone of this approach is that landowner participation would be entirely voluntary. All transactions that either purchase land outright or acquire a partial interest in it (perhaps an easement or right of way) will be with willing landowners, entered into freely. The specific bond language is that monies may be used... in order to protect scenic vistas, preserve open lands near valley gateways, add trails and trail connectivity, and maintain agriculture, waterways, and wildlife. Current land values in Cache County mean that \$20 million will need to be used efficiently in order to maximize its impact. There are both state and federal funds that can be leveraged to extend the benefit of the program. But having County-controlled funds means that we can make our own choices and not be constrained by the priorities or funding levels in programs run by others. It also gives us the means to fill in the gaps when state and federal funds fall a tad short of allowing a deal to work for a landowner. (For more information see cacheopenspace.org.) This program is not anti-growth or opposed to development. It will identify and permanently protect the “diamonds” in our county and will not significantly reduce the inventory of developable land. Continued growth and change in Cache County is inevitable—the goal of this program is to ensure that special lands will be our legacy even as growth occurs.

VOTE YES ON PROPOSITION 1.

STEVE DANIELS
JACK DRAXLER
ERIC ELIASON

AGAINST

NO ARGUMENT WAS SUBMITTED

RAPZ TAX REAUTHORIZATION WRITTEN ARGUMENTS

The argument for or against a ballot proposition are the opinions of the authors.

FOR

With your support of RAPZ during the past twenty years, citizens of Cache County have used good sense to reinvest a few cents in our community. Your pennies and those of other residents have compounded into millions of dollars of support for Recreation, Arts, Parks, and our Zoo over the years. Every Cache Valley community and citizen has benefited from these funds. Tourists spend over \$180 million in our county every year and our ability to set aside a portion of those monies towards RAPZ activities and assets enriches our whole community. RAPZ funding is crucial to several recipients' budgets and supports a wide array of new purchases, upgrades, maintenance, and programming. Some examples are local parks & recreation facilities, festivals and heritage events, museums and historic preservation, theatrical and musical schedules, just to name a few. Park pavilions have been built and upgraded, more playing fields for various sports added, playgrounds constructed, new trails created and walking paths extended, theater productions enhanced, community events continued, and cultural icons preserved all because of your support for RAPZ. Voting yes to reauthorize RAPZ enables us to continue to enhance our own community culture and quality of life.

Wendi Hassan

AGAINST

NO ARGUMENT WAS SUBMITTED

CACHE COUNTY COUNCIL MEETING
SEPTEMBER 13, 2022

ATTACHMENT 2

Cache County, Utah

Campbell Rezone

An ordinance amending the County Zoning Map by rezoning 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone

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

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

Whereas, the Planning Commission caused notice of a public hearing for the rezone to be posted at least ten (10) days before the date of the public hearing; and

Whereas, on August 4, 2022, the Planning Commission held a public hearing, accepted all comments, and recommended the denial of the proposed amendments to the County Council for final action; and

Whereas, the Act also provides certain procedures for the county legislative body to adopt or reject amendments to the land use ordinance and zoning map for the county; and

Whereas, following proper notice, the County Council held a public hearing on September 13, 2022, to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

Now, therefore, the County Legislative Body of Cache County ordains as follows regarding the Campbell Rezone request:

1. Statutory Authority

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


2. Exhibits

A. Exhibit A: Rezone summary and information

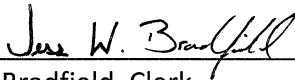
3. Council Vote and Final Action

Date: <u>9/13/22</u>	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Paul Borup			✓	
Dave Erickson		✓		
Nolan Gunnell		✓		
Barbara Tidwell	✓			
Karl Ward			✓	
Gina Worthen		✓		
Gordon Zilles		✓		
Total:	<u>1</u>	<u>4</u>	<u>2</u>	
Final action:	<u> </u> Adopt <u> </u> ✓ Reject			

Cache County Council:


Barbara Tidwell, Chair

Attest:


Jess Bradfield, Clerk
Cache County

Action of the County Executive

Regarding Ordinance 2022-27, the Campbell Rezone

_____ Approve

_____ Disapprove (A Statement of Objection is attached)

David Zook, Executive
Cache County

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Hold a public hearing on September 13, 2022.
If approved, the rezone will take effect 15 days from the date of approval.

Denial (6-yea; 0-nay).
Public hearing held on August 4, 2022.
Conclusion: Based on the findings of fact noted herein, the Campbell Rezone is hereby recommended for denial to the County Council as follows:

1. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
2. The location of the proposed rezone on a minor collector would set a precedent for increased density and development along this corridor.
3. The Cache County Comprehensive Plan does not specifically address the Rural 2 (RU2) Zone and does not make recommendations as to where the zone should be located. The County's new General Plan update must be adopted to provide the necessary direction on where density could be added in unincorporated county areas, based on location and/or density bonus incentives for cluster development and transferrable development right development options.

Tim Watkins

Angie Zetterquist

This ordinance amends the County Zoning Map by rezoning 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.

Staff Report to Planning Commission

Staff Report: Campbell Rezone

4 August 2022

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: Dawna Campbell

Parcel ID#: 11-035-0002

Staff Recommendation: None

Type of Action: Legislative

Land Use Authority: Cache County Council

Location

Reviewed by Angie Zetterquist

Project Address: Acres: 10.0

~5400 West & Red Fox Lane
near Mendon

Surrounding Uses:

North – Agricultural

South – Agricultural

East – Agricultural/Residential

West – Agricultural

Current Zoning:

Agricultural (A10)

Proposed Zoning:

Rural 2 (RU2)



Findings of Fact

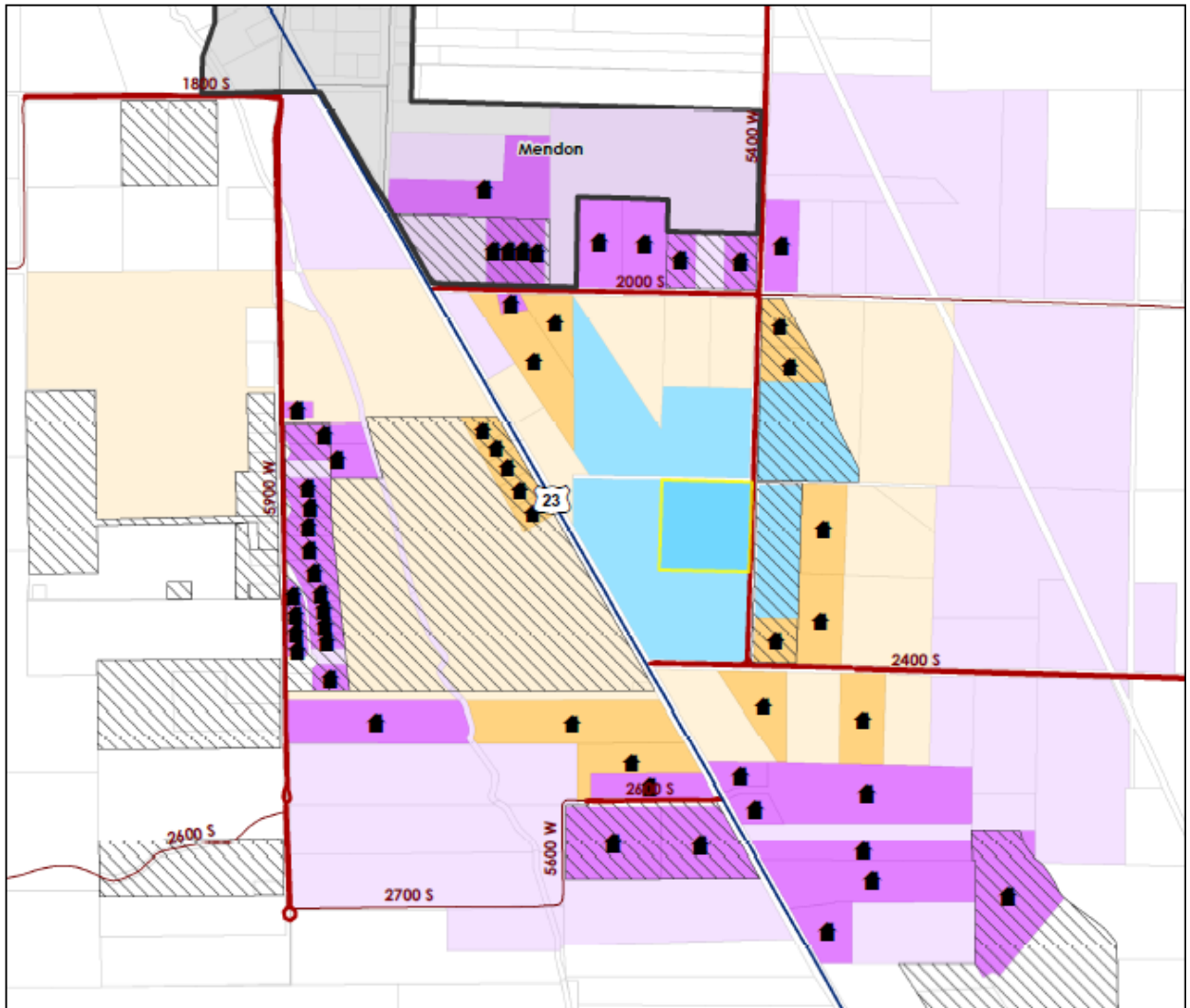
A. Request description

1. A request to rezone 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone.
2. This rezone may allow the parcel to be legally divided into a maximum potential of 5 separate lots as part of a subdivision process. The current A10 Zone allows for a maximum of 1 buildable lot.
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 map (Attachment A) and in the following text:

Exhibit A

a. Land Use Context:

- i. Parcel status: The subject properties are legal as it is in the same size and configuration as it was on August 6, 2008.
- ii. Average Lot Size: (See Attachment A)



Average Parcel Size	
Adjacent Parcels	Without a Home: 9 Acres (8 Parcels)
1/4 Mile Buffer	With a Home: 3.6 Acres (16 Parcels)
	Without a Home: 13 Acres (25 Parcels)
1/2 Mile Buffer	With a Home: 3.4 Acres (50 Parcels)
	With a Home in Mendon City: 2.9 Acres (5 Parcels)
	Without a Home: 10.1 Acres (64 Parcels)
	Without a Home in Mendon City: 10.6 Acres (4 Parcels)

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.

Exhibit A

With approximately 10.0 acres of property, the subject property cannot be further divided under the current A10 Zone standards. A rezone to RU2 may allow up to a maximum potential of 5 buildable lots.

- 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 adjacent to the subject rezone are primarily used for agriculture with a few single family dwellings. The closest Mendon City boundary is located approximately 0.3 miles to the north of the subject property.

- v. Annexation Areas: The subject property is located within the Mendon City future annexation area. Mendon City was notified of the proposed rezone as part of the noticing requirements, but have not provided written comments to staff as of the preparation of this staff report.

- vi. 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. However, the zone has generated concerns from several municipalities that the development pattern is not compatible with their future annexation and growth expansion plans. The closest Mendon City boundary is north of the subject property, along 5400 West, approximately 1/3 mile away.

The nearest RU2 zone is immediately south of the Mendon City boundary mentioned above located at 5400 West and 2000 South. This RU2 Zone was approved as the Mountain View Meadows Rezone on 6.3 acres in 2018 per Ordinance 2018-13. The Mountain View Meadows Subdivision was subsequently approved as a 3-lot subdivision in 2019. There are two other RU2 Rezones approved along 2000 South (i.e., Christy Rezone & Christy Farm Rezone) to the west and south of the Mountain View Meadows Rezone. The Christy Rezone was approved on 5.0 acres immediately west of the Mountain View Meadows Rezone as Ordinance 2021-17 allowing a maximum of 2 building lots instead of one under the A10 Zone; a subdivision application has not been submitted to date. The other RU2 Rezone on the south side of 2000 South across from the Christy Rezone was approved earlier this year as Ordinance 2022-15 on 7.41 acres allowing a maximum of 3 lots instead of one.

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

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 possible guidelines for its implementation. County Land Use

Exhibit A

Ordinance §17.08.030 [B] [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.”
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.

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

7. §16.02.010 Standards and Lot Size – All subdivisions must meet the minimum lot and development standards as outlined in each base zone of the Cache County Zoning Ordinance and within this title.
8. Table 17.10.040 Site Development Standards – Minimum lot frontage required in the RU2 Zone is 90 feet.
9. §17.07.040 General Definitions – Lot/Parcel Frontage: that portion of a development site that abuts a public or private roadway. For the purposes of determining setback requirements on corner lots, all sides of a lot adjacent to a roadway shall be considered frontage
10. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
11. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
12. A basic review of the access to the subject property identifies the following:
 - a. Primary access to the subject properties is from 5400 West, a County road.
 - b. The property also fronts the future road of 2200 South/Red Fox Lane, which currently does not exist and has an existing substandard right-of-way width of 31 feet.
13. 5400 West:
 - a. Is an existing county facility that provides through access from 600 South/Mendon Road to 2400 South, which connects to Highway 23. It also provides access to multiple dwellings and agricultural parcels.
 - b. Is classified as a Minor Collector Road.
 - c. Is paved and has a width of 23 feet.
 - d. Is considered substandard as to standards of a Major Local Road standard, which is the standard the developer must adhere to for future development, as to right-of-way, and paved and gravel shoulder width.
 - e. Is maintained year round by the County.

D. Service Provisions:

14. §16.04.080 [C] Fire Control – The County Fire District had no comments on the rezone. Future access must be reevaluated and may require improvements based on the location of any proposed structure on lots created through a subdivision process including, but not limited to, minimum 20-foot wide Fire District access with required turnarounds and addressing.
15. §16.04.080 [F] Solid Waste Disposal – Logan City Environmental provides refuse collection in this area and states refuse containers must be placed on the east side of 5400 West for

Exhibit A

collection. The specific collection location and further requirements will be reevaluated based on any future development.

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

16. Public notice was posted online to the Utah Public Notice Website on 22 July 2022.
17. Notices were posted in three public places on 22 July 2022.
18. Notices were mailed to all property owners within 300 feet and Mendon City on 22 July 2022.
19. At this time, no written public comments regarding this proposal have been received by the Development Services Office.

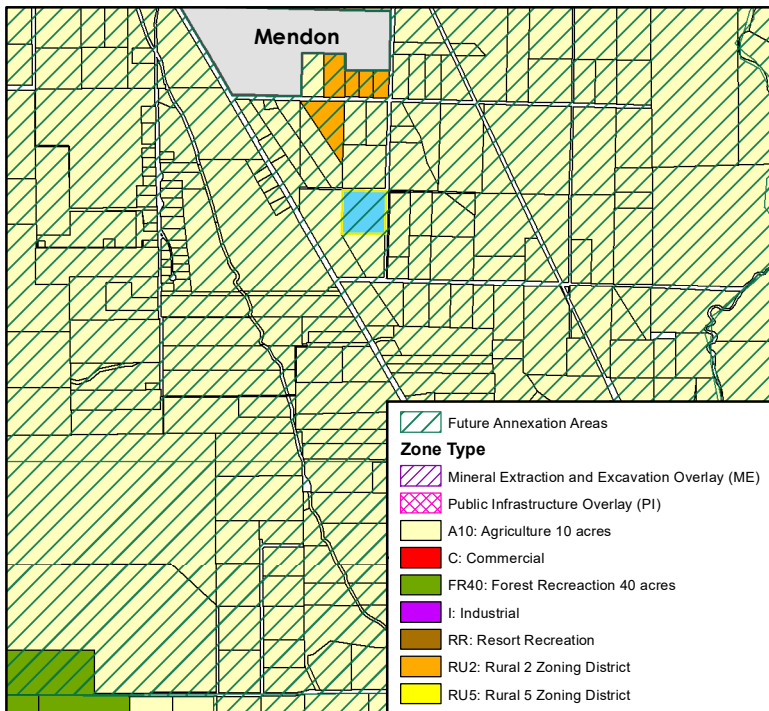
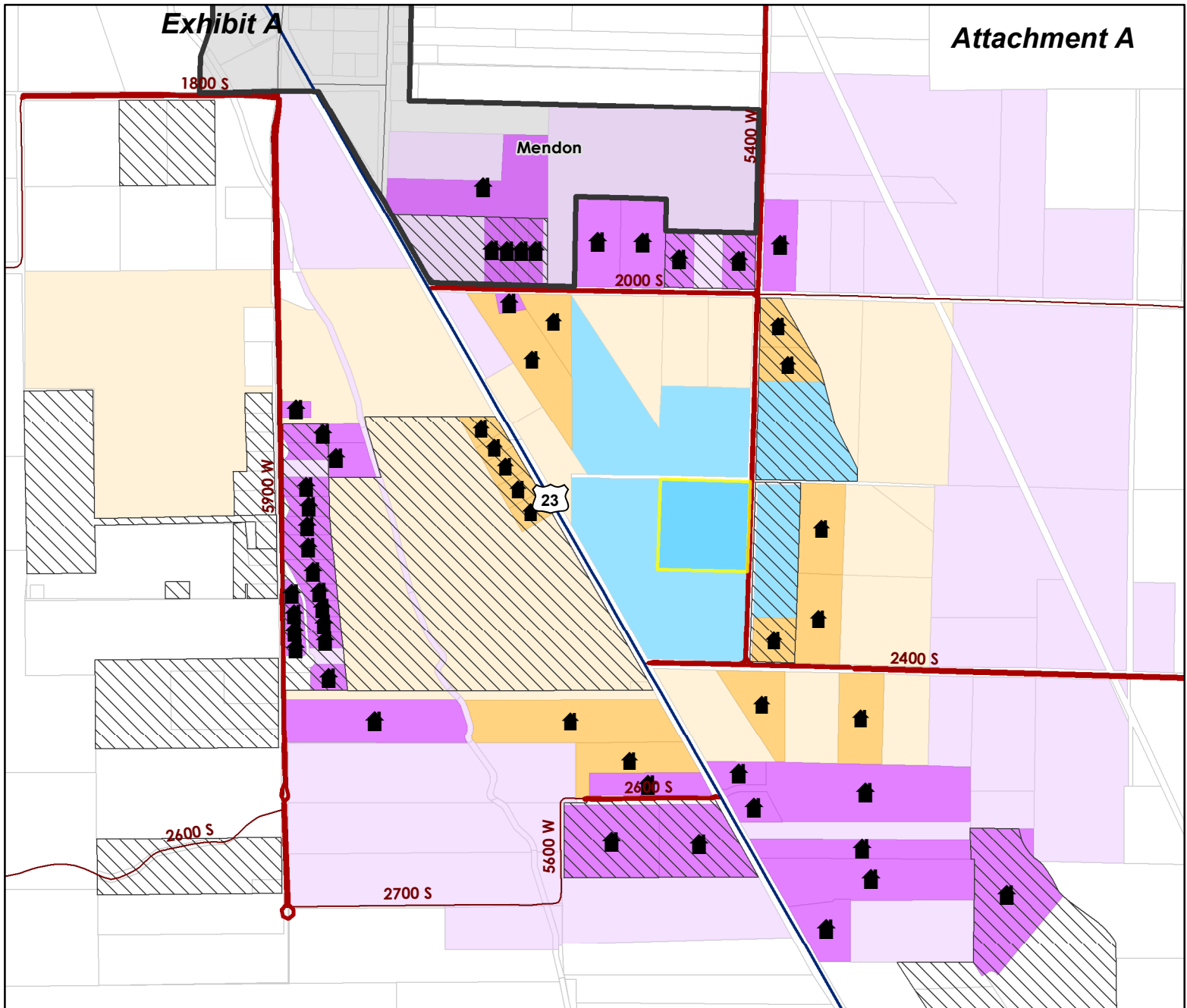
Staff Conclusion

The Campbell Rezone, a request to rezone 10.0 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone has been reviewed in conformance with Title 17 of the Cache County Land Use Ordinance and the County Manual of Roadway Design and Construction Standards. Staff has not made a recommendation on this request and can assist the Planning Commission in drafting a recommendation based on the findings of fact identified above and any others identified at the public hearing.

Planning Commission Recommendation

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

1. The location of the proposed rezone is not in close proximity to an adjacent municipality where a higher density development is more appropriate.
2. The location of the proposed rezone on a minor collector would set a precedent for increased density and development along this corridor.
3. The Cache County Comprehensive Plan does not specifically address the Rural 2 (RU2) Zone and does not make recommendations as to where the zone should be located. The County's new General Plan update must be adopted to provide the necessary direction on where density could be added in unincorporated county areas, based on location and/or density bonus incentives for cluster development and transferrable development right development options.



Legend

	Proposed Rezone		Winter Maintenance
	Municipal Boundaries		County Roads
	Subdivisions		Highways
	Parcels		

Average Parcel Size	
Adjacent Parcels	Without a Home: 9 Acres (8 Parcels)
	With a Home: 3.6 Acres (16 Parcels)
1/4 Mile Buffer	Without a Home: 13 Acres (25 Parcels)
	With a Home: 3.4 Acres (50 Parcels)
1/2 Mile Buffer	Without a Home: 10.1 Acres (64 Parcels)
	Without a Home in Mendon City: 10.6 Acres (4 Parcels)

