

## CACHE COUNTY COUNCIL

March 24<sup>th</sup>, 2026 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 Sandi Goodlander, Vice-Chair Kathryn Beus, Councilmember David Erickson, Councilmember JoAnn Bennett, Councilmember Keegan Garrity, Councilmember Mark Hurd.

**MEMBERS EXCUSED:** Councilmember Nolan Gunnell

**STAFF PRESENT:** Dianna Schaeffer, Brady George, Matt Funk, Chad Jensen, Nathan Argyle, Travis Baldwin, Lisa Aeob

**OTHER ATTENDANCE:** Mark Hancey, Corbin Allen, Rob Summers, Janie A.

1. **Call to Order 5:00p.m. – [0:00:46](#)**
2. **Opening Remarks and Pledge of Allegiance – [0:00:54](#)** Councilmember David Erickson gave opening remarks in the form of a prayer and led the audience in the Pledge of Allegiance.
3. **Review and Approval of Agenda [0:03:05](#)** Vice-Chair Kathryn Beus proposed amending the agenda, striking 6A due to an absence and adding an executive session for the purpose of strategy sessions to discuss the purchase, exchange or lease of real property or to discuss a proposed development agreement, project proposal or financing proposal  
**Action:** Motion made by Vice-Chair Kathryn Beus to approve agenda with amendments; seconded by Councilmember Keegan Garrity.  
**Motion passes.**  
**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett  
**Nay:** 0  
**Absent:** 1 Nolan Gunnell
4. **Review and Approval of Minutes [0:04:06](#)** Chair Sandi Goodlander addressed the minutes from the March 10 meeting, noting a correction needed for item number 6 to strike the word "interim" before "county attorney".  
**Action:** Motion made by Councilmember David Erickson to approve minutes with the aforementioned striking of the word 'interim' in item number 6; seconded by Councilmember JoAnn Bennett.  
**Motion passes.**  
**Aye:** 5 David Erickson, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett  
**Nay:** 0  
**Abstain:** 1 Kathryn Beus  
**Absent:** 1 Nolan Gunnell
5. **Report of the County Executive [0:04:54](#)** Executive George Daines reported on an upcoming fire board meeting, and discussions regarding the airport authority board, Willow Park negotiations, and public access disputes at Sherwood Hills.
6. **Items of Special Interest**
  - ~~a. Cache County America250 Committee Update Report~~
  - b. **Connect Public Transit Report [0:06:48](#)** Sean Bushman, county representative on the Connect Public Transit board, presented a transit update. He highlighted the move to a new facility, increased frequency on county routes 12 and 15, and provided ridership data showing significant increases since August 2025. [0:10:02](#) Chair Sandi Goodlander inquired about the metrics used for ridership counts, specifically regarding unique riders versus total boardings. Sean Bushman said that the Loop has reduced bus transfers while increasing ridership. [0:11:01](#) . Sean Bushman discussed a new mandated short-range transit plan involving data collection and surveys and discussed a new on-demand service called Pool. [0:12:57](#) Vice-Chair Kathryn Beus requested clarification on the destination of Route 15,

confirmed as servicing Richmond. Councilmember Keegan Garrity asked about the possibility of 15-minute bus frequency during peak hours. Sean Bushman said the Loop services 60% of destinations and has a near 15-minute bus frequency. Councilmember Mark Hurd expressed appreciation for Connect Public Transit.

- c. **Request for Authorization for Administrative Correction of 2023 Tax Increment Error** [0:15:18](#) Tax Administration Supervisor Dianna Schaeffer requested authorization to correct a tax increment distribution error for North Logan City's North Gateway project. She explained that an investigation confirmed the project was authorized for an 11-year term, not a 12-year term, necessitating a clawback of a \$150,615.75 overpayment distributed in error in the 12<sup>th</sup> year. [0:21:02](#) Executive George Daines advised that North Logan appeared to accept the 11-year limit but requested a postponement to allow the city to negotiate with the school board. [0:23:03](#) Chair Sandi Goodlander noted the statutory requirement to issue checks by March 31, suggesting disputed funds could be held in suspense until April 14. [0:28:25](#) Councilmember David Erickson asked if authorization was passed could the unassigned money be held while the process was completed. Treasurer Craig McAllister confirmed this would be fine.

**Action:** Motion made by Councilmember David Erickson to support the authorization and hold the unassigned monies until April 15<sup>th</sup>; seconded by JoAnn Bennett.

No Vote

**Action:** Motion made by Councilmember Mark Hurd to amend the motion to support authorization for Administrative Correction and hold the unassigned monies until April 15<sup>th</sup> and to exclude the amount of \$21,029.51 owed to North Logan City; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

## 7. Board of Equalization

- a. **Exclusive Use Property Tax Exemptions** [0:35:18](#) Discussion moved until after public hearings.

## 8. Public Hearings

- a. **Set Public Hearings for April 14<sup>th</sup> at 5:30pm** [0:35:42](#)
- i. **Ordinance 2026-14 – Dutson 2 Rezone**
  - ii. **Ordinance 2026-15 – 40 Acre Industrial Rezone**
  - iii. **Ordinance 2026-17 – Amendment to Cache County Code Titles 16 and 17 to Reflect Utah Code Recodification**
  - iv. **Ordinance 2026-18 – Amending the Cache County Consolidated Fee Schedule to Amend Fee Assessments Related to 911 Services**
  - v. **Ordinance 2026-19 – Amending the Cache County Consolidated Fee Schedule to Amend Fee Assessments Related to County Fire and EMS Services**
  - vi. **Resolution 2026-10 – A Resolution Opening and Amending the Cache County 2026 Budget (Second Amendment)**

**Action:** Motion made by Councilmember David Erickson to set the aforementioned public hearings; seconded by Vice-Chair Kathryn Beus

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

### b. Hold Public Hearings

- i. **Ordinance 2026-16 – Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones** [0:36:53](#) Director Brian Abbott presented an amendment allowing the repair or

replacement of existing septic systems in Source Water Protection Zone 2 if they meet current standards and receive a health department variance and adding four new definitions to code. Councilmember JoAnn Bennett asked for clarification on how Zone 1 and Zone 2 are classified and determined. [0:42:28](#) Councilmember David Erickson expressed concern that some water protection zones are established after property ownership has occurred. [0:44:06](#) Jordan Mathis, Director of the Bear River Health Department, spoke in favor of the ordinance as a way to proactively work with property owners to fix failing systems.

**Action:** Motion made by Vice-Chair Kathryn Beus to close public hearing; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

**Action:** Motion made by Councilmember David Erickson to enter into Board of Equalization; seconded by Vice-Chair Kathryn Beus. [0:46:43](#)

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

[0:46:57](#) Tax Administration Supervisor Dianna Schaeffer presented 11 exclusive use property tax exemption applications for charitable organizations, including new applications for the Pregnancy Resource Center and CAPSA.

**Action:** Motion made by Councilmember Keegan Garrity to approve the 11 applications for tax exemption; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

[0:49:54](#) Tax Administration Supervisor Dianna Schaeffer presented five exclusive use property tax exemption applications for charitable housing properties, including a new application for River Parks Senior Housing.

**Action:** Motion made by Vice-Chair Kathryn Beus to approve the five applications for tax exemption; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

[0:52:10](#) Tax Administration Supervisor Dianna Schaeffer said there is one education property tax exemption to renew.

**Action:** Motion made by Councilmember David Erickson to approve the application for tax exemption; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

[0:52:37](#) Tax Administration Supervisor Dianna Schaeffer presented three religious property tax exemptions to renew.

**Action:** Motion made by Vice-Chair Kathryn Beus to approve the three applications for tax exemption; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Nolan Gunnell

**Action:** Motion made by Councilmember David Erickson to exit the Board of Equalization; seconded by Vice-Chair Kathryn Beus.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Nolan Gunnell

## 9. Initial Proposals for Consideration of Action

### a. Ordinance 2026-16 – Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones [0:53:48](#)

**Action:** Motion made by Councilmember David Erickson to suspend rules and approve Ordinance 2026-16; seconded by Vice-Chair Kathryn Beus.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Nolan Gunnell

### b. Resolution 2026-11 – A Resolution Authorizing the Seasonal Reopening Of Unincorporated County Roads [0:56:26](#)

Matt Phillips, Public Works Director, presented Resolution 2026-11 to authorize the seasonal reopening of 12 unincorporated county roads earlier than the standard April 15/May 15 dates due to unusually warm winter conditions. [0:59:21](#) Councilmember Keegan Garrity asked how the public can be made aware of the earlier opening dates. Vice-Chair Kathryn Beus requested clarification that the Division of Wildlife Resources will be consulted if road openings may interfere with wildlife habitats.

**Action:** Motion made by Councilmember David Erickson to approve Resolution 2026-11; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Nolan Gunnell

## 10. Pending Items

- a. **Ordinance 2026-09 – Wellsville Safe Storage LLC Rezone** [1:02:24](#) Councilmember Keegan Garrity mentioned that he had looked for past precedent for similar approvals but had been unsuccessful at finding examples. Chair Sandi Goodlander mentioned one approved along Highway 30 in the past five years. Councilmember JoAnn Bennett mentioned that she does not believe the storage facility will be noticed among the USU facilities. Vice-Chair Kathryn Beus asked why the site of the storage facility was not annexed into the city of Wellsville despite being nearby. Councilmember Keegan Garrity provided clarification as the why the request calls for industrial zoning as opposed to commercial and stated it is to allow for potential future RV parking. Councilmember David Erickson expressed his opposition to the ordinance and shared that the planning commission also recommended a denial. Chair Sandi Goodlander expressed that she may feel more comfortable approving a commercial rezoning rather than an industrial rezone. [1:07:31](#) Travis Baldwin, representing the applicants, stated that a commercial or industrial rezone would both fit their needs and that they did not plan on needing RV parking. He thought that the planning commission may be more likely to approve a commercial rezone instead and shared that he thought the planning

commission had recommended against the rezone due to personal interests of the commissioners along Highway 30.

**Action:** Motion made by Councilmember Mark Hurd to deny Ordinance 2026-09; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 5 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd

**Nay:** 1 JoAnn Bennett

**Absent:** 1 Nolan Gunnell

**b. Ordinance 2026-12 – Enacting the Requirement of Online Publication of County Council Legislation [1:10:59](#)**

Andrew Erickson, Policy Analyst, presented Ordinance 2026-12 requiring online publication of council legislation. He recommended an amendment to include voting results on individual documents rather than maintaining a separate master table. Vice-Chair Kathryn Beus inquired as to the cost of the ordinance. Clerk Bryson Behm said that they are working on an internal system hosted by the county. Councilmember David Erickson asked if the clerk's office would publish previous and historical legislation. Clerk Bryson Behm confirmed that they would. Councilmember JoAnn Bennett asked why the amendment was necessary.

**Action:** Motion made by Councilmember JoAnn Bennett to approve Ordinance 2026-12 with the recommended amendment; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

**c. Resolution 2026-04 – A Resolution Providing Consent to the Hansen Annexation and Allowing for the Creation of an Unincorporated Peninsula Within the County [1:17:12](#)** Director Brian Abbot shared that Nibley City is neutral in the decision but is willing to take over the maintenance of the road. Executive George Daines provided an update, noting that the peninsula area involved in the annexation could not be developed without being annexed because it is in a water protection zone and requires access to the Nibley sewer system. He advised that while he generally dislikes creating peninsulas, this one would likely resolve itself over time as development requires municipal services. He recommended the approval of the annexation. Councilmember David Erickson inquired as the boundary between Nibley City and Hyrum City and Councilmember JoAnn Bennett asked about the zoning of the annexation.

**Action:** Motion made by Councilmember David Erickson to approve Resolution 2026-04; seconded by Vice-Chair Kathryn Beus.

**Motion passes.**

**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Nolan Gunnell

**d. Resolution 2026-06 – Removal of Certain Class B Road Segments from Cache County's Class B Road System [1:23:31](#)**

Chair Sandi Goodlander addressed the removal of certain road segments. Executive George Daines confirmed that the county has the legal right to disengage from those roads and advised keeping the item pending while negotiations continue with cities regarding maintenance standards and potential county assistance. [1:28:25](#) Director Matt Phillips addressed the maintenance concerns raised by the cities, noting that the county has historically performed minimal maintenance on these specific segments as there was no formal agreement in place. Phillips confirmed that some cities feel the county has neglected these segments and are requesting the county invest funds to bring them up to a specific standard before the transfer of ownership occurs. The council discussed passing the motion with an amendment of a delayed effective date to provide for more time to negotiate with the cities. [1:37:06](#) Councilmember Keegan Garrity expressed concern for the developer that has been waiting on the council's action for over a year. Chair Sandi Goodlander expressed worry over establishing a future precedent.

Councilmember David Erickson shared his concern about the county council making decisions on behalf of the cities. [1:44:07](#) Executive George Daines shared that he did not understand the council's concern about the development on a county road. Director Matt Phillips shared the provisions of the County Road Manual that requires the council's approval of access to the development. Executive George Daines asked that the council allow him time to assess the road and decide what maintenance the council is willing to administer and make an offer to the cities.

**Action:** No action.

**11. Other Business**

- a. Entity Specific Training for County Councilmembers [1:55:10](#)
- b. 2026 Legislative Conference April 28-30, 2026
- c. Smithfield Health Days Parade May 9, 2026 @ 10:00 AM
- d. North Logan City Pioneer Day July 24, 2026 @ 10:00 AM

~~**12. Council Member Reports**~~

**13. Executive Session – For the purpose of strategy sessions to discuss the purchase, exchange or lease of real property or to discuss a proposed development agreement, project proposal or financing proposal [1:57:07](#)**

**Action:** Motion made by Councilmember David Erickson to enter into executive session; seconded by Councilmember Keegan Garrity.


**Motion passes.**


**Aye:** 6 David Erickson, Kathryn Beus, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

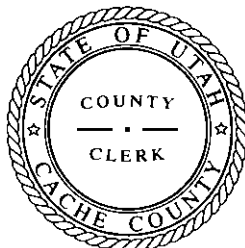
**Nay:** 0

**Absent:** 1 Nolan Gunnell

**Adjourn:** 7:19 PM [1:57:38](#)

  
\_\_\_\_\_  
**APPROVAL:** Sandi Goodlander, Chair  
Cache County Council

  
\_\_\_\_\_  
**ATTEST:** Bryson Behm, Clerk  
Cache County Council



## **SUPPORTING DOCUMENTATION DISCLAIMER**

The content of the following attached materials may have been amended, substituted, adopted, or rejected during the open meeting.

To determine the final disposition of any item found in the following materials from here on, please cross-reference it with the Approved Meeting Minutes located at the beginning of this compiled document, or contact the Cache County Clerk's Office at [www.cachecounty.gov/clerk](http://www.cachecounty.gov/clerk) to request a copy of any existing final amended, substituted, adopted, or rejected materials from the meeting.



CACHE COUNTY COUNCIL

**Cache County Council Regular Meeting**

**Media Packet**

**AMENDED**

March 24, 2026

---

**CACHE COUNTY COUNCIL**  
SANDI GOODLANDER, *CHAIR*  
KATHRYN A. BEUS, *VICE CHAIR*  
JOANN BENNETT  
DAVID L. ERICKSON  
KEEGAN GARRITY  
NOLAN P. GUNNELL  
MARK R. HURD



199 NORTH MAIN STREET  
LOGAN, UT 84321  
435-755-1840  
[www.cachecounty.gov](http://www.cachecounty.gov)

---

**PUBLIC NOTICE** is hereby given that the County Council of Cache County, Utah will hold a **REGULAR COUNCIL MEETING** at **5:00 p.m.** in the Cache County Historic Courthouse Council Chambers, 199 North Main Street, Logan, Utah 84321, on **Tuesday, March 24, 2026.**

Council meetings are live streamed on the Cache County YouTube channel at:  
<https://www.youtube.com/@cachecounty1996>

---

## **CACHE COUNTY COUNCIL AGENDA**

**AMENDED**  
**2nd Revision**

**REGULAR COUNCIL MEETING – 5:00 p.m.**

- 1. Call To Order**
- 2. Opening – Councilmember David Erickson**
- 3. Review and Approval of Agenda**
- 4. Review and Approval of Minutes**
  - a. 03-10-2026 County Council Meeting Minutes
- 5. Report of the County Executive**
  - a. Appointments
  - b. Other Items
- 6. Items of Special Interest**
  - a. Cache County America250 Committee Update Report  
- Barbara Tidwell, Cache County America250 Committee Co-Chair
  - b. Connect Public Transit Report  
- Shaun Bushman, Cache Valley Transit District (DBA Connect Transit) Board
  - c. Request for Authorization for Administrative Correction of 2023 Tax Increment Distribution Error  
- Dianna Schaeffer, Tax Administration Supervisor
- 7. Board of Equalization**
  - a. Exclusive Use Property Tax Exemptions  
- Dianna Schaeffer, Tax Administration Supervisor

**8. Public Hearings – 5:30 p.m.**

**a. Set Public Hearings for April 14th at 5:30 PM:**

- i. Ordinance 2026-14 – Dutson 2 Rezone
- ii. Ordinance 2026-15 – 40 Acre Industrial Rezone
- iii. Ordinance 2026-17 – Amendment to Cache County Code Titles 16 and 17 to Reflect Utah Code Recodification
- iv. Ordinance 2026-18 – Amending the Cache County Consolidated Fee Schedule to Amend Fee Assessments Related to 911 Services
- v. Ordinance 2026-19 – Amending the Cache County Consolidated Fee Schedule to Amend Fee Assessments Related to County Fire and EMS Services
- vi. Resolution 2026-10 – A Resolution Opening and Amending the Cache County 2026 Budget (Second Amendment)

**b. Hold Public Hearings:**

- i. Ordinance 2026-16 – Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones

**9. Initial Proposals for Consideration of Action**

**a. Ordinance 2026-16 – Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones**

- [Brian Abbott, Director of Development Services](#)

**b. Resolution 2026-11 – A Resolution Authorizing the Seasonal Reopening Of Unincorporated County Roads**

- [Matt Phillips, Public Works Director](#)

**10. Pending Items**

**a. Ordinance 2026-09 – Wellsville Safe Storage LLC Rezone**

- [Brian Abbott, Director of Development Services](#)

**b. Ordinance 2026-12 – Enacting the Requirement of Online Publication of County Council Legislation**

- [Andrew Erickson, Council Policy Analyst](#)

**c. Resolution 2026-04 – A Resolution Providing Consent to the Hansen Annexation and Allowing for the Creation of an Unincorporated Peninsula Within the County**

- [Brian Abbott, Director of Development Services](#)

**d. Resolution 2026-06 – Removal of Certain Class B Road Segments from Cache County's Class B Road System**

**11. Other Business**

**a. Entity Specific Training for County Councilmembers**

- |                                  |                          |
|----------------------------------|--------------------------|
| b. 2026 Legislative Conference   | April 28-30, 2026        |
| c. Smithfield Health Days Parade | May 9, 2026 @ 10:00 AM   |
| d. North Logan City Pioneer Day  | July 24, 2026 @ 10:00 AM |

**12. Councilmember Reports**

**13. Adjourn**

- Next Scheduled Regular Council Meeting: April 14th @ 5:00 PM

  
Sandi Goodlander, Council Chair

## CACHE COUNTY COUNCIL

**March 10, 2026 at 5:00p.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 Sandi Goodlander, Councilmember David Erickson, Councilmember JoAnn Bennett, Councilmember Keegan Garrity, Councilmember Nolan Gunnell, Councilmember Mark Hurd.

**ABSENT:** Vice-Chair Kathryn Beus

**MEMBERS EXCUSED:**

**STAFF PRESENT:** Andrew Erickson, Ginafer Low, Matthew Funk, Scott B., J. C., Brett Robinson, Amy Adams, Dianna Schaeffer, Chad Jensen, B. C. Lisa Aedo, Jamie Anderson

**OTHER ATTENDANCE:** Scott Wells, Brady Christensen, Lyndsay Peterson, Lizette Villegas, Corbin Allen, Doug and Sue T., Andrew Soelberg, Lance Pitcher

1. **Call to Order 5:00p.m. – [0:21](#)**
2. **Opening Remarks and Pledge of Allegiance – [0:31](#)** Mark Hurd gave opening remarks and lead the audience in the Pledge Of Allegiance.
3. **Review and Approval of Agenda [3:20](#)**

**Action:** Motion made by Councilmember David Erickson to amend agenda and add 8C to Set Public Hearing March 24 for Ordinance 2026-16; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett  
**Nay: 0**

**Absent: 1** Kathryn Beus

Request from Executive Daines to amend agenda and postpone item 6n to March 24.

**Action:** Motion made by Councilmember Mark Hurd to amend agenda and postpone item 6b to March 24; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett  
**Nay: 0**

**Absent: 1** Kathryn Beus
4. **Review and Approval of Minutes [5:17](#)**
  - a. **2-10-2026 County Council Meeting Minutes** - Chair Sandi Goodlander noted the Executive appointments for weed control had been left out of the 02/10 minutes.
  - b. **2-17-2026 County Council Meeting Minutes**

**Action:** Motion made by Councilmember Nolan Gunnell to approve minutes for 2/10 as amended and approve 02/17 minutes as received; seconded by David Erickson.

**Motion passes.**

**Aye: 6** David Erickson, Kathryn Beus, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett  
**Nay: 0**

**Absent: 1** Kathryn Beus
5. **Report of the County Executive [5:54](#)**
  - a. **Appointments** Executive George Daines recommended Larry Jacobson for the Library Board

**Action:** Motion made by Councilmember Keegan Garrity to accept nomination; seconded by Mark Hurd.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Kathryn Beus

**Appointments** Executive George Daines recommended Brian Abbott as Director of Development Services

**Action:** Motion made by Councilmember David Erickson to accept nominations; seconded by Nolan Gunnell.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Kathryn Beus

[8:25](#) Swearing in of Brian Abbott.

## 6. Items of Special Interest [9:21](#)

### a. Appointment of Interim Cache County Attorney per Utah Code §20A-1-509.1

- i. **Review of Process and Timeline of Appointment Requirement** Chair Sandi Goodlander reviewed the process to fill the vacancy left by Taylor Sorensen's resignation.
- ii. **Introduction of Candidates** Three nominees were introduced: Dane Murray, J. Brett Chambers, and Chris Daines
- iii. **Opening Statements** [10:54](#) Dane Murray provided an opening statement emphasizing his previous experience as interim attorney and his work on county government reforms. [14:18](#) J. Brett Chambers provided an opening statement highlighting his local roots, civil litigation experience, and a desire for stable leadership. [17:54](#) Chris Daines provided an opening statement pledging to serve a full term, work at least 45 hours a week, and maintain high standards of preparation
- iv. **Questions for Candidates** [21:02](#) Chris Daines entered Chambers. Council took turns to ask their interview questions. [27:55](#) J. Brett Chambers entered Chambers and was asked by council the same interview questions as the previous candidate. [38:57](#) Dane Murray entered chambers and was asked by council the same interview questions as the previous candidate.
- v. **Closing Statements** [50:11](#) Candidates re-entered chambers and gave their closing statements. Council exchanged opinions about each candidate.

**Action:** Motion made by Councilmember David Erickson to nominate Dane Murray as Interim Cache County Attorney; seconded by Councilmember Nolan Gunnell

**Motion passes.**

**Aye:** 4 David Erickson, Nolan Gunnell, Sandi Goodlander, Mark Hurd,

**Nay:** 2 Keegan Garrity, JoAnn Bennett

**Absent:** 1 Kathryn Beus

[1:05:11](#) Swearing in of Dane Murray by Cache County Clerk Bryson Behm

[1:06:26](#) Recess

### b. Request for Authorization for Administrative Correction of 2026 Tax Increment Distribution Error

→ Item was postponed.

**Action:** None

## 7. Board of Equalization [1:10:34](#)

- a. Exclusive use Property Tax Exemption – Dianna Schaeffer, Tax Administrative Supervisor

**Action:** Motion made by Councilmember Mark Hurd to enter Board of Equalization; seconded by Councilmember David Erickson

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

Dianna Schaeffer presented the annual exclusive use property tax exemptions for 21 religious, 10 charitable, and 4 educational organizations.

**Action:** Motion made by Councilmember David Erickson to approve religious exemptions; seconded by Councilmember Nolan Gunnell

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

**Action:** Motion made by Councilmember Mark Hurd to approve charitable exemptions; seconded by Councilmember David Erickson

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

**Action:** Motion made by Councilmember Nolan Gunnell to approve educational exemptions; seconded by Councilmember Keegan Garrity

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

**Action:** Motion made by Councilmember Nolan Gunnell to leave Board of Equalization; seconded by Councilmember JoAnn Bennett

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

**8. Public Hearings – 5:30pm** [1:17:57](#)

**a. Set Public Hearings for April 14<sup>th</sup> at 5:30 PM.**

**i. Millville/Nibley and Cornish Cemetery Maintenance District Board Vacancies**

**Action:** Motion made by Councilmember David Erickson to set public hearing on April 14 for Millville/Nibley/Cornish Cemetery Board and to set public hearing for Ordinance 2026-16 on March 24; seconded by Councilmember JoAnn Bennett

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent: 1** Kathryn Beus

**b. Hold Public Hearings**

**i. Ordinance 2026-08 – Shepherd Rezone** [1:19:04](#) Brian Abbott presented rezone proposal. Planning commission recommended approval. David Shepherd explained his family's desire to divide the parcel.

**Action:** Motion made by Councilmember Nolan Gunnell to close public hearing; seconded by Councilmember Mark Hurd

**Motion passes.**

**Aye: 6** David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent:** 1 Kathryn Beus

- ii. **Ordinance 2026-09 – Wellsville Safe Storage LLC rezone** [1:22:27](#) Brian noted the Planning Commission recommended denial due to inconsistency with the general plan. Scott Wells of Wellsville City spoke in support of the rezone. [1:25:26](#) Margaret Christiansen Bosworth explained that the family had leased out the eight-acre parcel for years because it was difficult to move farm equipment to that specific location. She noted that the family intended to remain part-owners of the proposed storage unit project. [1:28:02](#) Mike Baldwin commented on the Planning Commission's previous vote, suggesting that conflicts of interest regarding competing land uses and existing ownership of storage sheds may have influenced the recommendation. [1:29:11](#) Travis Baldwin pointed out that the council had previously rezoned agricultural land to industrial and commercial uses in Smithfield and along Highway 30.

**Action:** Motion made by Councilmember Nolan Gunnell to close public hearing; seconded by JoAnn Bennett  
**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Kathryn Beus

- iii. **Ordinance 2026-10 – Greenfield Mill Overflow and office Space Rezone**

[1:30:29](#) Brian Abbott presented a request to rezone 2.89 acres north of Richmond from agricultural to industrial use. He explained the project would provide office space and truck staging to remove hazards caused by trucks parking on the side of the road. Planning commission recommended approval.

**Action:** Motion made by Councilmember David Erickson to close public hearing; seconded by Councilmember Nolan Gunnell

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Kathryn Beus

- iv. **Resolution 2026-07 – A Resolution Opening and Amending the Cache County 2026 Budget (First**

**Amendment)** [1:32:57](#) Auditor Matt Funk explained that a \$175,000 remittance to the federal government was necessary due to arbitrage earnings on a \$5.6 million open space bond that was invested at a rate higher than the bond's 2.99% offering.

**No comment**

**Action:** Motion made by Councilmember Nolan Gunnell to close public hearing; seconded by Councilmember Keegan Garrity

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** 1 Kathryn Beus

## 9. Initial Proposals for Consideration of Action

- a. **Ordinance 2026-08 – Shepherd Rezone – Brian Abbott, Interim Director of Development Services** [1:35:34](#) Chair Sandi Goodlander noted a clerical error in the ordinance regarding the Planning Commission's recommendation, which needed correction from "denial" to "approval." Councilmember David Erickson questioned if the rezone conflicted with a recently passed ordinance regarding lot distance, to which Director Brian Abbott clarified it was in process before that enactment.

**Action:** Motion made by Councilmember JoAnn Bennett to suspend rules and approve Ordinance 2026-08; seconded by Councilmember JoAnn Bennett

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay: 0**

**Absent:** 1 Kathryn Beus

- b. **Ordinance 2026-09 – Wellsville Safe Storage LLC Rezone** [1:38:54](#) Councilmember Keegan Garrity inquired about the proximity to the nearest industrial zone, which was noted as 1.6 miles away. Councilmember Nolan Gunnell expressed concern over the "corridor beauty" and suggested continuing the item to gather more information. Chair Sandi Goodlander noted concerns regarding road standards for industrial zones and the loss of land-use control once rezoned.

**Action:** None

- c. **Ordinance 2026-10 – Greenfield Mill Overflow and Office Space Rezone** [1:46:44](#) Councilmember David Erickson spoke in favor of the project, noting its proximity to existing industrial buildings like Pepperidge Farm and the safety benefits of moving trucks off the road.

**Action:** Motion made by Councilmember David Erickson to suspend rules and approve Ordinance 2026-10; seconded by Councilmember Nolan Gunnell.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- d. **Ordinance 2026-11 – Enacting Requirements of Tracking Appointments, Membership, terms of Boards and Committees– Andrew Erickson, Council Policy Analyst** [1:52:11](#) Policy Analyst Andrew Erickson proposed Ordinance 2026-12 to require online publication of a voting table and a public legislation index for easier citizen access.

**Action:** Motion made by Councilmember Mark Hurd to suspend rules and approve Ordinance 2026-11; seconded by Councilmember JoAnn Bennett.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- e. **Ordinance 2026-12- Enacting Requirement of Online Publication of County Council Legislation – Andrew Erickson, Council Policy Analyst** [1:52:11](#) Policy Analyst Andrew Erickson proposed Ordinance 2026-12 to require online publication of a voting table and a public legislation index for easier citizen access.

**Action:** None

- f. **Ordinance 2026-13 – Amending the Cache County Personnel Policy and Procedures Manual Section VII.U. and Cache County Code Title 3 Regarding Duties of the Auditor in Asset Purchases and Travel Expenses- Matt Funk, Cache County Auditor** [1:59:38](#) Auditor Matt Funk presented an ordinance to route certain travel approvals, per diems and purchase orders over \$2,000 through the Auditor’s office rather than the Executive’s office to streamline administration.

**Action:** Motion made by Councilmember David Erickson to suspend rules and approve Ordinance 2026-13; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- g. **Resolution 2026-04 – A Resolution providing consent to the Hansen Annexation and Allowing for the creation of an Unincorporated Peninsula within the County. – Brian Abbott, Interim Director of Development Services** [2:04:47](#) Director Brian Abbott discussed the creation of an unincorporated peninsula resulting from the annexation and that his office has received one petition in opposition. Chair Sandi Goodlander said that although such peninsulas have been approved in the past, none have been this big and she would like to study it further. Executive

George Daines expressed reluctance to create such islands of land. [2:09:07](#) Director of Public Works Matt Phillips explained that the annexation was adjusted to include the full width of the Hollow Road per previous council requests. [2:11:15](#) County Executive George Daines asked why the county would want to maintain land referred to by Public Works as 'undevelopable.' [2:12:24](#) Lance Anderson, representing the petitioners, expressed that the peninsula was proposed because the property owners of the peninsula did not yet wish to be annexed. Executive George Daines recommended that the county annex the peninsula without the consent of the owners.

**Action:** None

- h. Resolution 2026-07 – A Resolution Opening and Amending the Cache County Budget 2026 Budget (First Amendment) – Matt Funk, Cache County Auditor** [2:17:25](#) Councilmember Keegan Garrity expressed concerns about changes to the Attorney's Office. Auditor Matt Funk assured that no changes to the Attorney's Office would be made.

**Action:** Motion made by Councilmember Nolan Gunnell to approve Resolution 2026-07; seconded by Councilmember David Erickson.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- i. Resolution 2026-09 – A Resolution Making Appointments to the Cache County RAPZ/Restaurant Advisory Committee – Andrew Erickson, Council Policy Analyst** [2:20:14](#) Chair Sandi Goodlander proposed the appointments of Kathryn Beus, David Erickson, Damon Cann, Joe Needham, Bruce Cook, Jim Atkinson, and Kathy Robinson.

**Action:** Motion made by Councilmember Nolan Gunnell to approve Resolution 2026-09; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

## 10. Pending Items

- a. Ordinance 2026-05 – Frontage and Access Ordinance Amendment – Brian Abbott, Interim Director of Development Services** [2:22:13](#) Director Brian Abbott explained that this ordinance clarifies and expands definitions of frontage and access.

**Action:** Motion made by Councilmember Nolan Gunnell to approve Resolution 2026-05; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- b. Resolution 2026-06 – Removal of Certain Class B Road Segments from Cache County's Class B Road System – Brian Abbott, Interim Director of Development Services** [2:29:03](#) Chair Sandi Goodlander shared that the County Executive is still in negotiations and asks the Council to continue the resolution for another meeting.

**Action:** None

## 11. Other Business

- a. April 28<sup>th</sup> County Council Meeting Rescheduling** [2:29:33](#) The April 28<sup>th</sup> County Council Meeting conflicts with the UAC Conference in St. George

**Action:** Motion made by Councilmember Keegan Garrity to move the April 28<sup>th</sup> meeting to April 21st; seconded by Councilmember Mark Hurd.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd, JoAnn Bennett

**Nay:** 0

**Absent:** Kathryn Beus

- |                                     |                    |                         |
|-------------------------------------|--------------------|-------------------------|
| b. Online BOE Training Registration |                    | <a href="#">2:30:35</a> |
| c. 2026 Legislative Conference      | April 28-30, 2026  | <a href="#">2:30:54</a> |
| d. Smithfield Health Days Parade    | May 9, 2026 @10:00 | <a href="#">2:31:17</a> |

## 12. Council Member Reports

**David Erickson** – None

**Sandi Goodlander** – [2:32:27](#) Chair Sandi Goodlander reported on the NACo Conference, noting its impact on public lands legislation and a new agreement between the Utah Governor and the Forest Service.

**Keegan Garrity** – None

**JoAnn Bennett** – None

**Kathryn Beus** – None

**Nolan Gunnell** – None

**Mark Hurd** – [2:35:34](#) Councilmember Mark Hurd reported on the recent meeting of the newly-appointed library board, noting that the board was currently evaluating strategies to extend their budget through the end of the year without requesting additional funding.

**Action:** Motion made by Councilmember David Erickson to enter Executive Session; seconded by Councilmember Keegan Garrity.

**Motion passes.**

**Aye:** 6 David Erickson, Nolan Gunnell, Sandi Goodlander, Keegan Garrity, Mark Hurd

**Nay:** 0

**Absent:** 1 Kathryn Beus

## 13. Executive Session

- a. Per Utah Code § 52-4-205(1)(d) - Strategy sessions to discuss the purchase, exchange, or lease of real property, or to discuss a proposed development agreement, project proposal, or financing proposal;
- b. Per Utah Code § 52-4-205(1)(c) – Strategy sessions to discuss pending or reasonably imminent litigation

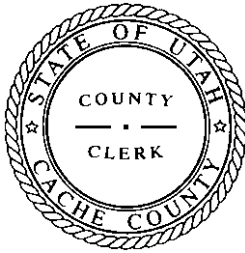
Adjourn: 7:30 PM [2:38:31](#)

---

**APPROVAL: Sandi Goodlander, Chair**  
**Cache County Council**

---

**ATTEST: Bryson Behm, Clerk**  
**Cache County Council**



# Fraud Risk Assessment

Continued

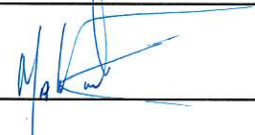
\*Total Points Earned: 375 /395 \*Risk Level: Very Low Low Moderate High Very High  
 > 355      316-355      276-315      200-275      < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	✓	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	✓	5
b. Procurement?	✓	5
c. Ethical behavior?	✓	5
d. Reporting fraud and abuse?	✓	5
e. Travel?	✓	5
f. Credit/Purchasing cards (where applicable)?	✓	5
g. Personal use of entity assets?	✓	5
h. IT and computer security?	✓	5
i. Cash receipting and deposits?	✓	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	✓	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	✓	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	✓	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training ( <a href="http://training.auditor.utah.gov">training.auditor.utah.gov</a> ) within four years of term appointment/election date?		20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	✓	20
7. Does the entity have or promote a fraud hotline?	✓	20
8. Does the entity have a formal internal audit function?	✓	20
9. Does the entity have a formal audit committee?	✓	20

\*Entity Name: Cache County

\*Completed for Fiscal Year Ending: 12-31-2025 \*Completion Date: 3-4-26

\*CAO Name: George Daines \*CFO Name: Matthew Funk

\*CAO Signature: \_\_\_\_\_ \*CFO Signature: 

\*Required



## Set a Public Hearing Ordinance 2026-14 – Dutson 2 Rezone

**Agenda request submitted by:** Brian Abbott, Director of Development Services –  
Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 24<sup>th</sup>, 2026

**Agenda Item Language:** Set a public hearing, to be held on April 14<sup>th</sup>, for Ordinance 2026-14 Dutson 2 Rezone – A request to rezone 15.12 acres, located at 7850 N. 6400 W., Newton, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Action:** Planning Commission – Recommendation of Approval (3-yea; 2-nay; 1 abstention)

**Background:** A request to rezone 15.12 acres, located at 7850 N. 6400 W., Newton, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on February 5<sup>th</sup>, 2026 and their recommendation to deny the rezone was made on February 5<sup>th</sup>, 2026.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council. See attached for additional information.

**County Staff Presenter:** Brian Abbott, Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Associate Planner

**Legal Review:** N/A

1 **Ord 2026-14**

2 **Dutson 2 Rezone**

3 **Amending the Cache County Zoning Map by rezoning 15.12 acres**  
4 **from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone**

5  
6 **County Council action**

7 Set a public hearing on February March 24<sup>th</sup>, 2026, to be held on April 14<sup>th</sup>, 2026.

8 If approved, the rezone will take effect 15 days from the date of approval.

9  
10 **Planning Commission action**

11 Approval (3-yea; 2-nay; 1 abstention).

12 Public hearing held on March 5<sup>th</sup>, 2026.

13 Conclusion: Based on the findings of fact noted [in the staff report], the Dutson 2 rezone is  
14 hereby recommended for approval to the County Council as follows:

- 15 1. This parcel meets the standards of the Rural 5 (RU5) Zone.
- 16 a. "To allow for residential development in a moderately dense pattern that can allow  
17 for rural subdivisions, and to allow for clustering plans larger than a single parcel.  
18 This type of development should be located and designed to not unreasonably  
19 impede adjacent agricultural uses, nor to unreasonably conflict with the  
20 development standards of adjacent municipalities."
- 21 b. "To implement the policies of Cache countywide comprehensive plan, including  
22 those regarding improved roadways, density based residential standards, clustering,  
23 moderate income housing and municipality standards."
- 24 c. "This zone must be appropriately served by suitable public roads, have access to the  
25 necessary water and utilities, and have adequate provision of public services."
- 26 d. "For properties to submit a rezone request for the RU5 zone, the nearest property  
27 line of the parcel(s) under consideration must be within one half mile linear distance  
28 from the borders of a municipality. However an applicant may submit a rezone  
29 request if parcels are not within the required distance only if the maximum number  
30 of lots that could be subdivided in the parcel(s) is 3 or less."
- 31 i. The subject properties are located 0.39 miles to the north of Newton Town  
32 and will have a maximum of three potential lots.

33  
34 **Staff Report review by Director**

35 Brian Abbott

36  
37 **Staff Report by County Planner**

38 Conner Smith

39  
40

41 **General Description**

42 This ordinance amends the County Zoning Map by rezoning 15.12 acres, located at 7850 N.  
43 6400 W., Newton, from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.

44

45 **Additional review materials included as part of Exhibit A**

46 Staff Report to Planning Commission – revised

**Staff Report: Dutson 2 Rezone**

5 March 2026

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:** Paul Dutson

**Parcel ID#:** 13-008-0011, -0020

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

~7850 N. 6400 W.,  
 Newton

**Acres:** 15.12

**Surrounding Uses:**

North – Agricultural/Residential

South – Agricultural

East – Agricultural

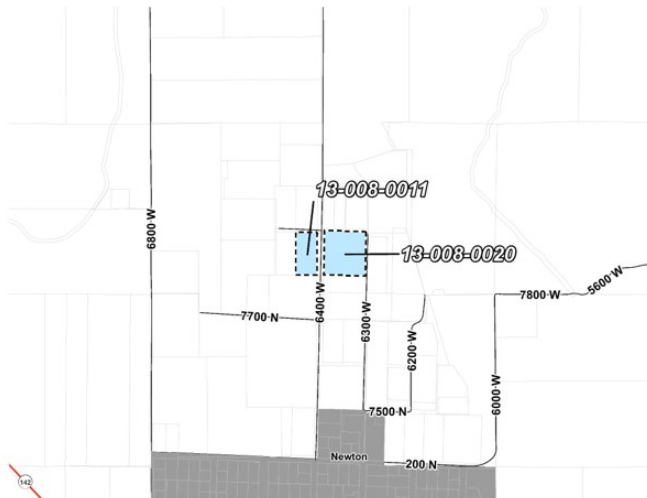
West – Agricultural

**Current Zoning:**

Agricultural (A10)

**Proposed Zoning:**

Rural 5 (RU5)



**Findings of Fact**

**A. Request description**

1. A request to rezone a total of 15.12 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone.
  - a. Parcel 13-008-0011 is in the Agricultural (A10) Zone and is 5.00 acres.
  - b. Parcel 13-008-0020 is in the Agricultural (A10) Zone and is 10.12 acres.
2. The maximum number of potential lots is three (3).
3. This rezone may allow the parcel to establish uses permitted in the Rural 5 (RU5) Zone.

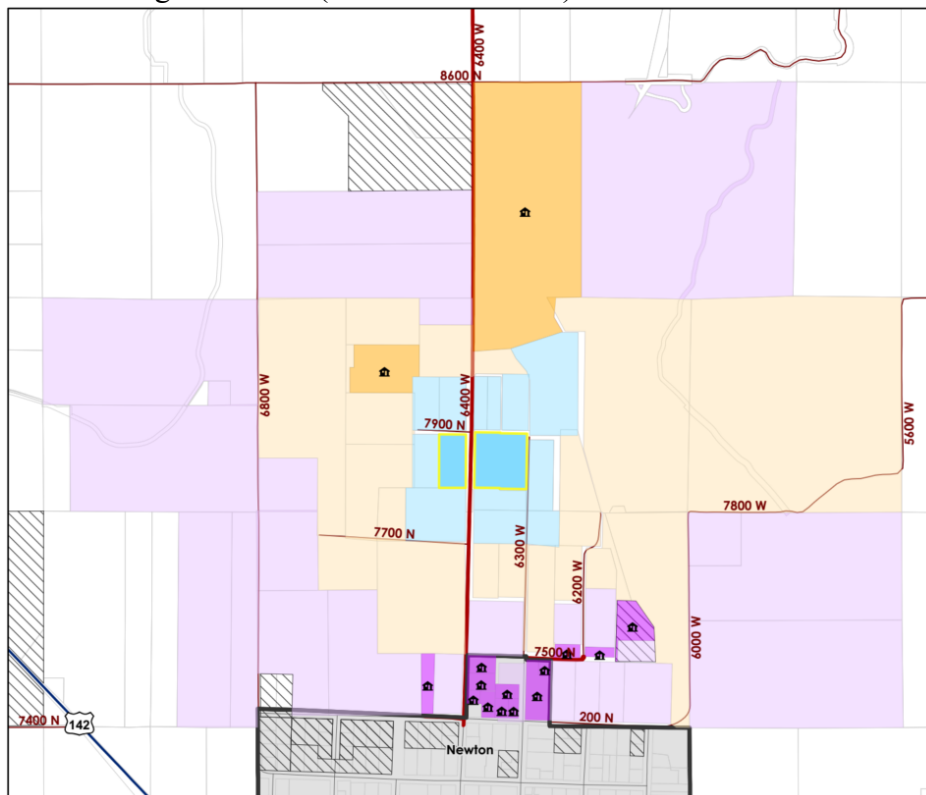
**4. History:**

- a.** In December of 2025 and January of 2026, these parcels went through the rezone application process to rezone 15.12 acres from the Agricultural (A10) Zone to the Rural 2 (RU2) Zone. That rezone request was recommended for denial by the Planning Commission at their December 4<sup>th</sup>, 2025 meeting and was then denied by the County Council at their January 27<sup>th</sup>, 2026 meeting. The applicant has now reapplied with the Dutson 2 rezone request.
- 5.** A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within the Rural 5 (RU5) Zone will be addressed as part of each respective approval process required prior to site development activities.
- 6.** Staff has identified general information as pertains to the subject properties 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:

**a. Land Use Context:**

- i.** Parcel status: The properties do not match the configuration they had on August 8<sup>th</sup>, 2006. However, they are still legal.
  - 1.** Until June of 2025, the total acreage fell under Parcel 13-008-0011. However, as 6400 W. went through the middle of the property and the legal description included two parcels, it was determined by the Recorder’s Office that a non-contiguous split was warranted. This split resulted in 13-008-0011 being located on the west side of 6400 W. while 13-008-0020 is located on the east side. Additionally, the parcels were described separately in the legal description. Therefore, the split did not constitute an unpermitted lot split and did not restrict the parcels.

**ii. Average Lot Size: (See Attachment A)**



Average Parcel Size	
<b>Adjacent Parcels</b>	Without a Home: 6.9 Acres (13 Parcels)
<b>¼ Mile Buffer</b>	With a Home: 53.4 Acres (2 Parcels)
	Without a Home: 16.9 Acres (34 Parcels)
<b>½ Mile Buffer</b>	With a Home: 19.4 Acres (6 Parcels)
	Without a Home: 22.3 Acres (60 Parcels)

*Inside of Newton Town, within the ½ Mile Buffer, 9 Parcels have homes (1.5 acres) while 1 Parcel (3 acres) does not.*

**iii. Schedule of Zoning Uses:** The Rural 5 (RU5) Zone allows for a variety of uses with the approval of a zoning clearance and/or conditional use permit.

These uses include:

- Single Family Dwelling
- Foster Home
- Accessory Apartment
- Accessory/Agricultural Structures
- Home Based Business
- Seasonal Cabin
- Residential Living Facilities
- Home Based Kennel
- Bed and Breakfast Inn
- Public Uses
- Religious Meeting House
- Utility Facility, Distribution
- Utility Facility, Service
- Agricultural Production
- Farm Stand
- Boarding Facility
- Site Grading

**iv. Adjacent Uses:**

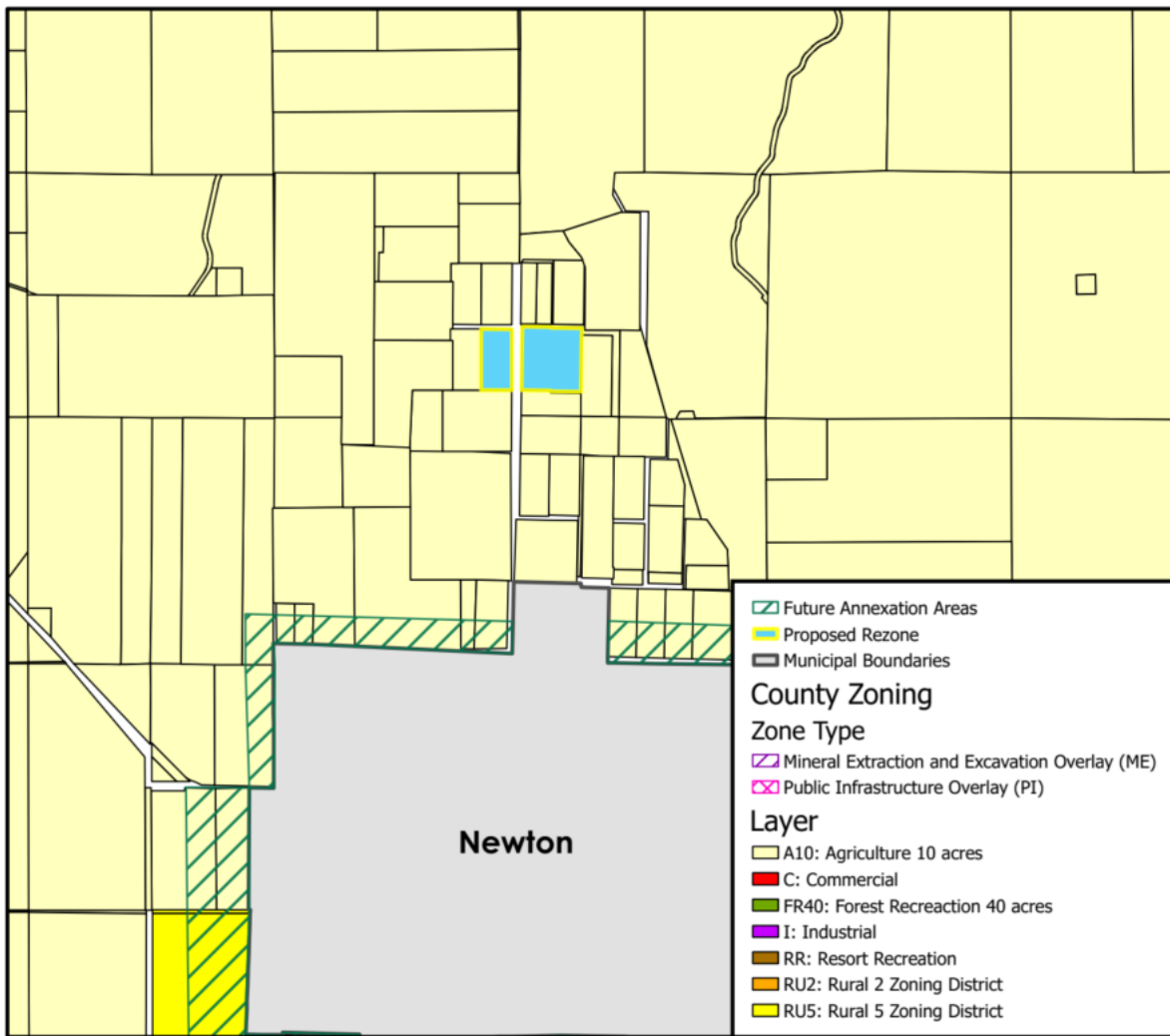
1. The properties to the north are a mix of residential and agricultural while properties to the east, south, and west are agricultural.

**v. The nearest parcel in the County that is in the Rural 5 (RU5) Zone is located 1.16 miles to the southeast of the subject properties.**

1. The Cutler Valley Rezone, located 1.16 miles to the southwest of the subject properties, was a request to rezone 65.72 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone and was approved by the County Council as Ordinance 2022-12.

**vi. Annexation Areas:**

1. The subject properties are not located in any future annexation area.



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

7. 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.
8. The current County Land Use Ordinance does not specify appropriate locations for the Rural 5 (RU5) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030(A) identifies the purpose of the Rural 5 (RU5) 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 Cache countywide comprehensive plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality 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.”

- d. “For properties to submit a rezone request for the RU5 zone, the nearest property line of the parcel(s) under consideration must be within one half mile linear distance from the borders of a municipality. However an applicant may submit a rezone request if parcels are not within the required distance only if the maximum number of lots that could be subdivided in the parcel(s) is 3 or less.”

9. Chapter 4: Future Land Use Plan of the Cache County General Plan states:

- a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.”
- b. “The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.”

10. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject properties are located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26*. This section states:

- a. Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
- b. Example Areas: Most of the valley.
- c. Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural landscape provides separation between adjacent municipalities and protects suitable soils.
- d. Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
- e. Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.
- f. Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.

11. The properties are not located in the Urban Expansion Overlay.

12. This proposed rezone meets the requirements of §17.08.030(B)(4) as the subject properties are located 0.39 miles to the north of Newton Town and has a maximum potential of three lots.

13. Consideration of impacts related to uses allowed within the Rural 5 (RU5) 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**

14. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.

15. §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.
16. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Rural 5 (RU5) Zone is 90’.
17. §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
18. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
19. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
20. Roadway Functional Classification:
  - a. Major Local (ML): Major local roads serve a dual function of providing access to properties that abut the road as well as providing through or connection service between higher road classification facilities. Major local roads may have significant local continuity and may operate at relatively high speeds. Because of the possibility of 2.0 Roadway Design (2021) | Roadway Manual 10 through traffic, a meaningful segment of traffic on major local roads may include drivers who are unfamiliar with the roads. Traffic on major local roads is largely composed of passenger vehicles or other smaller vehicle types. Where a significant proportion of traffic is trucks or other heavy vehicles, additional design considerations will be required.
  - b. Minor Local (L): Minor local roads serve almost exclusively to provide access to properties adjacent to the road. Minor local roads generally serve residential or other noncommercial land uses. Many minor local roads are cul-de-sacs or loop roads with no through continuity. The length of minor local roads is typically short. Because the sole function of local roads is to provide local access, such roads are used predominantly by drivers who are familiar with them.
21. A basic review of the access to the subject properties identifies the following:
  - a. The properties have access to 6400 West and 7900 North
22. 6400 West:
  - a. Between the subject parcels, 6400 West is a County road and is classified as a Major Local.
  - b. Provides access to agricultural and residential properties and provides through access to SR-142 and Newton Dam.
  - c. Is maintained by the County year round and has a speed limit of 40 miles per hour.
  - d. Has an existing width of 20 feet, a 66-foot right-of-way, no paved shoulder, a 0 to 1-foot gravel shoulder, a 10-foot clear zone, and is paved.
  - e. Is considered substandard as to paved shoulder and gravel shoulder.

<b>Frontage Road – 6400 West</b>			
<b>Functional Classification</b>	Major Local	<b>Summer Maintenance</b>	Yes
<b>Speed Limit</b>	40 MPH	<b>Winter Maintenance</b>	Yes
<b>Dedicated ROW</b>	Yes	<b>Municipal Boundary</b>	No

<b>Analysis of Roadway – 6400 West</b>			
<b>Roadway Element</b>	<b>Existing Width (ft.)</b>	<b>Required Width (ft.)</b>	<b>Comments or Findings</b>
Travel Lanes	20	10	OK
Right-of-Way	66	66	OK
Paved Shoulder	0	2	Substandard
Gravel Shoulder	0-1	4	Substandard
Clear Zone (4:1)	10	10	OK
Material	Paved	Paved	OK
Structural			Visually OK

<b>Minimum Access Spacing Standard (Feet)</b>			
<b>Classification</b>	<b>Public/Private Roads</b>	<b>Commercial</b>	<b>Residential/Farm</b>
Major Local	300	150	10
<i>1. Driveways for all uses except single-family homes shall not be closer than eight (8) feet to an adjacent interior property line. Single-family homes may be granted with two (2) feet of the property line.</i>			



Figure 1 – 6400 West looking north along property frontage.



Figure 2 – 6400 West looking south along property frontage.

**23. 7900 North:**

- a. To the north of parcel 13-008-0011, 7900 North is a County road and is classified as a Minor Local.
- b. Provides access to agricultural properties and a single residential property.
- c. Is maintained by the County in the summer only and has a speed limit of 40 miles per hour.
- d. Has an existing width of 15 feet, a 50-foot right-of-way, no paved shoulder, no clear shoulder, no clear zone, and is gravel.
- e. Is considered substandard as to travel lanes, right-of-way, paved shoulder, gravel shoulder, clear zone, and material.

<b>Frontage Road – 7900 North</b>			
<b>Functional Classification</b>	Minor Local	<b>Summer Maintenance</b>	Yes
<b>Speed Limit</b>	40 MPH	<b>Winter Maintenance</b>	No
<b>Dedicated ROW</b>	Yes	<b>Municipal Boundary</b>	No

<b>Analysis of Roadway – 7900 West</b>			
<b>Roadway Element</b>	<b>Existing Width (ft.)</b>	<b>Required Width (ft.)</b>	<b>Comments or Findings</b>
Travel Lanes	15	10	Substandard
Right-of-Way	50	66	Substandard
Paved Shoulder	0	2	Substandard
Gravel Shoulder	0	4	Substandard
Clear Zone (4:1)	NA	10	Substandard
Material	Gravel	Paved	Substandard
Structural			Substandard

<b>Minimum Access Spacing Standard (Feet)</b>			
<b>Classification</b>	<b>Public/Private Roads</b>	<b>Commercial</b>	<b>Residential/Farm</b>
Major Local	300	NA	10
<i>1. Driveways for all uses except single-family homes shall not be closer than eight (8) feet to an adjacent interior proper line. Single-family homes may be granted with two (2) feet of the property line.</i>			



Figure 3 – 7900 North looking west along property frontage.

**D. Service Provisions:**

- 24. §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns regarding this rezone. Any future development on the properties must be reevaluated and may require improvements based on the location of the proposed access and development.
- 25. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

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

- 26. A revised public notice was posted online to the Utah Public Notice Website on 26 February 2026.
- 27. Revised notices were posted in three public places on 26 February 2026.
- 28. Notices were mailed to all property owners within 300 feet on 20 February 2026.
- 29. A revised meeting agenda was posted to the County website on 26 February 2026.
- 30. At the time of writing the staff report, one written public comment regarding this proposal has been received by the Development Services Office.

## **Conclusion**

---

The Dutson 2 rezone, a request to rezone 15.12 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) 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 based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

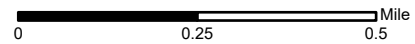
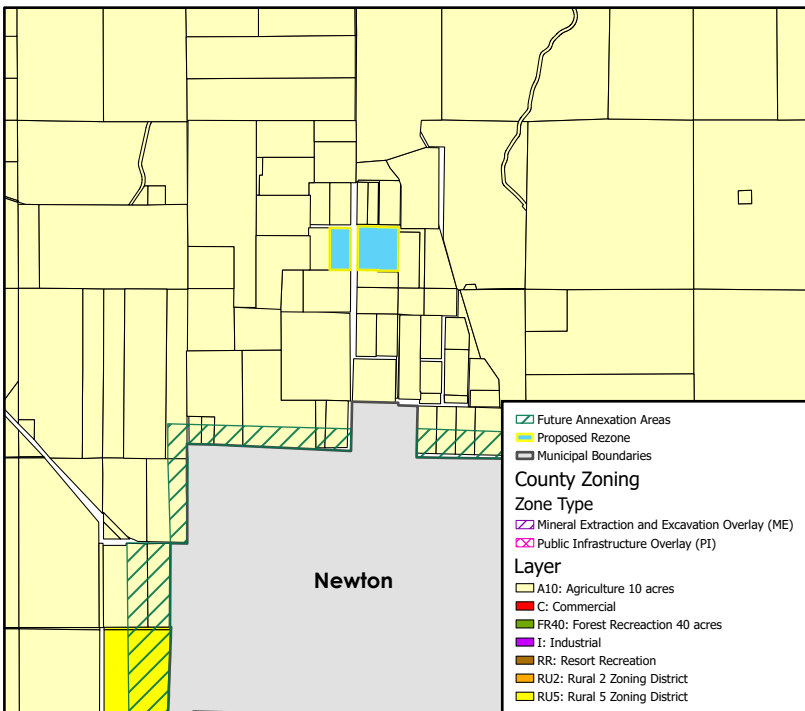
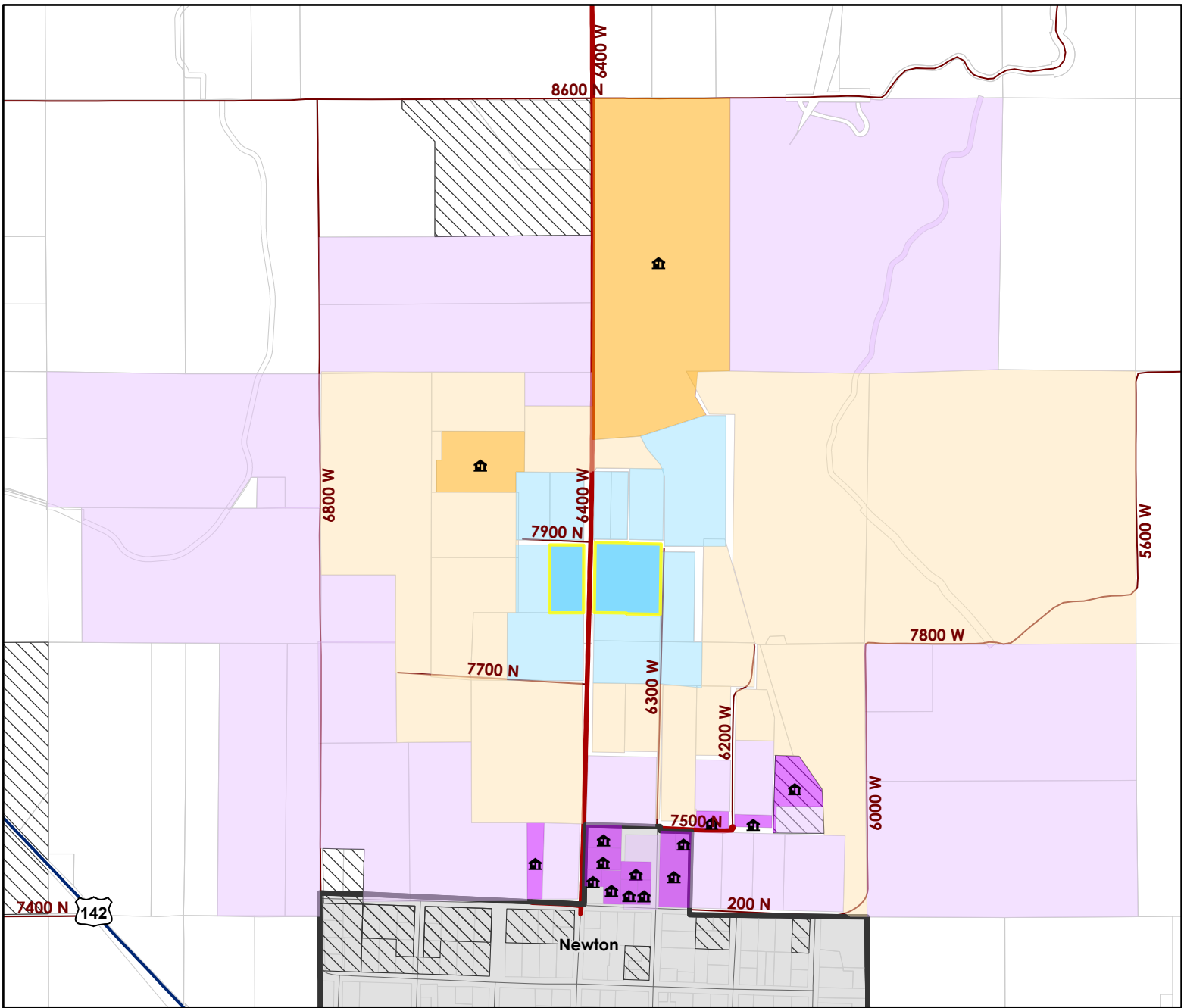
## **Planning Commission Conclusion**

---

Based on the findings of fact noted herein, the Dutson 2 rezone is hereby recommended for approval to the County Council as follows:

1. This parcel meets the standards of the Rural 5 (RU5) Zone.
  - 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 Cache countywide comprehensive plan, including those regarding improved roadways, density based residential standards, clustering, moderate income housing and municipality 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.”
  - d. “For properties to submit a rezone request for the RU5 zone, the nearest property line of the parcel(s) under consideration must be within one half mile linear distance from the borders of a municipality. However an applicant may submit a rezone request if parcels are not within the required distance only if the maximum number of lots that could be subdivided in the parcel(s) is 3 or less.”
    - i. The subject properties are located 0.39 miles to the north of Newton Town and will have a maximum of three potential lots.

# **ATTACHMENT A**



### Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

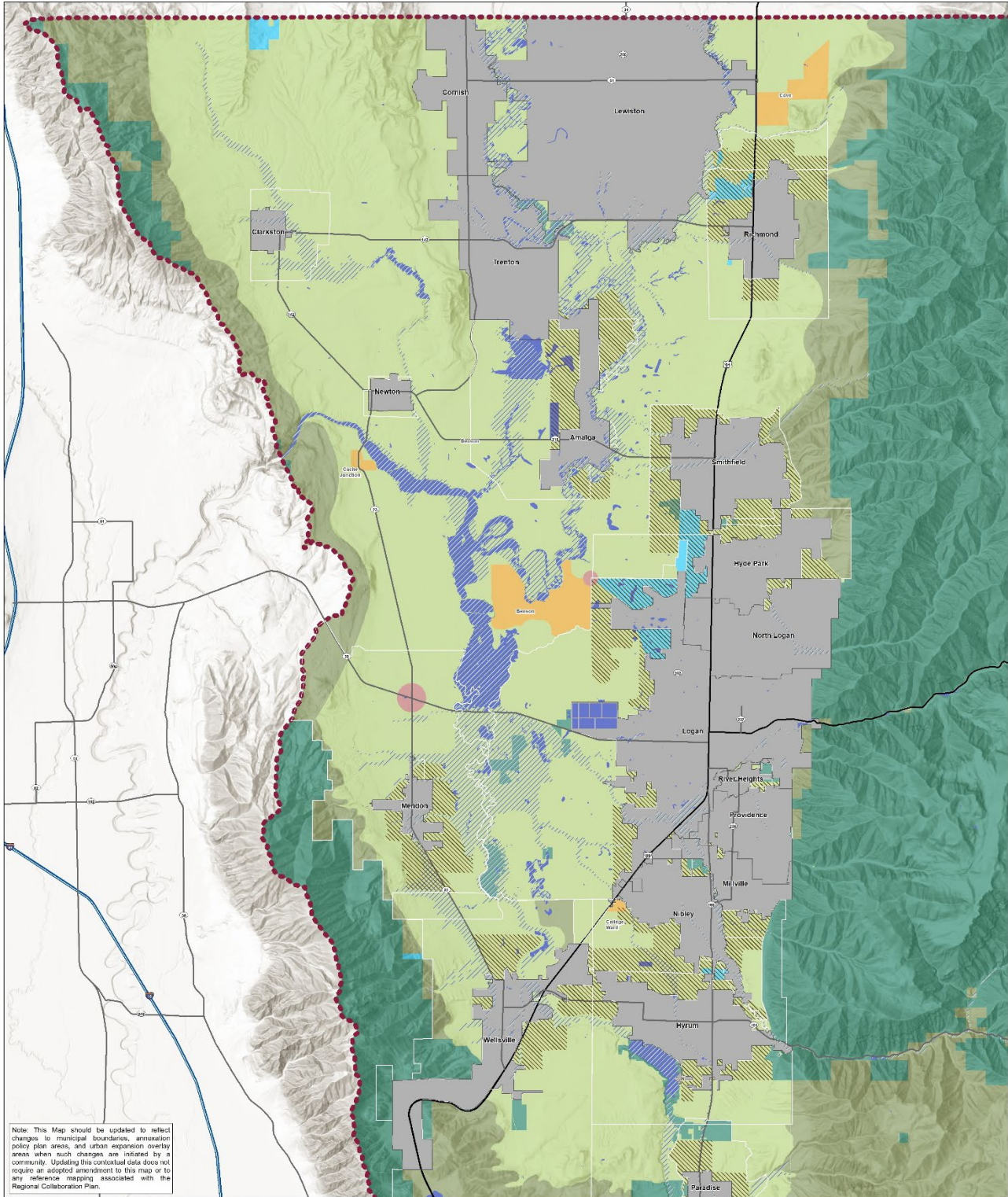
### Average Parcel Size

<b>Adjacent Parcels</b>	Without a Home: 6.9 Acres (13 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 53.4 Acres (2 Parcels)
	Without a Home: 16.9 Acres (34 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 19.4 Acres (6 Parcels)
	With a Home in Newton Town: 1.5 Acres (9 Parcels)
	Without a Home: 22.3 Acres (60 Parcels)
	Without a Home in Newton Town: 3 Acres (1 Parcel)

- Future Annexation Areas
- Proposed Rezone
- Municipal Boundaries
- County Zoning**
- Zone Type**
- Mineral Extraction and Excavation Overlay (ME)
- Public Infrastructure Overlay (PI)
- Layer**
- A10: Agriculture 10 acres
- C: Commercial
- FR40: Forest Recreation 40 acres
- I: Industrial
- RR: Resort Recreation
- RU2: Rural 2 Zoning District
- RU5: Rural 5 Zoning District



# **ATTACHMENT B**



Note: This Map should be updated to reflect changes to municipal boundaries, annexation policy plan areas, and urban expansion overlay areas when such changes are initiated by a community. Updating this cartographic data does not require an adopted amendment to this map or to any reference mapping associated with the Regional Collaboration Plan.

- Water Bodies
- 100 Year Floodplain
- Municipalities
- Annexation Policy Plan Areas
- Urban Expansion Overlay
- Retail Commercial
- Rural Community
- Industrial and Mineral Extraction
- Agriculture and Ranching
- Mountain Rural and Conservation
- Forest and Natural Resource

## Cache County Future Land Use Map

Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023



# **PUBLIC COMMENTS**

---

**Fw: Dutson 2 Rezone**

---

rosemary christiansen <rosechris8@yahoo.com>  
To: "conner.smith@cachecounty.gov" <conner.smith@cachecounty.gov>

Wed, Mar 4, 2026 at 11:23 AM

Dear Planning Commission.

I appreciate being able to raise a few concerns I have associated with the Dutson 2 rezone request. Where in they are requesting the rezone of 15.12 acres to the RU5 zone.

First off, I agree with Option 1 of the staff recommendation. That this is not consistent with the Cache County General Plan. Specifically that the "Agricultural and Ranching" area that this is in, places an emphasis on the current use of all surrounding parcels. The RU5 zone does not prioritize that use. Also the nearest RU5 zone is over a mile away, on the south side of Newton.

These parcels are not in the Urban Expansion Overlay.

A big concern I have is the precedent it would set. Currently after leaving the town boundary travelling north, it's basically a totally agricultural setting. Having a house on every 5 acre parcel for a mile and a half stretch, is not the goal or desire of the people in this area. It is not the vision of the County General Plan. Also a major concern I have it states that in the RU5 zone, only 90' of frontage is required.. Having 5 acre parcels, with only 90' of frontage, could make for some pretty interesting parcels.

The County Land Use Ordinance says a RU5 must be appropriately served by suitable public roads, and have access to necessary water and utilities. These parcels do not have such services.

As mentioned in the staff report, 6400 West is very substandard, and is only getting worse. There are 6" to 8" drop offs all along the way, especially on the east side. There is not shoulder at all. As stated in the staff report, 7900 north is also very substandard. Since there is no power, or culinary water in the area, wells would be required. The county is still trying to determine just where we sit as far as water goes. Currently there is a major concern for water on the west side. And various ideas are being presented to help solve that problem. It would be very prudent to get a better determination before allowing development that would be detrimental. Having water for our crops is a major concern in our area. This year especially. Newton Dam is currently getting close to 35% full, but with very limited snow pack, our current outlook is a bit tight.

If our goal in the Cache County General Plan is to continue to promote agriculture, while still being able to allow desired growth, maintaining the Agricultural A10 Zone in this area, would seem to be a better fit.

Thank you very much for your consideration.

Clair Christiansen



Conner Smith <conner.smith@cachecounty.gov>

---

## Dutson 2 Rezone

---

rosemary christiansen <rosechris8@yahoo.com>

Wed, Mar 4, 2026 at 11:44 PM

To: "conner.smith@cachecounty.gov" <conner.smith@cachecounty.gov>

Dear Planning Commission,

A major concern I have about this rezone, is the adverse effect this process has on the surrounding landowners. I realize sometimes a rezone may be initiated by a long-term landowner, but many times, like this particular one, is a good example of what happens. A parcel of land that has been agriculture for years comes for sale. The buyer buys it as such (A10) and sometimes pays a somewhat elevated price for farmland. More than what agriculture can sustain. Then the buyer in essence becomes a developer. They change the zone and attempt to cover their costs by selling off a couple of parcels. These sales go for close to residential prices, so property values all over the area are greatly increased. Property values have skyrocketed even out in our area. So, the surrounding property owners eventually sell for houses, not agriculture. Especially the last few years, Cache County is losing 1-2 thousand acres per year to development. It especially hits farmers that have been renting property for years. They are essentially priced out of being able to purchase property for a price that would enable them to stay in business.

I also have a request / suggestion. I wonder if it would be possible for the county to include in their code, that installation of electricity be underground. Some towns, cities, and areas are requiring that. Another way development like this, in areas that have no utilities, become a burden to adjacent landowners is the installation of overhead lines. Pivot and wheel move irrigation are not conducive to power poles. Working with Rocky Mountain to move a line is very costly and time consuming. We are continually trying to remove power poles, we surely would appreciate not having new ones show up.

Getting power to this proposed rezone, is going to negatively affect many people.

Thank you for your consideration.

Clair Christiansen

---

## Dutson 2 Rezone

---

**Douglas Thorson** <lordhelmet85@yahoo.com>  
To: "devservices@cachecounty.gov" <devservices@cachecounty.gov>  
Cc: "conner.smith@cachecounty.gov" <conner.smith@cachecounty.gov>

Wed, Mar 4, 2026 at 3:32 PM

Dear Planning commission,

As a citizen of Cache County and Newton City I wish to formally make know my concerns and objections to the proposed Dutson Rezone that is to be considered on March 05th of this year.

I attended the first request and was grateful for the careful thought and consideration that was given to the request, but more importantly I believe that the first opinion/denial was correct and in the best interest of Cache County and the general agricultural needs of the community.

My understanding of County Code is that the general plan is for "agricultural and ranching area's" be kept as such with some exceptions. The property in question to my understanding is that this particular piece of property does not fall within those exemptions. i.e. the nearest RU5 zone is over a mile to the south. Keeping the property in question out of the Urban Expansion Overlay.

One other concern I have it that the proposed property boundries would cut a small sliver of ground from the east side of the road and connect it to the west side of the road, providing the required 5 acre minimum. That would cause the acreage to be divided by a county roadway. Not a contiguas parcel of ground. That would seem to be more of an attempt to circumvent the requirements of County Code.

The precedent that could create is being watched by others that are hoping it will give them a loop hole to subdivide their farm/ranch ground for the soul purpose of financial gain and not the best use of valuable farm/ranch ground.

I also have concerns about utility's as there are none near the property, no power, water or other utilities. Drilling a well is an option but with the drought conditions that are present, i.e. Newton City attempting to find more municiple water sources, this could negatively impact existing water reserves and the ability to properly water crops in the area.

As a citizen of Newton and Cache County I publicly oppose this rezone for the stated reasons.

Thank you for your time and consideration.

Douglas Thorson  
Newton, Utah

# NEWTON TOWN CORPORATION

51 South Center  
P.O. Box 146  
Newton, UT 84327  
(435)563-9283

Mayor  
Craig Rigby

Council Members:  
Steven Jenkins  
Anzl Rhodes  
Brandon Taylor  
Jed Woodward

March 3, 2026

## **Subject: Opposition to the Proposed Dutson Rezone (Approx. 7850 N. 6400 W., Newton)**

Dear Members of the Cache County Planning Commission,

As Mayor of the Town of Newton, I am writing to formally express our opposition to the proposed Dutson Rezone request to change approximately 15.12 acres from the Agricultural (A10) Zone to the Rural 5 (RU5) Zone. While we understand the applicant's interest in developing this property, the Town of Newton has several concerns regarding the potential impacts of this rezone. This request is inconsistent with the stated purpose of the RU-5 Zone, does not meet the intent of the County's updated zoning standards governing rural rezones, and undermines the long-term protection of agricultural land in Cache County.

The RU-5 zone is not intended as a default transition from agricultural zoning simply because development is requested. It is intended for areas where rural estate development is appropriate, sustainable, and supported by infrastructure. Rezoning productive A10 agricultural land without demonstrated infrastructure capacity or compatibility with surrounding agricultural operations conflicts with the stated purpose of the RU-5 zone.

### **Agricultural Preservation and Cumulative Impact**

The A10 zone exists specifically to preserve viable agricultural land. Western Cache County remains one of the County's most productive agricultural regions. Rezoning this parcel:

- Contributes to incremental loss of agricultural acreage;
- Increases conflict between residential property owners and normal farming operations;
- Places additional demands on rural roads, emergency services, and utilities;
- Establishes precedent for additional similar rezone requests nearby.

When evaluated cumulatively, rural rezonings erode the agricultural base the County has historically sought to protect.

### **Roadway and Infrastructure Limitations**

The primary access road serving this area requires substantial upgrades and widening, particularly along its shoulders. Current conditions do not safely or adequately support increased traffic volumes that would result from additional residential development and driveway access. Without necessary improvements, the rezone would place undue strain on existing infrastructure and create safety concerns for residents.

The 15.12 acres being requested for rezoning is not one parcel, it is two parcels divided by this road. This road has significant traffic in the summer with travel to and from Newton dam. An increased amount of driveway access allowed to this road could cause a hazard.

### **Water Resource and Well Impact Concerns**

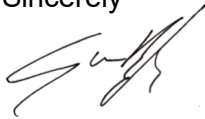
Of greatest concern is the continued approval of wells on the northwest side of the Bear River. This region already faces challenges with groundwater availability, and additional wells risk further depleting the local water table. Newton has struggled for years to secure reliable additional water sources, and allowing further well development in this area could have long-term negative impacts on both the town's ability to find additional water for growth within town and agriculture farmland surrounding this area. We strongly recommend that comprehensive hydrological studies be conducted before any further approvals are granted.

### **Conclusion**

For these reasons, the Town of Newton respectfully requests that the Planning Commission deny the Dutson Rezone application until these critical issues, agricultural preservation, infrastructure adequacy, and water resource sustainability, are thoroughly addressed.

Thank you for your time and consideration of our position. We appreciate the opportunity to participate in this important planning process.

Sincerely

A handwritten signature in black ink, appearing to read 'Craig Rigby', written in a cursive style.

Craig Rigby  
Mayor  
Newton, UT



## Set a Public Hearing

### Ordinance 2026-15 – 40 Acre Industrial Rezone

**Agenda request submitted by:** Brian Abbott, Director of Development Services –  
Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 24<sup>th</sup>, 2026

**Agenda Item Language:** Set a public hearing, to be held on April 14<sup>th</sup>, for Ordinance 2026-15 40 Acre Industrial Rezone – A request to rezone 40.00 acres, located at 3100 W. 6200 N., Amalga, from the Agricultural (A10) Zone to the Industrial (I) Zone.

**Action:** Planning Commission – Recommendation of Denial (6-yea; 0-nay)

**Background:** A request to rezone 40.00 acres, located at 3100 W. 6200 N., Amalga, from the Agricultural (A10) Zone to the Industrial (I) Zone.

**Fiscal Impact:** N/A

**Public Hearing Required:** Rezone requests require a public hearing before the County Planning Commission (PC). This hearing was held on March 5<sup>th</sup>, 2026 and their recommendation to deny the rezone was made on March 5<sup>th</sup>, 2026.

No additional hearing is required under the requirements of the State Code, however, the Council has previously directed it is beneficial to rehear the public comment and hold an additional hearing before the Council. See attached for additional information.

**County Staff Presenter:** Brian Abbott, Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Associate Planner

**Legal Review:** N/A

1 **Ord 2026-15**

2 **40 Acre Industrial Rezone**

3 **Amending the Cache County Zoning Map by rezoning 40.00 acres**  
4 **from the Agricultural (A10) Zone to the Industrial (I) Zone**

5  
6 **County Council action**

7 Set a public hearing on February March 24<sup>th</sup>, 2026, to be held on April 14<sup>th</sup>, 2026.

8 If approved, the rezone will take effect 15 days from the date of approval.

9  
10 **Planning Commission action**

11 Denial (6-yea; 0-nay).

12 Public hearing held on March 5<sup>th</sup>, 2026.

13 Conclusion: Based on the findings of fact noted [in the staff report], the 40 Acre Industrial  
14 rezone is hereby recommended for approval to the County Council as follows:

15 **1.** The rezone is partially inconsistent with the Cache County General Plan:

16 **a.** The “Agriculture and Ranching” area places an emphasis on agriculture related  
17 activities. The Industrial (I) Zone has fewer agricultural related use types than the  
18 Agricultural (A10) Zone.

19 **2.** The nearest parcel in the Industrial (I) Zone is located 3.56 miles to the south-east of the  
20 subject property.

21  
22 **Staff Report review by Director**

23 Brian Abbott

24  
25 **Staff Report by County Planner**

26 Conner Smith

27  
28 **General Description**

29 A request to rezone 40.00 acres, located at 3100 W. 6200 N., Amalga, from the Agricultural  
30 (A10) Zone to the Industrial (I) Zone.

31  
32 **Additional review materials included as part of Exhibit A**

33 Staff Report to Planning Commission – revised

**Staff Report: 40 Acre Industrial Rezone**

5 March 2026

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:** Dakota Bodily

**Parcel ID#:** 13-040-0001

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

3100 W. 6200 N.,  
Amalga

**Acres:** 40.00

**Surrounding Uses:**

North – Agricultural/Industrial

South – Agricultural/Amalga

East – Agricultural/Amalga

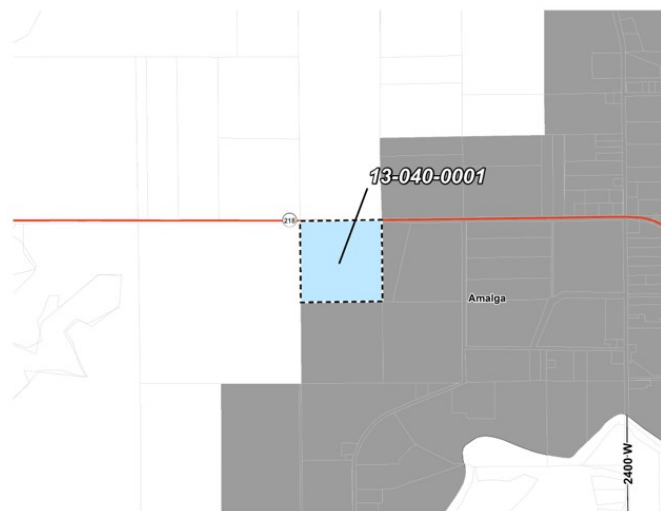
West – Agricultural

**Current Zoning:**

Agricultural (A10)

**Proposed Zoning:**

Industrial (I)



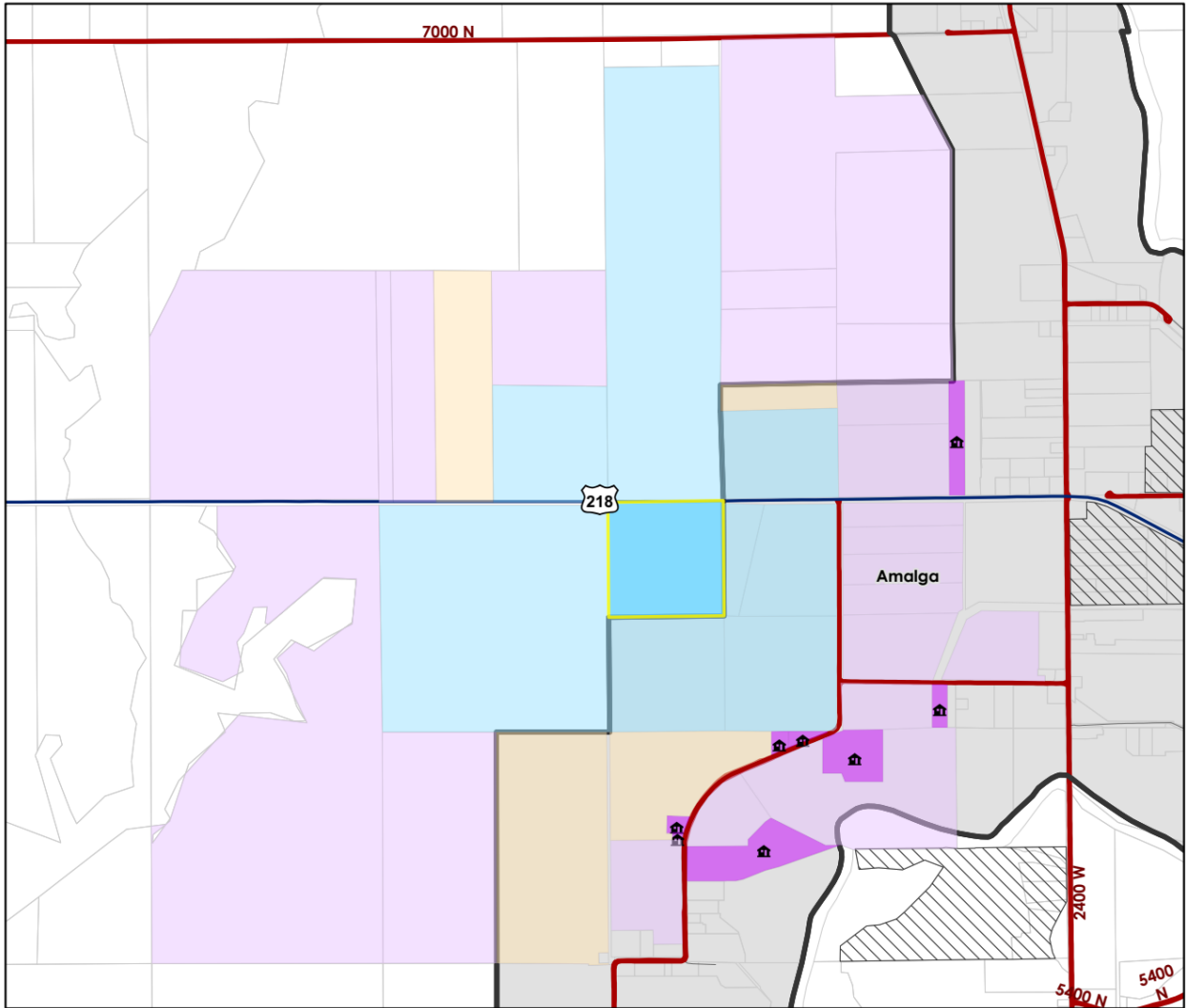
**Findings of Fact**

**A. Request description**

1. A request to rezone 40.00 acres from the Agricultural (A10) Zone to the Industrial (I) Zone.
2. This rezone may allow the parcel to establish uses permitted in the Industrial (I) Zone.
3. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within the Industrial (I) Zone will be addressed as part of each respective approval process required prior to site development activities.
4. 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:

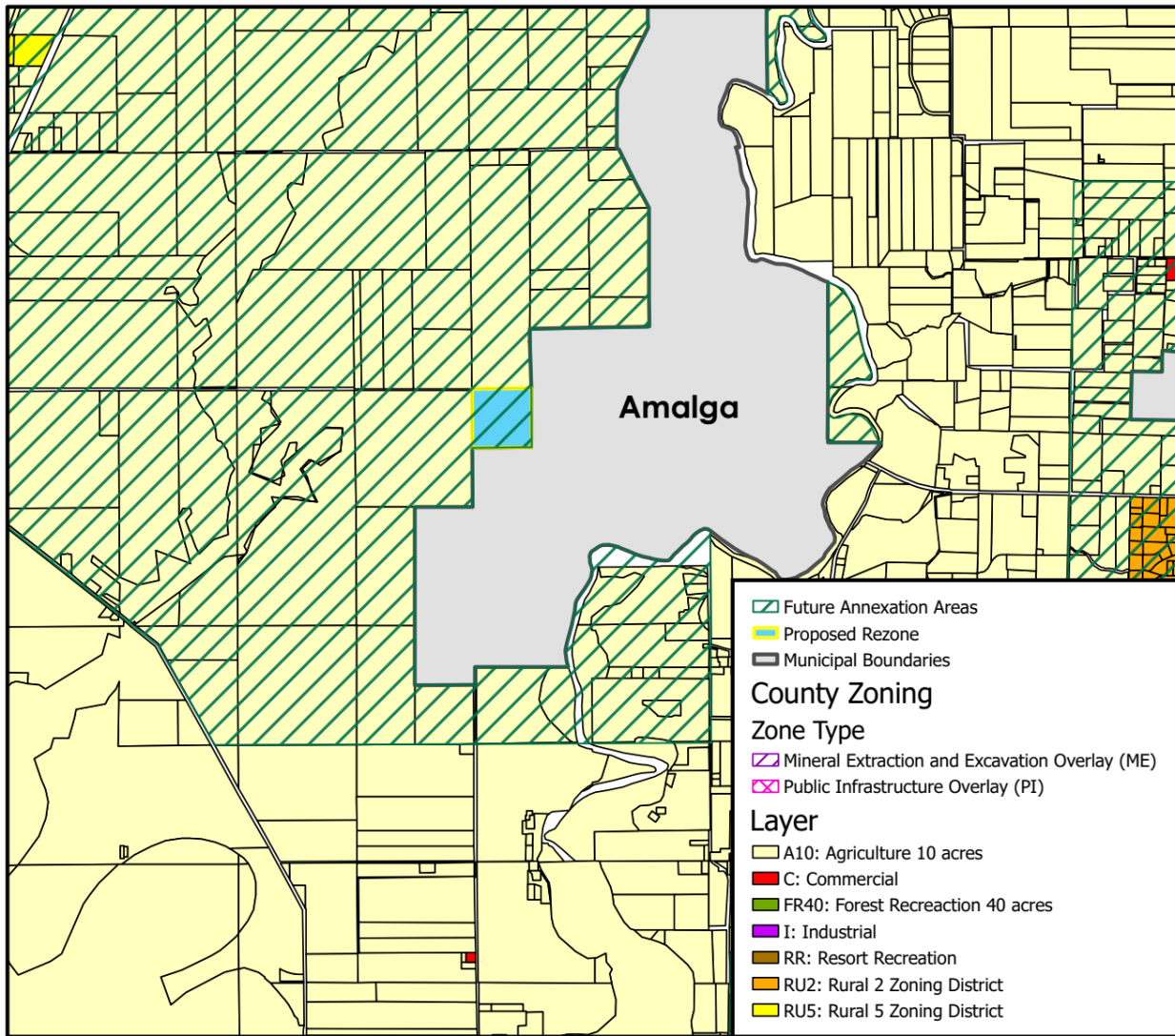
**a. Land Use Context:**

- i. Parcel status:** The property matches the configuration it had on August 8<sup>th</sup>, 2006 and is legal.
- ii. Average Lot Size:** (See Attachment A)



Average Parcel Size	
Adjacent Parcels	Without a Home: 97.5 Acres (4 Parcels)
	Without a Home in Amalga Town: 29.2 Acres (5 Parcels)
¼ Mile Buffer	Without a Home: 86 Acres (5 Parcels)
	Without a Home in Amalga Town: 33.3 Acres (8 Parcels)
½ Mile Buffer	With a Home in Amalga Town: 4.2 Acres (8 Parcels)
	Without a Home: 75 Acres (16 Parcels)
	Without a Home in Amalga Town: 24 Acres (20 Parcels)

- iii.** Schedule of Zoning Uses: The Industrial (I) Zone allows for a variety of uses with the approval of a zoning clearance and/or conditional use permit. These uses include:
- Accessory/Agriculture Structures
  - Caretaker's Residence
  - General Manufacturing
  - Agricultural Manufacturing
  - Commercial Kennel/Animal Shelter
  - Storage and Warehousing
  - Self Service Storage Facility
  - Transport Services
  - General Vehicle Repair
  - Mobile Food Truck
  - Sexually Oriented Business
  - Crematorium
  - Utility Facility, Distribution
  - Telecommunications Facility, Major
  - Telecommunications Facility, Minor
  - Private Airport
  - Livestock Auction Facility
  - Site Grading
- iv.** Adjacent Uses:
1. The properties to the north are a mix of agricultural and industrial while properties to the east, south, and west are primarily agricultural. Amalga Town is directly adjacent to the subject parcel on the east and south sides.
- v.** The nearest parcel in the County that is in the Industrial (I) Zone is located 3.56 miles to the south-east of the subject property.
1. The TYJ Storage Rezone, located 3.56 miles to the south-east of the subject property, was a request to rezone 26.42 acres from the Agricultural (A10) Zone to the Industrial (I) Zone and was approved by the County Council as Ordinance 2023-12.
- vi.** Annexation Areas:
1. The subject property is located in the Amalga Town future annexation areas.
    - a. The applicant provided a letter as part of their application from Amalga Town which stated that the majority of the town board is not in favor of annexation as the provision of services would be costly.



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

5. 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.
6. The current County Land Use Ordinance does not specify appropriate locations for the Industrial (I) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030(A) identifies the purpose of the Industrial (I) Zone and includes the following:
  - a. “To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and to broaden the tax base.”
  - b. “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.”
7. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of



- v. Urban services provided by the County are minimized
  - d. Preferred Land Uses: Annexations within these areas should strive to accomplish the densities, intensities, and street patterns contained in the municipal land use plan. New uses should be developed where urban-level infrastructure is available. Affordable housing options are also appropriate in this area.
  - e. Secondary Land Uses: Civic (meeting spaces), and residential support uses (e.g. parks, medical, schools, fire and police stations).
  - f. Discouraged Uses: Uses that are not consistent with the municipal general plan or existing county zoning.
10. Consideration of impacts related to uses allowed within the Industrial (I) 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**
11. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
12. §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.
13. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Industrial (I) Zone is 150’.
14. §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
15. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
16. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).
17. Roadway Functional Classification:
- a. Major Collector (MC): Major collector roads serve larger towns and other traffic generators of equivalent inter-county importance, such as schools, shipping points, and county parks, which are not directly served by minor arterial roads.
18. A basic review of the access to the subject property identifies the following:
- a. The property has access to State Road 218 (SR-218).
19. SR-218:
- a. South of the subject parcel, SR-218 is a Utah Department of Transportation (UDOT) road and is classified as a Major Collector.
    - i. Major Collectors are roadways that provide higher mobility, longer travel distances, and higher traffic volumes than Minor Collectors, acting as key connectors between smaller communities, major industrial/recreational areas, and the higher-level state highway system, particularly in rural areas.
  - b. Provides access to residential and agricultural properties and serves as a connection between Smithfield, Amalga, and Newton.
  - c. This section of SR-218 is classified as an Access Category 4, which has a minimum driveway spacing of 500 feet and a minimum street spacing of 660 feet.
  - d. Access to any proposed development must be approved by UDOT.
20. Proposed Road:
- a. 3200 West, located along the west side of the parcel, is a proposed road per the Cache County Transportation Master Plan.

- i. Per Cache County Code §16.04.010.c, whenever a tract to be subdivided adjoins or embraces any part of an existing road as claimed by the county or a proposed road designated within the countywide comprehensive plan, such part of the public way shall be platted and dedicated to the county.

**D. Service Provisions:**

21. §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns regarding this rezone. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development.
22. §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

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

23. A revised public notice was posted online to the Utah Public Notice Website on 26 February 2026.
24. Revised notices were posted in three public places on 26 February 2026.
25. Notices were mailed to all property owners within 300 feet on 20 February 2026.
26. A revised meeting agenda was posted to the County website on 26 February 2026.
27. At the time of writing the staff report, one written public comment regarding this proposal has been received by the Development Services Office.

**Staff Conclusion**

---

The 40 Acre Industrial rezone, a request to rezone 40.00 acres from the Agricultural (A10) Zone to the Industrial (I) 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 based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

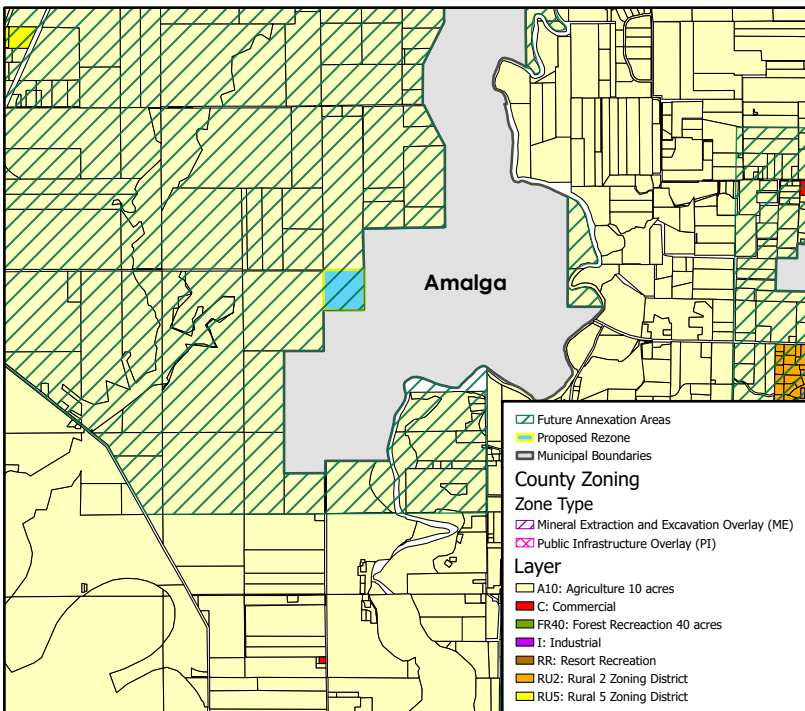
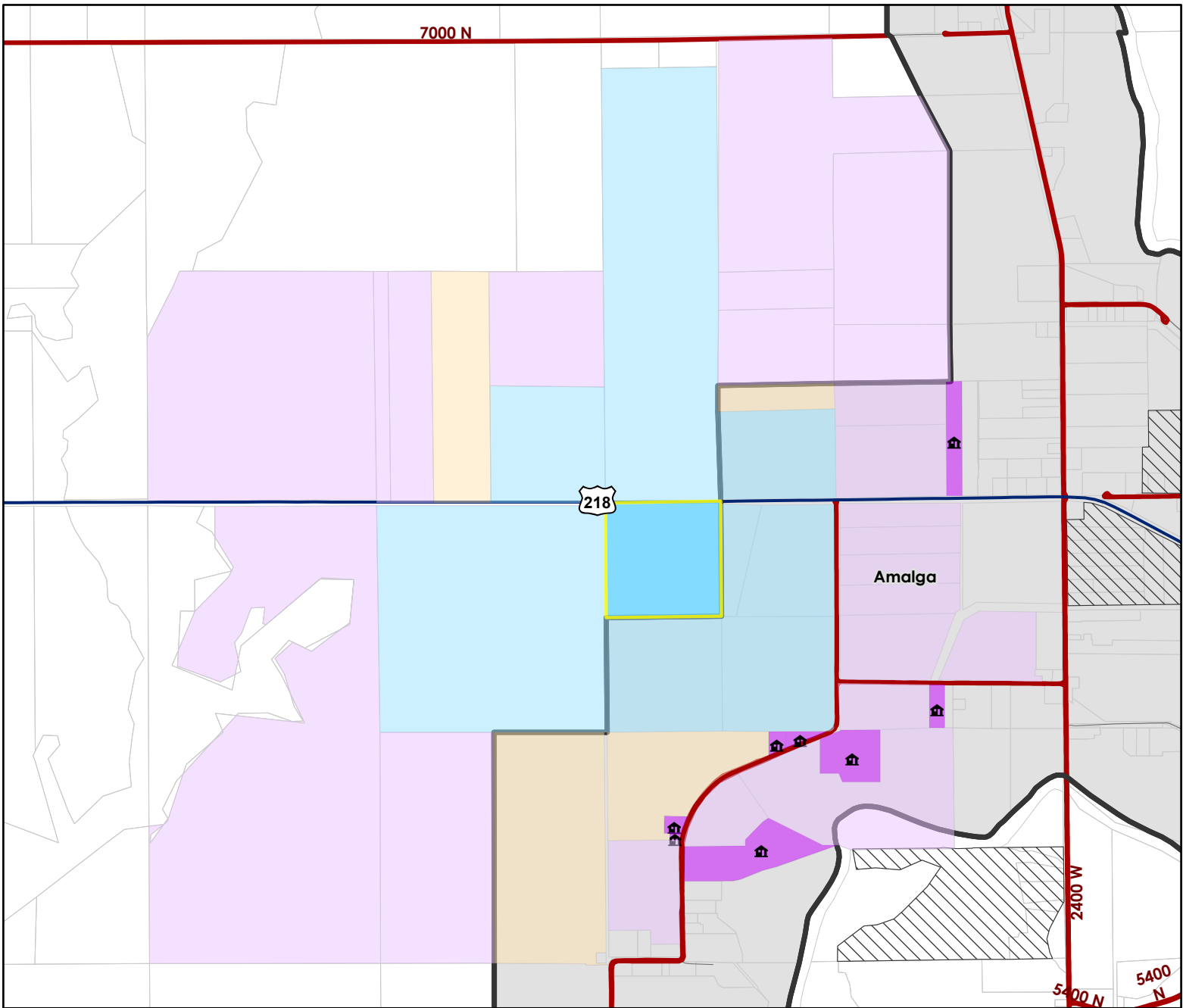
**Planning Commission Conclusion**

---

Based on the findings of fact noted herein, the 40 Acre Industrial rezone is hereby recommended for denial to the County Council as follows:

1. The rezone is partially inconsistent with the Cache County General Plan:
  - a. The “Agriculture and Ranching” area places an emphasis on agriculture related activities. The Industrial (I) Zone has fewer agricultural related use types than the Agricultural (A10) Zone.
2. The nearest parcel in the Industrial (I) Zone is located 3.56 miles to the south-east of the subject property.

# **ATTACHMENT A**



### Legend

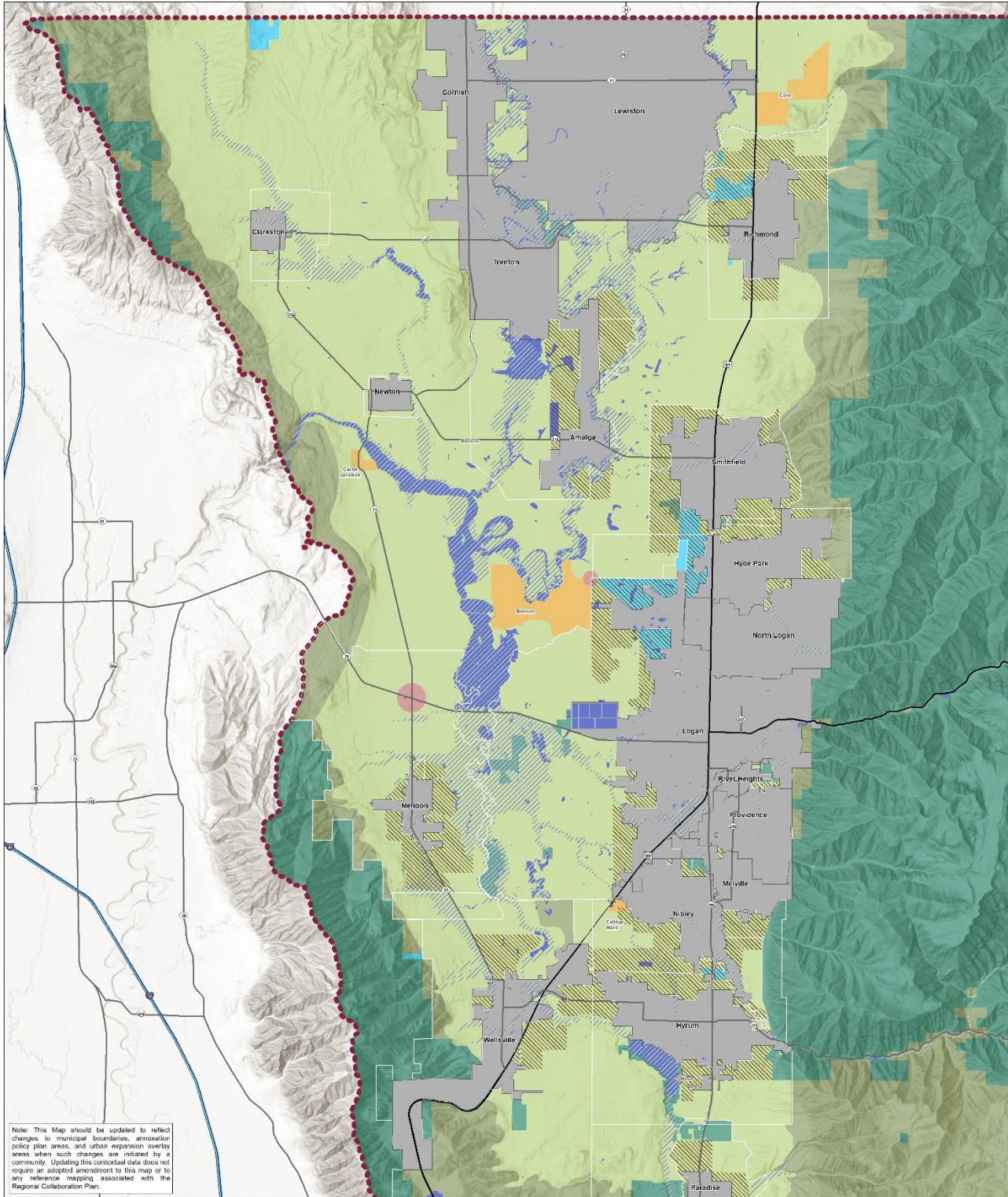
- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways





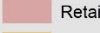







### Average Parcel Size

<b>Adjacent Parcels</b>	Without a Home: 97.5 Acres (4 Parcels)
	Without a Home in Amalga Town: 29.2 Acres (5 Parcels)
<b>1/4 Mile Buffer</b>	Without a Home: 86 Acres (5 Parcels)
	Without a Home in Amalga Town: 33.3 Acres (8 Parcels)
<b>1/2 Mile Buffer</b>	With a Home in Amalga Town: 4.2 Acres (8 Parcels)
	Without a Home: 75 Acres (16 Parcels)
	Without a Home in Amalga Town: 24 Acres (20 Parcels)



# **ATTACHMENT B**



 Water Bodies	 Urban Expansion Overlay	 Agriculture and Ranching	<h2 style="text-align: center;">Cache County Future Land Use Map</h2> <p style="font-size: small;">Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.</p> <p style="font-size: x-small; text-align: right;">Date: February 28, 2023</p>
 100 Year Floodplain	 Retail Commercial	 Mountain Rural and Conservation	
 Municipalities	 Rural Community	 Forest and Natural Resource	
 Annexation Policy Plan Areas	 Industrial and Mineral Extraction		
			



# **PUBLIC COMMENTS**



Conner Smith <conner.smith@cachecounty.gov>

---

## Public hearing input 40 Acre Industrial Rezone

---

**Charlie Erickson** <erickson1charlie@gmail.com>

Mon, Feb 23, 2026 at 2:13 PM

To: devservices@cachecounty.gov

Cc: "conner.smith@cachecounty.gov" <conner.smith@cachecounty.gov>

Planning Commission,

Thank you for your time and arranging for public input.

My name is Charlie Erickson and I represent the ownership group of the 9 acre triangle shaped parcel 13-040-0002 directly East of the 40 acre parcel involved in this rezone.

I am writing to inform you of our support of this rezone and subsequent development project. Our family has been the owner of that particular 40 acre parcel in the past and I believe the development plan that Dakota Bodily has arranged for this property is an excellent use of the parcel.

With your approval of the rezone application, we welcome Dakota and his project as neighbors.

Thank you,  
Charlie Erickson  
435-563-3218



## Set a Public Hearing

### Ordinance 2026-17 – Amendment to Titles 16 and 17 of the Cache County Code to reflect recodification of Utah Code

**Agenda request submitted by:** Brian Abbott, Director of Development Services –  
Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 24<sup>th</sup>, 2026

**Agenda Item Language:** Set a public hearing, to be held on April 14<sup>th</sup>, for Ordinance 2026-17 Amendment to Cache County Code Titles 16 and 17 – A request to amend Titles 16 and 17 of the Cache County Code to reflect the recodification of CLUDMA from 17-27a to 17-79.

**Action:** Planning Commission – Recommendation of Approval (6-yea; 0-nay)

**Background:** In November of 2025, the Utah Legislature recodified the County Land Use, Development, and Management Act (CLUDMA). As such, references to CLUDMA in the Cache County Code would shift from Title 17, Chapter 27a (17-27a) to Title 17, Chapter 79 (17-79).

**Fiscal Impact:** N/A

**Public Hearing Required:** Ordinance amendment requests require a public hearing before the County Planning Commission (PC). This hearing was held on March 5<sup>th</sup>, 2026 and their recommendation to approve the ordinance amendment was made on March 5<sup>th</sup>, 2026.

**County Staff Presenter:** Brian Abbott, Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Associate Planner

**Legal Review:** N/A

1 **Ord 2026-17**

2 **Amendment to Cache County Code Titles 16 and 17 to**  
3 **Reflect Utah Code Recodification**

4  
5 **County Council action**

6 Set a public hearing on March 24<sup>th</sup>, 2026, to be held on April 14<sup>th</sup>, 2026.

7  
8 **Planning Commission action**

9 Approval (6-yea; 0-nay).

10 Public hearing held on March 5<sup>th</sup>, 2026.

11  
12 **Staff Report review by Director**

13 Brian Abbott

14  
15 **Staff Report by County Planner**

16 Conner Smith

17  
18 **General Description**

19 This ordinance amendment amends Cache County Code Titles 16 and 17 by changing CLUDMA  
20 references within the Cache County Code from Title 17, Chapter 27a to Title 17, Chapter 79.

21  
22 **Additional review materials included as part of Exhibit A**

23 Memo to Planning Commission and ordinance amendment draft

**Memorandum***5 March 2026***To:** Planning Commission**Subject:** Ordinance Amendment Request – Effecting Title 16 and 17

Staff's proposed code text amendments (Attachment A) are summarized as follows:

1. Updating all references from Title 17, Chapter 27a to the new Title 17, Chapter 79 inside of Title 16 and 17 of the Cache County Code.

**Background**

In November of 2025, the Utah Legislature recodified the County Land Use, Development, and Management Act (CLUDMA). As such, references to CLUDMA would shift from Title 17, Chapter 27a (17-27a) to Title 17, Chapter 79 (17-79).

**Next Steps**

The request for a code text amendment is a legislative action and the Planning Commission has options in how they wish to move forward on Staff's request, including the following:

1. Review the code text amendment as submitted by the applicant. Hold a public hearing. Make a recommendation to the County Council to approve or deny the request as written.
2. Review the code text amendment as submitted by the applicant. Hold a public hearing. Include changes or revisions suggested by the Planning Commission to the proposed code text amendment as part of a recommendation to the County Council.
3. Review the code text amendment as submitted by the applicant. Hold a public hearing. Continue the item for up to 90 days if it is determined that code text amendment should move forward but requires significant changes. The continuance would allow time for the applicant to work with County staff on addressing any concerns or issues raised by the Planning Commission and during the public hearing, to draft more comprehensive code text amendments for the proposed use type.

## Current Ordinance:

### TITLE 16 SUBDIVISION REGULATIONS

#### 16.01.020

- The Cache County council adopts this title pursuant to the county land use development and management act, title 17, chapter 27a, Utah Code Annotated, 1953, for the purposes set forth therein. The maps and appendices to this title are a part hereof. The intent of this title is to provide a means of ensuring predictability and consistency in the use of land and individual properties and to implement the goals and policies of the Cache countywide comprehensive plan.

#### 16.01.030

- For the purposes of this title, all terms shall have the same definitions as provided by section 17-27a-103, Utah Code Annotated, 1953, as amended or as in sections 17.07.030 and 17.07.040 of this code.

#### 16.01.040(B)

- Any plat of a subdivision, or any survey description, filed or recorded without the approvals required by this title is deemed to be void, for the purposes of development or the issuance of a building permit, as required by section 17-27a-611 et seq., Utah Code Annotated, 1953, as amended.

#### 16.01.040(C)

- Any owner or agent of the owner of any land located in a "subdivision", as defined herein, who transfers or sells any land located within the subdivision before the subdivision has been approved and recorded, in the office of the Cache County recorder, consistent with the requirements of this title, and applicable state and federal requirements is guilty of a violation of this title, and section 17-27a-611 et seq., Utah Code Annotated, 1953, as amended, for each lot or parcel transferred or sold.

#### 16.02.030

- Agricultural parcels may be subdivided without requiring a plat or specific approvals from the director, planning commission, or county council in conformance with state code 17-27a-605 with the following conditions:

#### 16.02.050(A)

- Amending a recorded Subdivision plat shall comply with the Utah Code 17-27a-608 as amended. The County shall publish notices in compliance with Utah Code 17-27a-207 as amended.

## 16.02.050(D)

- **Consideration Of Amendment:** The Land Use Authority may consider any proposed vacation, alteration, or amendment of a recorded subdivision plat in compliance with section 17-27a-608 and 609, Utah Code Annotated, 1953, as amended.

## 16.02.070(B)

- **Outside A Legally Recorded Subdivision:** In compliance with sections 17-27a-522 and 523, Utah Code Annotated, 1953, as amended, an agreement to adjust property lines between adjoining properties must meet the standards of, and shall be recorded in the office of the Cache County recorder, and is not subject to the review of the Cache County land use authority.

## 16.03.040(C)

- **Review of proposed Final Plat and Subdivision Improvement Plans:** Cache County Development Services, County Engineer, and Fire District shall review and provide reports to the applicant in compliance with State Code 17-27a-604.2 as amended.

## 16.03.040(D)(1)

- For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with State Code 17-27a-604.2, to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the County, the panel shall consist of the following three experts:

## TITLE 17 ZONING REGULATIONS

### 17.01.020(A)

- The Cache County Council adopts this title and associated maps and appendices pursuant to the County Land Use Development and Management Act, Utah Code Annotated section 17-27a as amended.

### 17.02.030(B)(1)

- The Cache County Planning Commission is established as required by Utah Code Annotated section 17-27a-301, and has the duties, authority, and powers as found in Utah Code Annotated section 17-27a-302, as amended, and in this chapter; and

### 17.02.040(A)

- Any person or entity desiring a waiver or modification of the requirements of the land use ordinance as applied to a parcel of property that they own, lease, or in which they hold

some other beneficial interest must be filed with the Cache County Development Services Department for a variance from the terms of this title. The designated Appeal Authority may grant a variance if the requirements of Utah Code Annotated section 17-27a-702 as amended have been met; and

#### 17.02.040(D)

- The Appeal Authority must issue a decision in writing within fifteen (15) business days of the final hearing, which constitutes a final decision under Utah Code Annotated section 17-27a-8 as amended.

#### 17.02.060(F)

- The Appeal Authority must issue a decision in writing within fifteen (15) business days of the final hearing, which constitutes a final decision under Utah Code Annotated section 17-27a-8 as amended; and

#### 17.02.060(G)

- Any person adversely affected by a final decision of the Appeal Authority may petition the First District Court for review of the decision as permitted by law. Such a petition is barred unless filed within thirty (30) days after the Appeal Authority's decision is final in compliance with Utah Code Annotated section 17-27a-801(2) as amended; and

#### 17.02.070(A)

- Notice for public meetings and public hearings must comply with the Open and Public Meetings Act, Utah Code Annotated chapter 52-4 and Utah Code Annotated section 17-27a-2 as amended. At the discretion of the Land Use Authority additional notice requirements may be applied; and

#### 17.04.040(A)

- Violation of any of the provisions of this title is punishable as a class C misdemeanor upon conviction, as defined by Utah Code Annotated section 17-27A-803 et seq. In addition, the provisions of this title may also be enforced by injunctions, mandamus, abatement, civil penalties, or any other remedies provided by law. (Ord. 2016-13, 8-23-2016, eff. 9-7-2016)

#### 17.07.030(5200, PUBLIC USES)

- **PUBLIC USES:** A use operated exclusively by a public entity over which the County has no jurisdiction in compliance with section 17-27a-304, Utah Code Annotated, 1953, as amended.

## 17.07.040(BUILDING, PUBLIC)(A)

- Properties owned by the State of Utah or the United States government which are outside of the jurisdiction of the County Land Use Authority as provided under section 17-27a-304, Utah Code Annotated, 1953, as amended, and;

## 17.07.040(PUBLIC HEARING)

- As defined by section 17-27a-103, of Utah Code Annotated, 1953, as amended.

## 17.07.040(PUBLIC MEETING)

- As defined by section 17-27a-103, of Utah Code Annotated, 1953, as amended.

## 17.07.040(VARIANCE)

- As defined by section 17-27a-702, of Utah Code Annotated, 1953, as amended.

## 17.16.010(A)(1)

- Comply with Utah Code Annotated sections 17-27a-515 and 519; (Ord. 2016-13, 8-23-2016, eff. 9-7-2016)

## Proposed Ordinance change:

### TITLE 16 SUBDIVISION REGULATIONS

#### 16.01.020

- The Cache County council adopts this title pursuant to the county land use development and management act, ~~title 17, chapter 27a~~, [Title 17, Chapter 79](#) Utah Code Annotated, 1953, for the purposes set forth therein. The maps and appendices to this title are a part hereof. The intent of this title is to provide a means of ensuring predictability and consistency in the use of land and individual properties and to implement the goals and policies of the Cache countywide comprehensive plan.

#### 16.01.030

- For the purposes of this title, all terms shall have the same definitions as provided by section ~~17-27a-103~~ [17-79-102](#), Utah Code Annotated, 1953, as amended or as in sections 17.07.030 and 17.07.040 of this code.

#### 16.01.040(B)

- Any plat of a subdivision, or any survey description, filed or recorded without the approvals required by this title is deemed to be void, for the purposes of development or the issuance of a building permit, as required by section ~~17-27a-611~~ [17-79-715](#) et seq., Utah Code Annotated, 1953, as amended.

#### 16.01.040(C)

- Any owner or agent of the owner of any land located in a "subdivision", as defined herein, who transfers or sells any land located within the subdivision before the subdivision has been approved and recorded, in the office of the Cache County recorder, consistent with the requirements of this title, and applicable state and federal requirements is guilty of a violation of this title, and section ~~17-27a-611~~ [17-79-715](#) et seq., Utah Code Annotated, 1953, as amended, for each lot or parcel transferred or sold.

#### 16.02.030

- Agricultural parcels may be subdivided without requiring a plat or specific approvals from the director, planning commission, or county council in conformance with state code ~~17-27a-605~~ [17-79-708\(2\)](#) with the following conditions:

#### 16.02.050(A)

- Amending a recorded Subdivision plat shall comply with the Utah Code ~~17-27a-608~~ [17-79-711](#) as amended. The County shall publish notices in compliance with Utah Code ~~17-27a-207~~ [17-79-2](#) and [17-79-716](#) as amended.

## 16.02.050(D)

- Consideration Of Amendment: The Land Use Authority may consider any proposed vacation, alteration, or amendment of a recorded subdivision plat in compliance with section ~~17-27a-608 and 609~~ [17-79-711 and 17-79-712](#), Utah Code Annotated, 1953, as amended.

## 16.02.070(B)

- Outside A Legally Recorded Subdivision: In compliance with sections ~~17-27a-522 and 523~~ [17-79-806 and 17-79-807](#), Utah Code Annotated, 1953, as amended, an agreement to adjust property lines between adjoining properties must meet the standards of, and shall be recorded in the office of the Cache County recorder, and is not subject to the review of the Cache County land use authority.

## 16.03.040(C)

- Review of proposed Final Plat and Subdivision Improvement Plans: Cache County Development Services, County Engineer, and Fire District shall review and provide reports to the applicant in compliance with State Code ~~17-27a-604.2~~ [17-79-706](#) as amended.

## 16.03.040(D)(1)

- For a dispute arising from the subdivision improvement plans, assemble an appeal panel in accordance with State Code ~~17-27a-604.2~~ [17-79-706\(11\)\(a\)\(i\)](#), to review and approve or deny the final revised set of plans. Unless otherwise agreed by the applicant and the County, the panel shall consist of the following three experts:

**TITLE 17 ZONING REGULATIONS**

## 17.01.020(A)

- The Cache County Council adopts this title and associated maps and appendices pursuant to the County Land Use Development and Management Act, Utah Code Annotated section ~~17-27a~~ [17-79](#) as amended.

## 17.02.030(B)(1)

- The Cache County Planning Commission is established as required by Utah Code Annotated section ~~17-27a-301~~ [17-79-301](#), and has the duties, authority, and powers as found in Utah Code Annotated section ~~17-27a-302~~ [17-79-302](#), as amended, and in this chapter; and

## 17.02.040(A)

- Any person or entity desiring a waiver or modification of the requirements of the land use ordinance as applied to a parcel of property that they own, lease, or in which they hold some other beneficial interest must be filed with the Cache County Development Services Department for a variance from the terms of this title. The designated Appeal Authority may grant a variance if the requirements of Utah Code Annotated section ~~17-27a-702~~ [17-79-1002](#) as amended have been met; and

## 17.02.040(D)

- The Appeal Authority must issue a decision in writing within fifteen (15) business days of the final hearing, which constitutes a final decision under Utah Code Annotated section ~~17-27a-8~~ [17-79-901, 17-79-902, 17-79-1009, and 17-79-1010](#) as amended.

## 17.02.060(F)

- The Appeal Authority must issue a decision in writing within fifteen (15) business days of the final hearing, which constitutes a final decision under Utah Code Annotated section ~~17-27a-8~~ [17-79-901, 17-79-902, 17-79-1009, and 17-79-1010](#) as amended; and

## 17.02.060(G)

- Any person adversely affected by a final decision of the Appeal Authority may petition the First District Court for review of the decision as permitted by law. Such a petition is barred unless filed within thirty (30) days after the Appeal Authority's decision is final in compliance with Utah Code Annotated section ~~17-27a-801(2)~~ [17-79-1009\(2\)\(a\) and 17-79-1009\(5\)](#) as amended; and

## 17.02.070(A)

- Notice for public meetings and public hearings must comply with the Open and Public Meetings Act, Utah Code Annotated chapter 52-4 and Utah Code Annotated section ~~17-27a-2~~ [17-79-2](#) as amended. At the discretion of the Land Use Authority additional notice requirements may be applied; and

## 17.04.040(A)

- Violation of any of the provisions of this title is punishable as a class C misdemeanor upon conviction, as defined by Utah Code Annotated section ~~17-27A-803~~ [17-79-902](#) et seq. In addition, the provisions of this title may also be enforced by injunctions, mandamus, abatement, civil penalties, or any other remedies provided by law. (Ord. 2016-13, 8-23-2016, eff. 9-7-2016)

## 17.07.030(5200, PUBLIC USES)

- PUBLIC USES: A use operated exclusively by a public entity over which the County has no jurisdiction in compliance with section ~~17-27a-304~~ [17-79-306](#), Utah Code Annotated, 1953, as amended.

## 17.07.040(BUILDING, PUBLIC)(A)

- Properties owned by the State of Utah or the United States government which are outside of the jurisdiction of the County Land Use Authority as provided under section ~~17-27a-304~~ [17-79-306](#), Utah Code Annotated, 1953, as amended, and;

## 17.07.040(PUBLIC HEARING)

- As defined by section ~~17-27a-103~~ [17-79-102](#), of Utah Code Annotated, 1953, as amended.

## 17.07.040(PUBLIC MEETING)

- As defined by section ~~17-27a-103~~ [17-79-102](#), of Utah Code Annotated, 1953, as amended.

## 17.07.040(VARIANCE)

- As defined by section ~~17-27a-702~~ [17-79-1002](#), of Utah Code Annotated, 1953, as amended.

## 17.16.010(A)(1)

- Comply with Utah Code Annotated sections ~~17-27a-515~~ [17-79-607](#) and ~~519~~ [17E-7-201](#); (Ord. 2016-13, 8-23-2016, eff. 9-7-2016)



## Hold a Public Hearing

### Ordinance 2026-16 – Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones

**Agenda request submitted by:** Brian Abbott, Director of Development Services –  
Forwarded from the County Planning Commission

**Assisting Department:** Development Services

**Requested Council meeting date:** March 24<sup>th</sup>, 2026

**Agenda Item Language:** Hold a public hearing for Ordinance 2026-16 Amendment to Cache County Code Regarding Wastewater Systems in Source Water Protection Zones – A request to amend Cache County Codes §17.07.040 and §17.10.050(3)(b)

**Action:** Planning Commission – Recommendation of Approval (6-yea; 0-nay)

**Background:** The proposed amendment was initially triggered by a third party applicant who submitted the application. However, the applicant has removed themselves from the application and now the Bear River Health Department is the proponent of the ordinance amendment request. The proposed language was drafted by a committee comprised of the representatives from the Bear River Health Department, Cache County, and other stakeholders and experts in the field.

**Fiscal Impact:** N/A

**Public Hearing Required:** Ordinance amendment requests require a public hearing before the County Planning Commission (PC). This hearing was held on March 5<sup>th</sup>, 2026 and their recommendation to approve the ordinance amendment was made on March 5<sup>th</sup>, 2026.

At the March 10<sup>th</sup>, 2026 County Council meeting, Councilman David Erickson requested that a public hearing be scheduled for the March 24<sup>th</sup>, 2026 County Council meeting.

**County Staff Presenter:** Brian Abbott, Director of Development Services

**Presentation Time:** 10 minutes.

**County Staff Point of Contact:** Conner Smith, Associate Planner

**Legal Review:** N/A

1 **Ord 2026-16**

2 **Amendment to Cache County Code Regarding Wastewater Systems in**  
3 **Source Water Protection Zones.**

4  
5 **County Council action**

6 Hold a public hearing on March 24<sup>th</sup>, 2026.

7  
8 **Planning Commission action**

9 Approval (6-yea; 0-nay).

10 Public hearing held on March 5<sup>th</sup>, 2026.

11  
12 **Staff Report review by Director**

13 Brian Abbott

14  
15 **Staff Report by County Planner**

16 Conner Smith

17  
18 **General Description**

19 This ordinance amends Cache County Codes §17.07.040 and §17.10.050(3)(b) to alter  
20 allowances for the placement of wastewater systems in source water protection zones.

21  
22 **Additional review materials included as part of Exhibit A**

23 Redlined ordinance amendment draft

24  
25 **Additional review materials included as part of Exhibit B**

26 Memo to Planning Commission and ordinance amendment draft

**17.07.040: GENERAL DEFINITIONS**

ALTERNATIVE ONSITE WASTEWATER SYSTEM: An onsite wastewater system that is not a conventional onsite wastewater system.

CONVENTIONAL ONSITE WASTEWATER SYSTEM: An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.

ONSITE WASTEWATER SYSTEMS: An underground wastewater dispersal system that is designed for a capacity of up to 5000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

**17.10.050: SUPPLEMENTAL STANDARDS****3. Water and Sewage Requirements:**

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. Wastewater Systems in Source Water Protection Areas:
  - (1) New Systems: No ~~proposed septic system~~ portion of the absorption area component for a new onsite wastewater system, alternative or conventional, shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system. The Bear River Health Department shall be the expert in confirming that no part of the absorption area component of the system for a proposed onsite wastewater system is located within a Zone 1 or 2 protection area when issuing a permit for a new system.
  - (2) Existing Systems – Repair: The owner of an existing onsite wastewater system that is located within a public drinking water source protection Zone 2 shall work with the Bear River Health Department to make any needed repairs to the system to ensure it functions properly and does not create any new risk to the environment or public health.
  - (3) Existing Systems – Alteration or Replacement – Variance Required:
    - i. An existing onsite wastewater system that is located within a public drinking water source protection Zone 2 may request a variance through the Bear River Health

- Department for any proposed alteration or replacement of the system.
- ii. The variance and approval process for replacement or alteration of an existing onsite wastewater system will be established by the Bear River Health Department consistent with Utah Administrative Rule 317-4.
  - iii. The replacement or alteration of an existing system shall result in a system with equal or greater protection of the public health and the environment as required by meeting the minimum standards and intent of Utah Administrative rule 317-4.
  - iv. Written approval of a variance from the Bear River Health Department must be included as part of a Zoning Clearance application impacting an existing onsite wastewater system located in Zones 1 and 2 of a public drinking water source protection area.

**Development Services Department**

Building | GIS | Planning &amp; Zoning

**Memorandum****5 March 2026****To:** Planning Commission**Subject:** Ordinance Amendment – Effecting §17.10.050(3)(b) – Supplemental Standards

Cache County Code in §17.10.050(3)(b) – Supplemental Standards – Water and Sewage Requirements prohibits a septic system in Zone 1 or Zone 2 of a drinking water source protection plan for any public culinary water system.

This proposed amendment to the Code would allow some components of an onsite wastewater system to be located in a Zone 2 and would allow the repair and replacement of existing systems within a Zone 2 under certain conditions.

In summary, the code would change as follows:

- Existing septic systems in a Zone 2 to repair, alter, or replace a system so long as it meets or exceeds current standards with approval of a variance from the Bear River Health Department;
- New, proposed on-site wastewater systems may be allowed in a Zone 2 so long as no part of the absorption component area of the system is located within the Zone 2 area; and
- Identifies the Bear River Health Department as the expert in identifying if the absorption component of proposed systems are located within a Zone 2 when issuing a permit.

An email was sent to all mayors in the county on February 12<sup>th</sup>, 2026, with the proposed draft changes. Mailed notices regarding the public hearing were also sent to property owners within 100 feet of a Zone 1 source water protection area. Staff has received many calls from property owners who received the mail notices. As a result, the proposed ordinance amendment was added to the main webpage for Development Services. At this time, no written comments have been received regarding the proposed ordinance amendment.

The proposed ordinance was initially triggered by a 3<sup>rd</sup> party applicant who submitted the application. However, the applicant has removed themselves from the application and Bear River Health Department is now the proponent of the ordinance amendment request.

The proposed ordinance amendment language was drafted by a committee comprised of representatives from Bear River Health Department, Cache County, and other stakeholders and experts in the field.

**Current Ordinance:****17.10:050: SUPPLEMENTAL STANDARDS****3. Water and Sewage Requirements:**

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. No proposed septic system shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system.

**Proposed Ordinance:****17.07:040: GENERAL DEFINITIONS****SEWAGE/WASTEWATER SYSTEMS:**

**ALTERNATIVE ONSITE WASTEWATER SYSTEM:** An onsite wastewater system that is not a conventional onsite wastewater system.

**CONVENTIONAL ONSITE WASTEWATER SYSTEM:** An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.

**ONSITE WASTEWATER SYSTEMS:** An underground wastewater dispersal system that is designed for a capacity of up to 5000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

**17.10:050: SUPPLEMENTAL STANDARDS**

## 3. Water and Sewage Requirements:

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. Wastewater Systems in Source Water Protection Areas:
  - (1) New Systems: No ~~proposed septic system~~ portion of the absorption area component for a new onsite wastewater system, alternative or conventional, shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system. The Bear River Health Department shall be the expert in confirming that no part of the absorption area component of the system for a proposed onsite wastewater system is located within a Zone 1 or 2 protection area when issuing a permit for a new system.
  - (2) Existing Systems – Repair: The owner of an existing onsite wastewater system that is located within a public drinking water source protection Zone 2 shall work with the Bear River Health Department to make any needed repairs to the system to ensure it functions properly and does not create any new risk to the environment or public health.
  - (3) Existing Systems – Alteration or Replacement – Variance Required:
    - i. An existing onsite wastewater system that is located within a public drinking water source protection Zone 2 may request a variance through the Bear River Health Department for any proposed alteration or replacement of the system.
    - ii. The variance and approval process for replacement or alteration of an existing onsite wastewater system will be established by the Bear River Health Department consistent with Utah Administrative Rule 317-4.
    - iii. The replacement or alteration of an existing system shall result in a system with equal or greater protection of the public health and the environment as required by meeting the minimum standards and intent of Utah Administrative rule 317-4.
    - iv. Written approval of a variance from the Bear River Health Department must be included as part of a Zoning Clearance application impacting an existing onsite wastewater system located in Zones 1 and 2 of a public drinking water source protection area.

**Ordinance No. 2026-16**  
**Cache County, Utah**  
**Amendment to Cache County Code Regarding Wastewater Systems in**  
**Source Water Protection Zones.**

---

An ordinance amending Title 17 – Zoning Regulations by amending County Codes  
§17.07.040 and §17.10.050(3)(b).

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-79-101 et seq., as amended (the “Act”), provides that each county may enact a land use ordinance 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, or amendments thereto, that represent the Planning Commission’s recommendations for zoning within the county; and

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

**Whereas**, on March 5<sup>th</sup>, 2026 the Planning Commission held a public hearing, accepted all comments, and on March 5<sup>th</sup>, 2026, recommended the approval of the proposed amendment 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**, on March 24<sup>th</sup>, 2026, the County Council held a public hearing, to consider any comments regarding the proposed ordinance amendment. The County Council accepted all comments; and

**Whereas**, the Cache County Council has determined that it is both necessary and appropriate for the County to approve this ordinance.

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**17.07.040: GENERAL DEFINITIONS**

ALTERNATIVE ONSITE WASTEWATER SYSTEM: An onsite wastewater system that is not a conventional onsite wastewater system.

CONVENTIONAL ONSITE WASTEWATER SYSTEM: An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.

ONSITE WASTEWATER SYSTEMS: An underground wastewater dispersal system that is designed for a capacity of up to 5000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

### **17.10.050: SUPPLEMENTAL STANDARDS(A)**

#### 3. Water and Sewage Requirements:

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. Wastewater Systems in Source Water Protection Areas:
  - (1) New Systems: No portion of the absorption area component for a new onsite wastewater system, alternative or conventional, shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system. The Bear River Health Department shall be the expert in confirming that no part of the absorption area component of the system for a proposed onsite wastewater system is located within a Zone 1 or 2 protection area when issuing a permit for a new system.
  - (2) Existing Systems – Repair: The owner of an existing onsite wastewater system that is located within a public drinking water source protection Zone 2 shall work with the Bear River Health Department to make any needed repairs to the system to ensure it functions properly and does not create any new risk to the environment or public health.
  - (3) Existing Systems – Alteration or Replacement – Variance Required:
    - i. An existing onsite wastewater system that is located within a public drinking water source protection Zone 2 may request a variance through the Bear River Health Department for any proposed alteration or replacement of the system.
    - ii. The variance and approval process for replacement or alteration of an existing onsite wastewater system will be established by the Bear River Health Department consistent with Utah Administrative Rule 317-4.
    - iii. The replacement or alteration of an existing system shall result in a system with equal or greater

protection of the public health and the environment as required by meeting the minimum standards and intent of Utah Administrative rule 317-4.

- iv. Written approval of a variance from the Bear River Health Department must be included as part of a Zoning Clearance application impacting an existing onsite wastewater system located in Zones 1 and 2 of a public drinking water source protection area.

**1. Effective date**

This ordinance takes effect on \_\_\_\_\_, 2026. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk.

**2. Council Vote and Final Action**

Date: ____ / ____ / _____	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Kathryn Beus				
Dave Erickson				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Keegan Garrity				
JoAnn Bennett				
<b>Total:</b>				
<b>Final action:</b>	_____ <b>Adopt</b> _____ <b>Reject</b>			

Cache County Council:

Attest:

\_\_\_\_\_  
Sandi Goodlander, Chair

\_\_\_\_\_  
Bryson Behm, County Clerk

---

## **Action of the County Executive**

Regarding Ordinance 2026-16, Amendment to Cache County Code Regarding  
Wastewater Systems in Source Water Protection Zones

\_\_\_\_\_ Approve

\_\_\_\_\_ Disapprove (A Statement of Objection is attached)

---

N. George Daines, Executive

Date

**REDLINED  
COPY OF ORD.  
AMENDMENT**

**17.07.040: GENERAL DEFINITIONS**

ALTERNATIVE ONSITE WASTEWATER SYSTEM: An onsite wastewater system that is not a conventional onsite wastewater system.

CONVENTIONAL ONSITE WASTEWATER SYSTEM: An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.

ONSITE WASTEWATER SYSTEMS: An underground wastewater dispersal system that is designed for a capacity of up to 5000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

**17.10.050: SUPPLEMENTAL STANDARDS****3. Water and Sewage Requirements:**

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. Wastewater Systems in Source Water Protection Areas:
  - (1) New Systems: No ~~proposed septic system~~ portion of the absorption area component for a new onsite wastewater system, alternative or conventional, shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system. The Bear River Health Department shall be the expert in confirming that no part of the absorption area component of the system for a proposed onsite wastewater system is located within a Zone 1 or 2 protection area when issuing a permit for a new system.
  - (2) Existing Systems – Repair: The owner of an existing onsite wastewater system that is located within a public drinking water source protection Zone 2 shall work with the Bear River Health Department to make any needed repairs to the system to ensure it functions properly and does not create any new risk to the environment or public health.
  - (3) Existing Systems – Alteration or Replacement – Variance Required:
    - i. An existing onsite wastewater system that is located within a public drinking water source protection Zone 2 may request a variance through the Bear River Health

Department for any proposed alteration or replacement of the system.

- ii. The variance and approval process for replacement or alteration of an existing onsite wastewater system will be established by the Bear River Health Department consistent with Utah Administrative Rule 317-4.
- iii. The replacement or alteration of an existing system shall result in a system with equal or greater protection of the public health and the environment as required by meeting the minimum standards and intent of Utah Administrative rule 317-4.
- iv. Written approval of a variance from the Bear River Health Department must be included as part of a Zoning Clearance application impacting an existing onsite wastewater system located in Zones 1 and 2 of a public drinking water source protection area.



# Ordinance Amendment

---

§17.10.050(3)(b) - Supplemental Standards  
Water and Sewage Requirements



# Source Water Protection Zones

---

- Mandatory, delineated areas around public water wells & springs
- Designed to prevent contamination
- Categorized by groundwater travel time or distance
- 4 Zones
  - Zone 1: 100-foot radius surrounding the wellhead or spring collection area
  - Zone 2: Area within a 250-day groundwater travel time
  - Zone 3: Area within a 3-year groundwater travel time
  - Zone 4: Area within a 15-year groundwater travel time
- County Code addresses Zones 1 & 2 with regards to septic systems

# Current Code

---

## 17.10:050: SUPPLEMENTAL STANDARDS

### 3. Water and Sewage Requirements:

- a. All the proposed uses and/or buildings needing the use of water and sewage facilities shall comply with the requirements of the Bear River Health Department, the Utah Department of Environmental Quality, and the Office of the State Water Engineer. These agencies shall be considered the County experts in evaluating the proposed sewage and culinary water supply system.
- b. **No proposed septic system shall be permitted within a Zone 1 or Zone 2** as defined by the current drinking water source protection plan for any public culinary water system.

### Issues:

- Overly restrictive
- Does not provide exceptions for repairing/replacing old septic systems that pre-dated a source water protection area
- Negates (3.a) identifying BRHD as the County's experts in evaluating a proposed sewage system

# Proposed Code Amendment

---

- Started as 3rd party request for a specific project; BRHD is now the proponent as it has countywide implications.
- Would allow property owners with existing septic systems in a Zone 2 to repair, alter, or replace a system so long as it meets or exceeds current standards with approval of a variance from the BRHD;
- New, proposed on-site wastewater systems may be allowed in a Zone 2 so long as no part of the absorption component area of the system is located within the Zone 2 area; and
- Identifies the BRHD as the expert in identifying if the absorption component of proposed systems are located within a Zone 2 when issuing a permit.

# Add new definitions

---

## 17.07:040: GENERAL DEFINITIONS

### SEWAGE/WASTEWATER SYSTEMS:

**ALTERNATIVE ONSITE WASTEWATER SYSTEM:** An onsite wastewater system that is not a conventional onsite wastewater system.

**CONVENTIONAL ONSITE WASTEWATER SYSTEM:** An onsite wastewater system typically consisting of a building sewer, a septic tank, and an absorption system utilizing absorption trenches, absorption beds, deep wall trenches, or seepage pits.

**ONSITE WASTEWATER SYSTEMS:** An underground wastewater dispersal system that is designed for a capacity of up to 5000 gallons per day or less, and is not designed to serve multiple dwelling units that are owned by separate owners except condominiums. It usually consists of a building sewer, a septic tank and an absorption system.

# Proposed code changes - 17.10.050.3.b.(1)

---

## b. Wastewater Systems in Source Water Protection Areas:

(1) New Systems: No ~~proposed septic system~~ portion of the absorption area component for a new onsite wastewater system, alternative or conventional, shall be permitted within a Zone 1 or Zone 2 as defined by the current drinking water source protection plan for any public culinary water system. The Bear River Health Department shall be the expert in confirming that no part of the absorption area component of the system for a proposed onsite wastewater system is located within a Zone 1 or 2 protection area when issuing a permit for a new system.

# Proposed code changes - 17.10.050.3.b.(2)

---

## b. Wastewater Systems in Source Water Protection Areas:

(2) Existing Systems – Repair: The owner of an existing onsite wastewater system that is located within a public drinking water source protection Zone 2 shall work with the Bear River Health Department to make any needed repairs to the system to ensure it functions properly and does not create any new risk to the environment or public health.

# Proposed code changes - 17.10.050.3.b.(3)

---

## b. Wastewater Systems in Source Water Protection Areas:

### (3) Existing Systems – Alteration or Replacement – Variance Required:

- i. An existing onsite wastewater system that is located within a public drinking water source protection Zone 2 may request a variance through the Bear River Health Department for any proposed alteration or replacement of the system.
- ii. The variance and approval process for replacement or alteration of an existing onsite wastewater system will be established by the Bear River Health Department consistent with Utah Administrative Rule 317-4.

# Proposed code changes - 17.10.050.3.b.(3)

---

## b. Wastewater Systems in Source Water Protection Areas:

### (3) Existing Systems – Alteration or Replacement – Variance Required:

iii. The replacement or alteration of an existing system shall result in a system with equal or greater protection of the public health and the environment as required by meeting the minimum standards and intent of Utah Administrative rule 317-4.

iv. Written approval of a variance from the Bear River Health Department must be included as part of a Zoning Clearance application impacting an existing onsite wastewater system located in Zones 1 and 2 of a public drinking water source protection area.

# Planning Commission

---

- Public Hearing held March 5, 2026
- Recommended approval to County Council 6, 0



**CACHE COUNTY  
RESOLUTION NO. 2026 – 11**

**A RESOLUTION AUTHORIZING THE SEASONAL REOPENING OF  
UNINCORPORATED COUNTY ROADS AND ESTABLISHING CONDITION-BASED  
ACCESS FOR THE 2026 SPRING SEASON**

- (A) WHEREAS, Utah Code Ann. §§ 17-64-4 and 17-64-5 grant the Cache County Council the authority to "exercise all legislative powers, have all legislative duties, and perform all legislative functions of the county," and further authorize the Council to "pass ordinances," "pass resolutions," and adopt policies that conform with state and federal law; and
- (B) WHEREAS, Cache County Code § 2.12.120 gives the Cache County Council the authority to "enact ordinances and adopt resolutions necessary and appropriate to establish official policy"; and
- (C) WHEREAS, Cache County Code § 12.01.010(B) explicitly grants the County Council the authority to place ongoing, seasonal restrictions on roadways based on snow removal capabilities, potential damage to surfaces, or other safety and access concerns; and
- (D) WHEREAS, Cache County Code § 12.01.010(B)(5) establishes the policy that "the public shall have access to county roads unless they are temporarily restricted for an emergency, for construction projects, for seasonal restriction as authorized by the county council, or for any other reason deemed appropriate by the County Executive"; and
- (E) WHEREAS, unseasonably mild weather conditions in the early months of 2026 have resulted in significant public demand for access to mountain roads and recreational areas within the unincorporated county; and
- (F) WHEREAS, the County Council desires to be responsive to the public interest while ensuring that premature access does not result in costly damage to roadway surfaces or compromise public safety;

NOW THEREFORE, be it resolved by the County Council of Cache County, Utah, as follows:

**SECTION 1:**

The Cache County Council hereby terminates any lingering or presumed general seasonal restrictions on unincorporated county roads for the 2025-2026 winter season, effective immediately.

**SECTION 2:**

Pursuant to Cache County Code § 12.01.010(B), the County Council directs the County Executive and the Public Works Department to physically open all seasonally closed gates at



**CACHE COUNTY  
RESOLUTION NO. 2026 – 11**

their earliest opportunity. Notwithstanding Section 1, the Public Works Director, or their authorized designee, is authorized to maintain specific gate closures on an as-needed basis if, upon physical inspection, the roadway remains impassable due to snow, or if surface conditions are such that motorized travel would cause significant rutting or damage to the road.

**SECTION 3:**

This Resolution shall be effective immediately upon passage.



**CACHE COUNTY  
RESOLUTION NO. 2026 – 11**

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_ DAY OF \_\_\_\_\_ 2026.

Council Member	In Favor	Against	Abstained	Absent
JoAnn Bennett				
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Total				
FINAL ACTION: _____ ADOPT      _____ REJECT				

**CACHE COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

By: \_\_\_\_\_  
Bryson Behm, County Clerk

# Ordinance No. 2026-09

## Cache County, Utah

### Wellsville Safe Storage LLC Rezone

---

An ordinance amending the Cache County Zoning Map by rezoning 8.00 acres from the Agricultural (A10) Zone to the Industrial (I) Zone.

**Whereas**, the “County Land Use Development and Management Act,” Utah Code Ann. §17-79-101 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 February 5<sup>th</sup> the Planning Commission held a public hearing, accepted all comments, and recommended the denial of the proposed rezone (4-2) 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**, on March 10<sup>th</sup>, 2026, the County Council held a public hearing, to consider any comments regarding the proposed rezone. The County Council accepted all comments; and

**Whereas**, the Cache County Council has determined that it is both necessary and appropriate for the County to approve this ordinance.

**Now, therefore**, the County Legislative Body of Cache County ordains as follows:

**1. Statutory Authority**

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-79 Part 1 and Part 3, and 17-53 part 2(1953, as amended to date).

**2. Adoption of amended Zoning Map**

The County Council hereby amends the County’s Zoning Map to reflect the rezone of the property affected by this ordinance and hereby adopts the amended Zoning Map with the amendment identified as Exhibit B, of which a detailed digital or paper copy is available in the Development Services Department.

### **3. Conclusions**

A. Wellsville City states they do not protest the rezone request.

- a. The non-protest is contingent upon the applicant's compliance with all applicable Cache County regulations, including obtaining a Conditional Use Permit (CUP) and meeting all site development standards.

#### **B. Prior ordinances, resolutions, policies, and actions superseded**

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

#### **C. Exhibits**

A. Exhibit A: Rezone summary and information

B. Exhibit B: Zoning Map of Cache County showing affected portion.

**A. Effective date**

This ordinance takes effect on \_\_\_\_\_, 2026. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk.

**B. Council Vote and Final Action**

Date: ____ / ____ / ____	<u>Council Votes</u>			
<u>Council members</u>	In Favor	Against	Abstain	Absent
Kathryn Beus				
Dave Erickson				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
JoAnn Bennett				
Keegan Garrity				
<b>Total:</b>				
<b>Final action:</b>	_____ <b>Adopt</b> _____ <b>Reject</b>			

Cache County Council:

Attest:

\_\_\_\_\_  
Sandi Goodlander, Chair

\_\_\_\_\_  
Bryson Behm, County Clerk

---

## **Action of the County Executive**

Regarding Ordinance 2026-09, Wellsville Safe Storage LLC Rezone

\_\_\_\_\_ Approve

\_\_\_\_\_ Disapprove (A Statement of Objection is attached)

---

N. George Daines, Executive  
Cache County

Date

**Staff Report: Wellsville Safe Storage LLC Rezone**

5 February 2026

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:** Travis Baldwin

**Parcel ID#:** 11-059-0009

**Staff Recommendation:** None

**Type of Action:** Legislative

**Land Use Authority:** Cache County Council

**Location**

*Reviewed by Conner Smith*

**Project Address:**

3900 S. Highway 89/91,  
Wellsville

**Acres:** 8.00

**Current Zoning:**

Agricultural (A10)

**Proposed Zoning:**

Industrial (I)

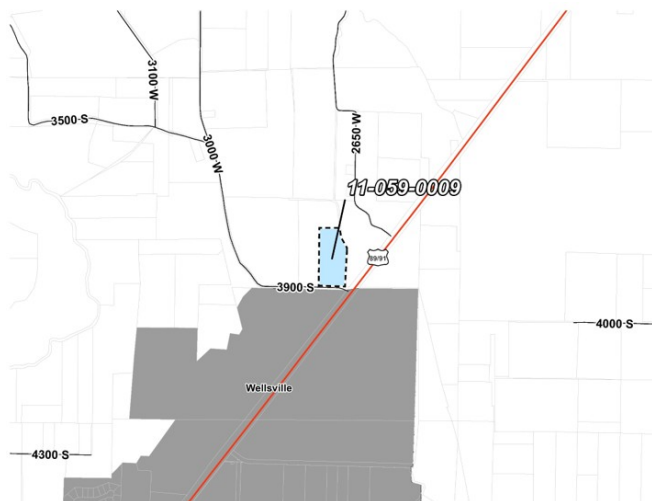
**Surrounding Uses:**

North – Agricultural

South – Agricultural/Wellsville/American West H.C.

East – Agricultural

West – Agricultural/Residential



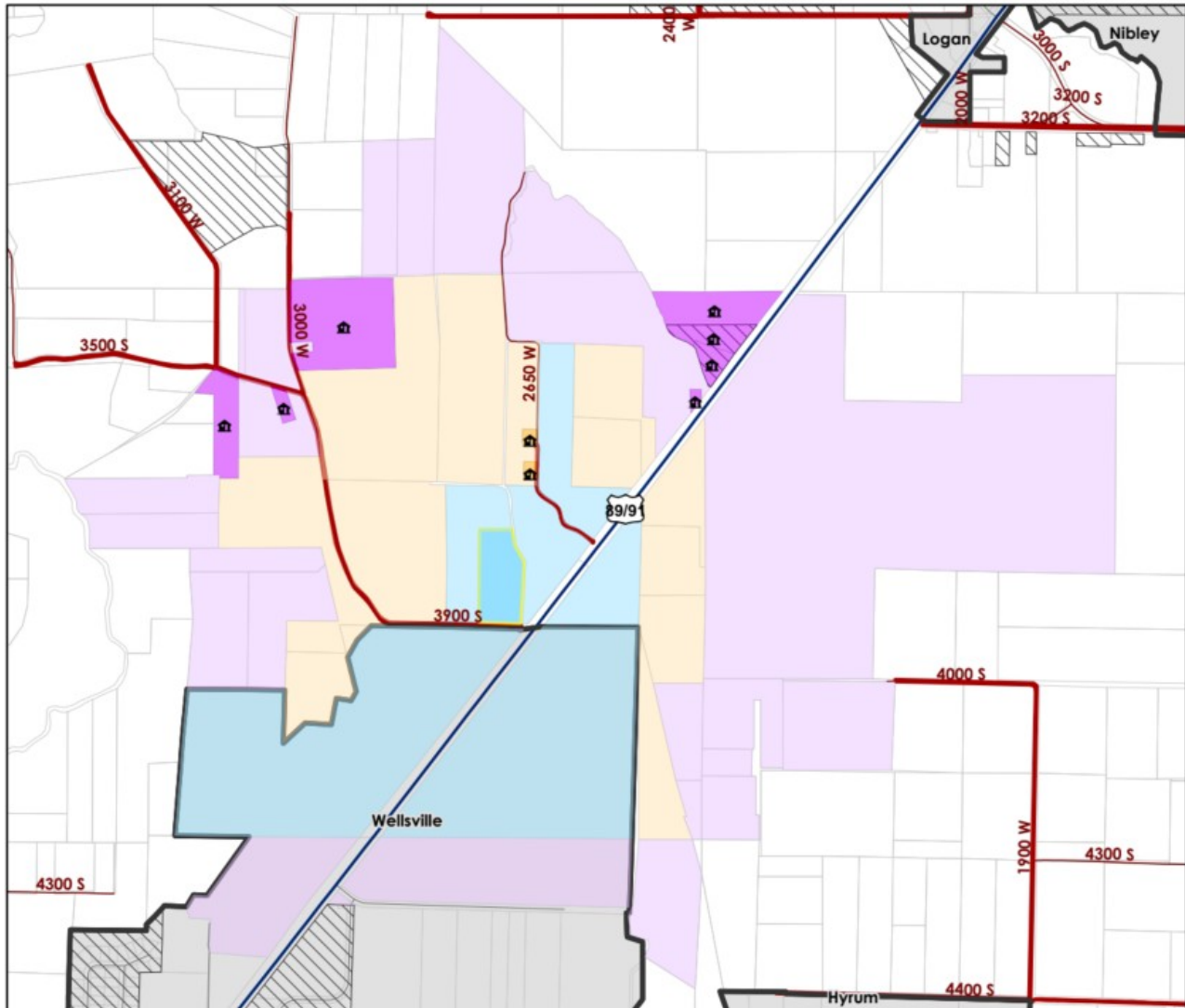
**Findings of Fact**

**A. Request description**

1. A request to rezone 8.00 acres from the Agricultural (A10) Zone to the Industrial (I) Zone.
2. This rezone may allow the parcel to establish uses permitted in the Industrial (I) Zone.
3. A rezone request is general in nature and is not tied to any proposed use. Any impacts related to permitted and conditional uses allowed within the Industrial (I) Zone will be addressed as part of each respective approval process required prior to site development activities.
4. 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:

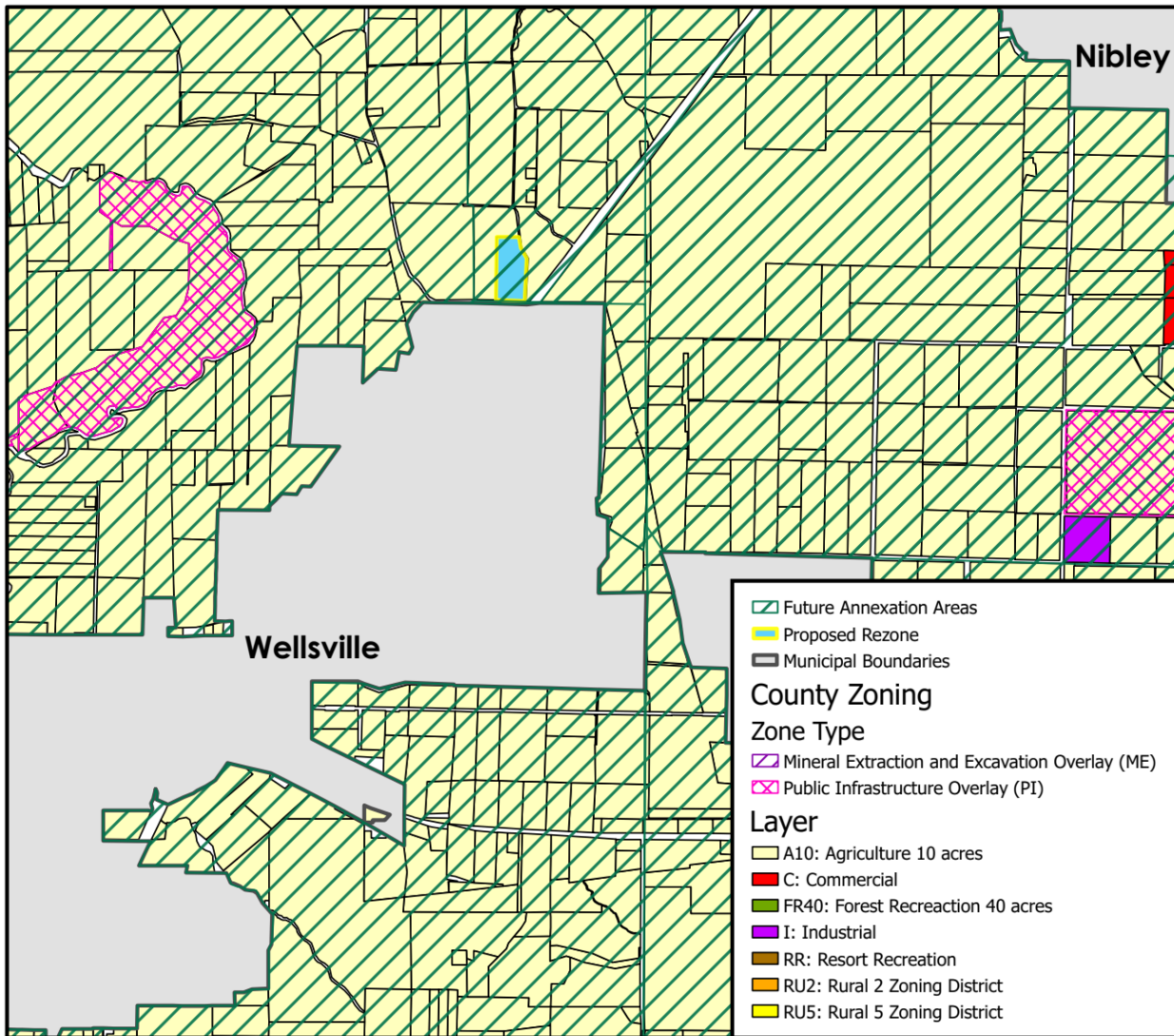
**a. Land Use Context:**

- i. Parcel status:** The property matches the configuration it had on August 8<sup>th</sup>, 2006 and is legal.
- ii. Average Lot Size:** (See Attachment A)



Average Parcel Size	
Adjacent Parcels	With a Home: 15.6 Acres (4 Parcels)
	Without a Home in Wellsville City: 85.6 Acres (2 Parcels)
¼ Mile Buffer	With a Home: 0.5 Acres (2 Parcels)
	Without a Home: 17.2 Acres (16 Parcels)
	Without a Home in Wellsville City: 85.6 Acres (2 Parcels)
½ Mile Buffer	With a Home: 4.7 Acres (9 Parcels)
	Without a Home: 20.4 Acres (37 Parcels)
	Without a Home in Wellsville City: 59 Acres (4 Parcels)

- iii.** Schedule of Zoning Uses: The Industrial (I) Zone allows for a variety of uses with the approval of a zoning clearance and/or conditional use permit. These uses include:
- Accessory/Agriculture Structures
  - Caretaker's Residence
  - General Manufacturing
  - Agricultural Manufacturing
  - Commercial Kennel/Animal Shelter
  - Storage and Warehousing
  - Self Service Storage Facility
  - Transport Services
  - General Vehicle Repair
  - Mobile Food Truck
  - Sexually Oriented Business
  - Crematorium
  - Utility Facility, Distribution
  - Telecommunications Facility, Major
  - Telecommunications Facility, Minor
  - Private Airport
  - Livestock Auction Facility
  - Site Grading
- iv.** Adjacent Uses:
1. The properties to the north, east, and south are primarily agricultural while properties to the west are a mix of agricultural and residential. Wellsville City limits are directly to the south of the subject property.
    - a. The American West Heritage Center is located directly to the south of the subject property inside of Wellsville City limits.
- v.** The nearest parcel in the County that is in the Industrial (I) Zone is located 1.60 miles to the south-east of the subject property.
1. The Walker Property Rezone, located 1.60 miles to the south-east of the subject property at ~1500 W. 4400 S., near Hyrum, was a request to rezone 10.00 acres from the Agricultural (A10) Zone to the Industrial (I) Zone and was approved by the County Council as Ordinance 2018-10.
- vi.** Annexation Areas:
1. The subject property is located in both the Wellsville City and Nibley City future annexation areas.
- vii.** Cache Open Space Advisory Committee (COSAC):
1. COSAC has identified the properties along Highway 89/91 as scenic vistas and valley gateways that are priority properties to protect from development. This property falls into both categories. The proposed rezone is also north of the American West Heritage Center and east of properties owned by Cache County for future outdoor recreation use.



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

5. 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.
6. The current County Land Use Ordinance does not specify appropriate locations for the Industrial (I) Zone but does contain general guidelines for its implementation. County Land Use Ordinance §17.08.030(A) identifies the purpose of the Industrial (I) Zone and includes the following:
  - a. “To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and to broaden the tax base.”
  - b. “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.”
7. Chapter 4: Future Land Use Plan of the Cache County General Plan states:
  - a. “The use of land is one of the most important and fundamental values for landowners, residents, civic leaders, and elected officials. This determines, in large measure, the future of Cache County. The Future Land Use Map represents the County’s collective vision of

our desired future. It conveys the patterns and priorities of economic development and community character, the locations of neighborhoods and industries, and the preservation of natural, agricultural, and rural landscapes.”

- b. “The Future Land Use Plan is advisory and does not change the existing zoning of any property or the ability of landowners to continue existing legal uses consistent with the existing zoning or nonconforming uses. It serves as a starting point for conversations about regional initiatives and development proposals by illustrating how sometimes separate and uncoordinated activities can help or harm our desired future. The timing of future development will depend on a number of factors including choices made by individual landowners, aspirations of the community, and future availability of facilities and services.”

- 8. The future land use map (Attachment B) adopted as part of the Cache County General Plan identifies the area where the subject property is located as “Agriculture and Ranching.” *Cache County General Plan, Chapter 4, Page 26*. This section states:

- a. Location: Private agriculture landscapes in the Cache Valley outside of municipalities.
- b. Example Areas: Most of the valley.
- c. Purpose and Character: Agricultural and rangeland uses on private lands under conservation easements (no public access) are expected to continue in the Valley. Separation from dense residential developments is advantageous. The agricultural landscape provides separation between adjacent municipalities and protects suitable soils.
- d. Preferred Land Uses: Agriculture, ranching, rural residential uses at densities of less than one unit per 10 acres, Conservation Easements (CEs) and conserved public lands, Agritourism.
- e. Secondary Land Uses: Industrial and Commercial uses directly supportive of agriculture (Processing, Packaging, Distribution), clustered subdivision developments, outdoor recreation, farm worker housing.
- f. Discouraged Uses: Residential developments at densities of greater than one unit per 10 acres if not in a clustered subdivision development, commercial office, commercial retail, flex office/industrial, heavy industrial.

- 9. The subject property is not located in the Urban Expansion Overlay.

- 10. Consideration of impacts related to uses allowed within the Industrial (I) 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**

- 11. §12.02.010 adopts the Manual of Roadway Design and Construction Standards (Road Manual) for roadway improvement requirements.
- 12. §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.
- 13. Table §17.10.040 Site Development Standards – Minimum lot frontage required in the Industrial (I) Zone is 150’.
- 14. §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
- 15. §16.04.040 [A] Roads – All roads must be designed and constructed in accordance with Title 12 of the County Code.
- 16. §12.02.010 Roadway Standards – Requirements for roadway improvement are provided in the current Manual of Roadway Design and Construction Standards (Road Manual).

**17. Roadway Functional Classification:**

- a. Minor Local (L): Minor local roads serve almost exclusively to provide access to properties adjacent to the road. Minor local roads generally serve residential or other noncommercial land uses. Many minor local roads are cul-de-sacs or loop roads with no through continuity. The length of minor local roads is typically short. Because the sole function of local roads is to provide local access, such roads are used predominantly by drivers who are familiar with them.

**18. A basic review of the access to the subject property identifies the following:**

- a. The property has access to 3900 South.

**19. 3900 South:**

- a. South of the subject parcel, 3900 South is a County road and is classified as a Minor Local.
- b. Provides access to residential and agricultural properties.
- c. Is maintained by the County year round and has a speed limit of 30 miles per hour.
- d. Has an existing width of 20 feet, a fifty-five-foot right-of-way, a nine-foot paved shoulder, a two-foot gravel shoulder, a variable clear zone, and is paved.
- e. Is considered substandard as to right-of-way.
- f. Industrial and Commercial uses must be located on a Major Local or higher classification road.

<b>Frontage Road – 3900 South</b>			
<b>Functional Classification</b>	Minor Local	<b>Summer Maintenance</b>	Yes
<b>Speed Limit</b>	30 MPH	<b>Winter Maintenance</b>	Yes
<b>Dedicated ROW</b>	Yes	<b>Municipal Boundary</b>	Yes

<b>Analysis of Roadway – 3900 South</b>			
<b>Roadway Element</b>	<b>Existing Width (ft.)</b>	<b>Required Width (ft.)</b>	<b>Comments or Findings</b>
Travel Lanes	24	20	OK
Right-of-Way	55	66	Substandard
Paved Shoulder	9	2	OK
Gravel Shoulder	2	2	OK
Clear Zone (4:1)	5-10	10	OK
Material	Paved	Paved	OK
Structural			Visually OK

<b>Minimum Access Spacing Standard (Feet)</b>			
<b>Classification</b>	<b>Public/Private Roads</b>	<b>Commercial</b>	<b>Residential/Farm</b>
Minor Local	300	N/A	10
<ol style="list-style-type: none"> <li>1. Driveways for all uses except single-family homes shall not be closer than eight (8) feet to an adjacent interior property line. Single-family homes may be granted with two (2) feet of the property line.</li> <li>2. Min. Spacing from Private or Public Road Intersection shall be 80 feet.</li> </ol>			



Figure 1 – 3900 South

**D. Service Provisions:**

**20.** §16.04.080 [C] Fire Control – The County Fire District did not have any comments or concerns regarding this rezone. Any future development on the property must be reevaluated and may require improvements based on the location of the proposed access and development.

**21.** §16.04.080 [F] Solid Waste Disposal – Applicant must work with Waste Management for solid waste disposal.

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

**22.** Public notice was posted online to the Utah Public Notice Website on 23 January 2026.

**23.** Notices were posted in three public places on 23 January 2026.

24. Notices were mailed to all property owners within 23 January 2026.
25. The meeting agenda was posted to the County website on 23 January 2026.
26. At the time of writing the staff report, one written public comment regarding this proposal has been received by the Development Services Office.
  - a. Wellsville City states that they are not opposed to the rezone as long as the project meets all of the County's conditional use permit standards.

## **Staff Conclusion**

---

The Wellsville Safe Storage LLC rezone, a request to rezone 8.00 acres from the Agricultural (A10) Zone to the Industrial (I) 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 based on the findings of fact identified above and any others identified at the public hearing. Although Staff has not made a recommendation for approval or denial, they can help Planning Commission draft a recommendation to County Council.

## **Planning Commission Conclusion**

---

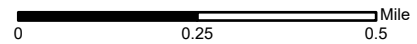
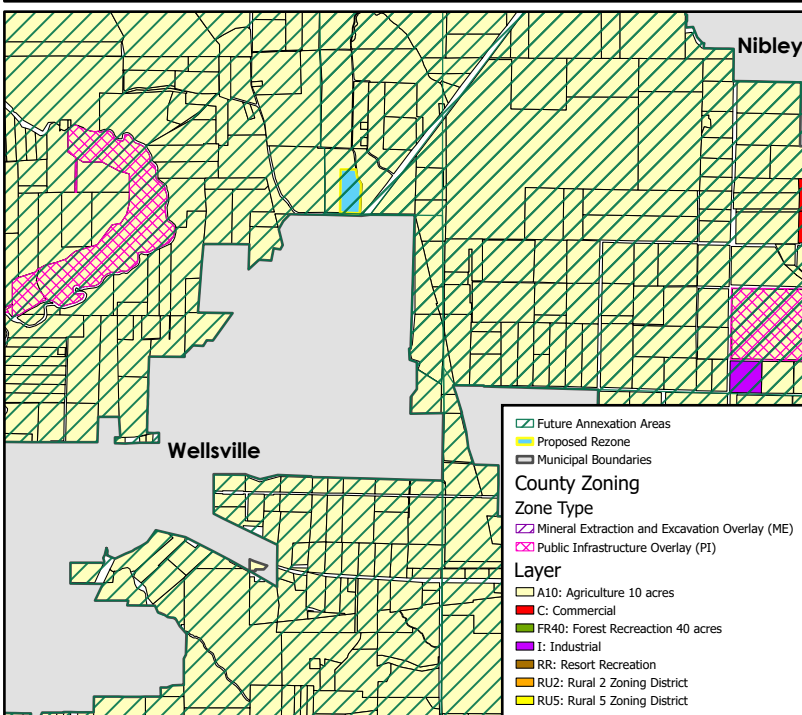
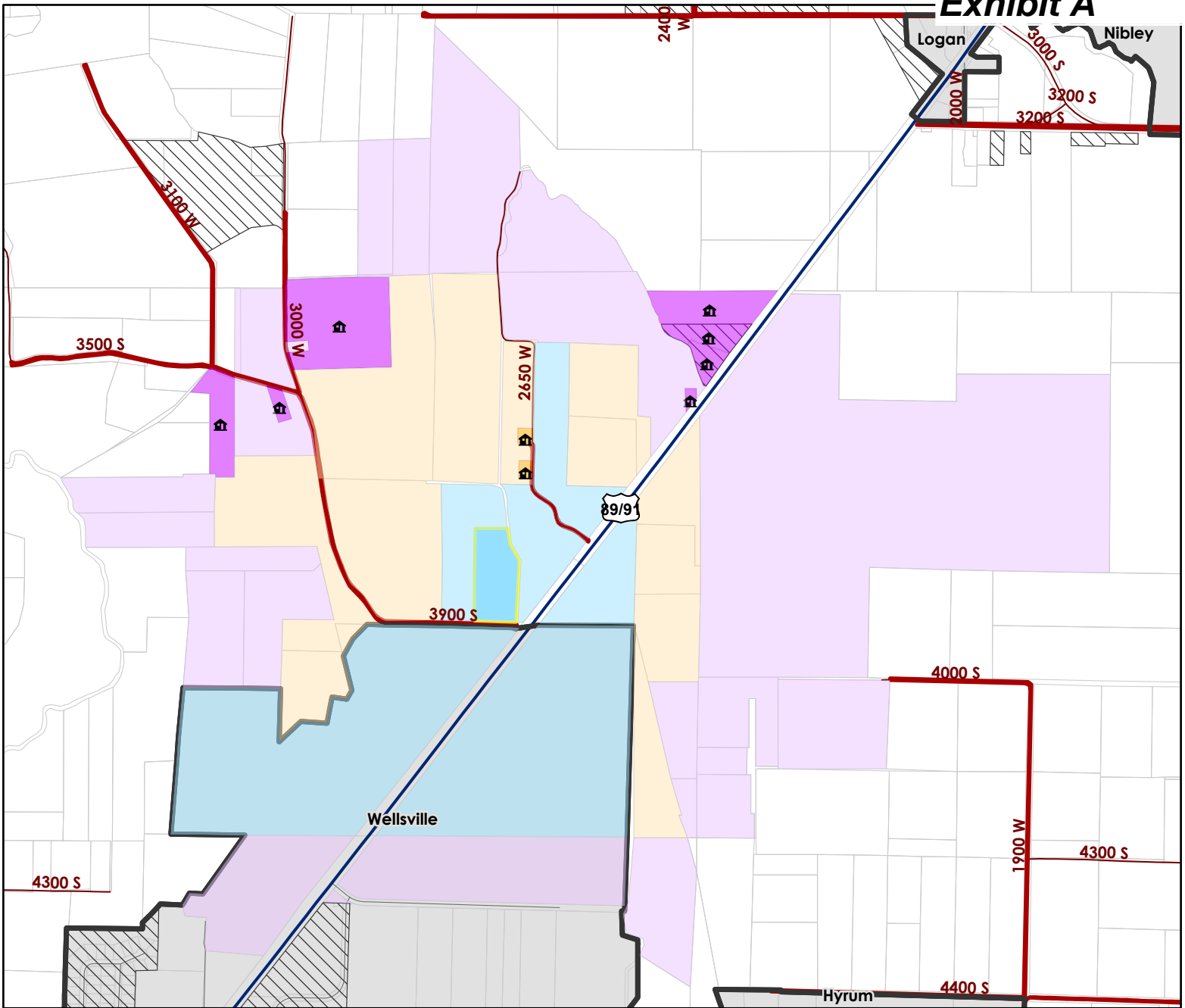
Based on the findings of fact noted herein, the Wellsville Safe Storage LLC rezone is hereby recommended for denial to the County Council as follows:

1. The parcel does not meet the standards of the Industrial (I) Zone:
  - a. "To provide locations where manufacturing, processing, warehousing, and fabrication of goods and material can be carried on with minimum conflict or deleterious effect upon the surrounding properties. The purpose of this zone is also to promote the economic well being of the citizens and to broaden the tax base."
  - b. "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."
2. The rezone is inconsistent with the Cache County General Plan:
  - a. The "Agriculture and Ranching" area places an emphasis on agriculture related activities. The Industrial (I) Zone has fewer agricultural related use types than the Agricultural (A10) Zone.
  - b. The parcel is not located in the Urban Expansion Overlay
3. The rezone is inconsistent with the Wellsville City and Nibley City General Plans:
  - a. Wellsville City identifies this parcel as being in the "Residential – Farmland" Zone:
    - i. Residential - Farmland:
      1. "This area is identified on the Land Use Plan to remain, primarily, as an agricultural production area. This area has historically been the primary farming land of the community and the City should preserve the qualities of this area by minimizing the taking of this land for residential, commercial, or industrial uses. While residential uses are somewhat compatible with agricultural uses, residential development in this area should be minimized and large areas should be required to stay in agricultural use."
    - b. Nibley City identifies this parcel as being in the "Open Space, Agriculture, and Low Density Residential" Zone.
4. The nearest parcel in the Industrial (I) Zone is located 1.60 miles to the southeast of the subject property.

5. Cache Open Space Advisory Committee has identified properties along Highway 89/91 as scenic vistas and valley gateways which are priority properties to protect from development. This parcel falls into both categories.
  - a. The property is also located directly north of the American West Heritage Center and east of properties owned by the County that are meant for a future outdoor recreation use.
6. Industrial and Commercial are not permitted on a Minor Local road.

# **ATTACHMENT A**

# Exhibit A



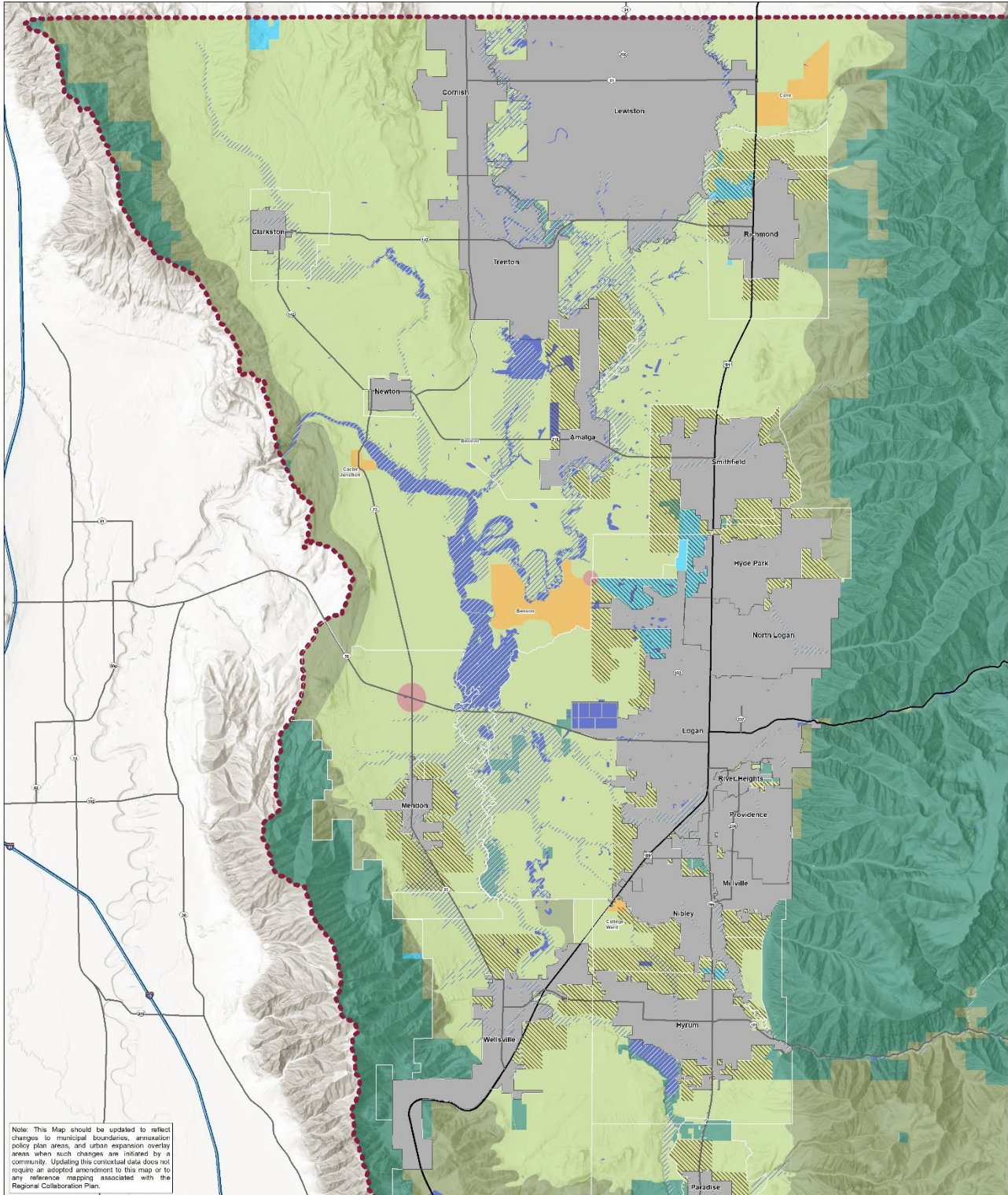
## Legend

- Proposed Rezone
- Municipal Boundaries
- Subdivisions
- Parcels
- Winter Maintenance
- County Roads
- Highways

Average Parcel Size	
<b>Adjacent Parcels</b>	Without a Home: 15.6 Acres (4 Parcels)
	Without a Home in Wellsville City: 85.6 Acres (2 Parcels)
<b>1/4 Mile Buffer</b>	With a Home: 0.5 Acres (2 Parcels)
	Without a Home: 17.2 Acres (16 Parcels) Without a Home in Wellsville City: 85.6 Acres (2 Parcels)
<b>1/2 Mile Buffer</b>	With a Home: 4.7 Acres (9 Parcels)
	Without a Home: 20.4 Acres (37 Parcels) Without a Home in Wellsville City: 59 Acres (4 Parcels)



**ATTACHMENT  
B**



Note: This Map should be updated to reflect changes to municipal boundaries, annexation policy plan areas, and urban expansion overlay areas when such changes are initiated by a community. Updating this cartographic data does not require an adopted amendment to this map or to any reference mapping associated with the Regional Collaboration Plan.

- Water Bodies
- 100 Year Floodplain
- Municipalities
- Annexation Policy Plan Areas
- Urban Expansion Overlay
- Retail Commercial
- Rural Community
- Industrial and Mineral Extraction
- Agriculture and Ranching
- Mountain Rural and Conservation
- Forest and Natural Resource

### Cache County Future Land Use Map

Disclaimer: This map is illustrative and for advisory purposes only. This is not a regulatory or zoning document, and locations are generalized to illustrate concepts.

Date: February 28, 2023



# **Public Comments**



**WELLSVILLE CITY CORPORATION**

75 East Main  
P.O. Box 6  
Wellsville, Utah 84339  
Phone: 435-245-3686  
Fax: 435-245-7958

**MAYOR**  
Thomas G. Bailey  
**CITY COUNCIL**  
Kaylene Ames  
Bob Lindley  
Denise N. Lindsay  
Chad P. Poulsen  
Austin V. Wood

**CITY MANAGER/RECORDER**  
Scott E. Wells  
**CITY TREASURER**  
Leesa M. Cooper

**December 08, 2025**

Cache County Development Services Office  
Attn: Planning and Zoning Commission / County Council  
179 North Main, Suite 305 Logan, UT 84321

**SUBJECT: Non-Protest Regarding Rezone Request – Parcel 11-059-0009 (Brett Hadfield)**

Dear Cache County Planning Commission and County Council Members,

This letter confirms Wellsville City's position regarding the rezone request for Parcel **11-059-0009**, submitted by **Brett Hadfield**, to change the zoning from **A10 (Agricultural 10 Acres)** to the **Industrial (I) Zone**.

Wellsville City notes that this parcel is located in the unincorporated county and is adjacent to the Wellsville City limits.

Wellsville City will not protest this rezone request.

We recognize the potential for this self-storage facility to provide a beneficial service to the residents on the south end of Cache Valley. Our non-protest is contingent on the applicant's compliance with all applicable Cache County regulations, including obtaining a Conditional Use Permit (CUP) and meeting all site development standards.

Sincerely,

Scott Wells, City Manager  
Wellsville City

## Public comments

Dear Planning commission, here are my comments on three items on this month's agenda.

Item #1 Shepard Rezone. I am supportive of this request as it fits the surrounding area, does not change the "feel" of the neighborhood and fits within the 3 lots or less code amendment.

Item #2 Wellsville Safe Storage, I am opposed to this rezone, it does not fit the area, people travel from all over to visit the historical farm and currently everything around it is in agriculture. Placing an industrial zone across the street from the farm seems a poor choice. It would be in the valley "gateway zone" that we are trying to keep development back a few hundred feet from the highway, and it would increase traffic to an intersection that already experiences significant traffic issues.

#3 Greenfield Mill overflow. I am supportive of this rezone request as it will help alleviate the safety issues associated along the highway with trucks having to stage there waiting to unload, and it borders other parcels that are zoned industrial.

Thanks for your consideration and the opportunity to comment.

Nathan Daugs



**11-059-0009**

BEG 8.36 CH E 9 CH S OF CENTER SEC 25 T 11N R 1W N 875 FT TO CENTER OF DITCH  
NELY ALG DITCH TO  
INTERSEC WITH CENTER LNE OF E FIELD CANAL SELY IT ITS INTERSEC WITH W LNE ST  
HWY SWLY 0.50 CHS W  
410 FT TO BEG 8 AC E792A

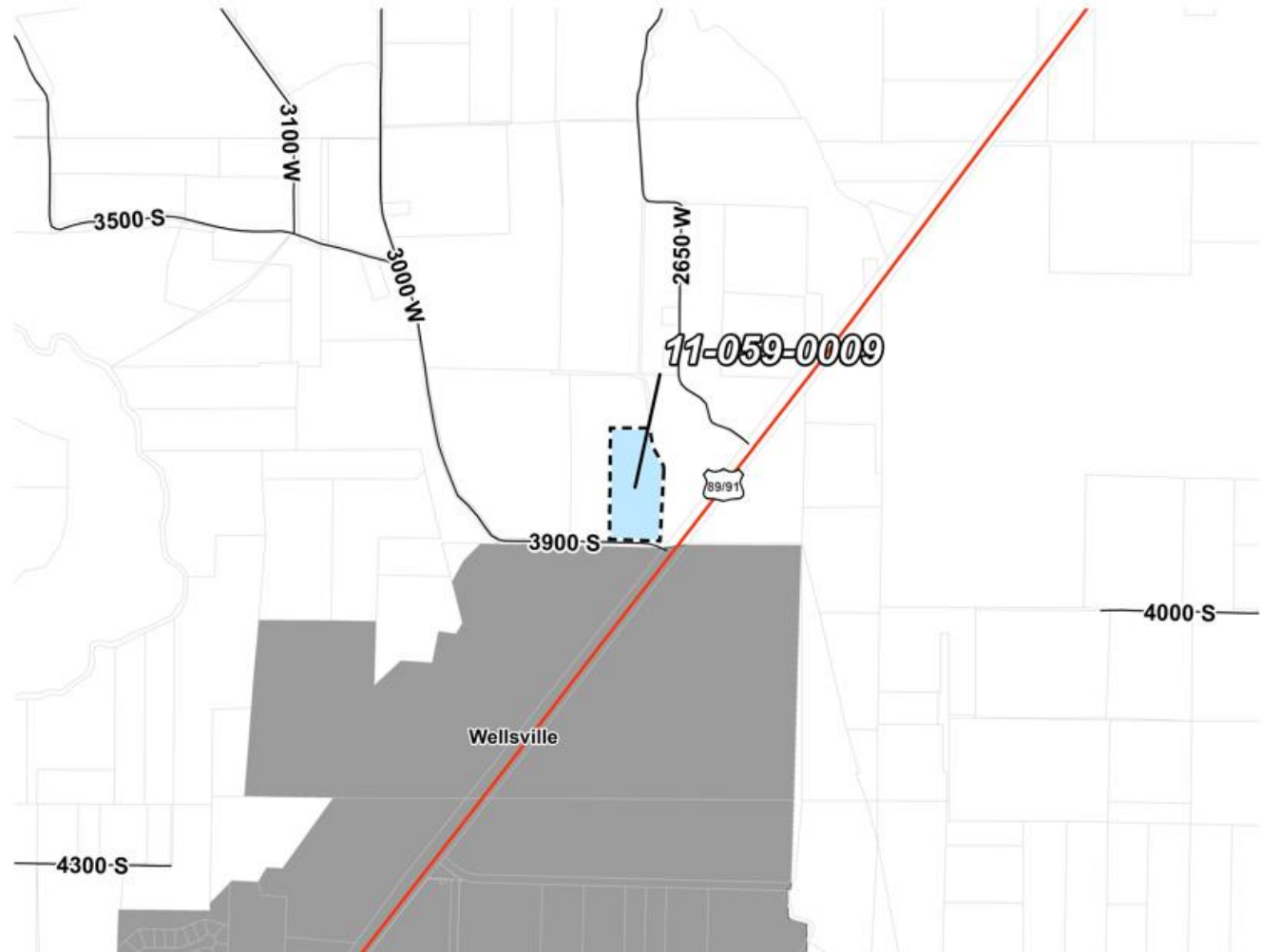
---

---

# Wellsville Safe Storage LLC Rezone

---

---



11-059-0009

89/91

Wellsville

4300-S

4000-S

3900-S

2650-W

3000-W

3100-W

3500-S

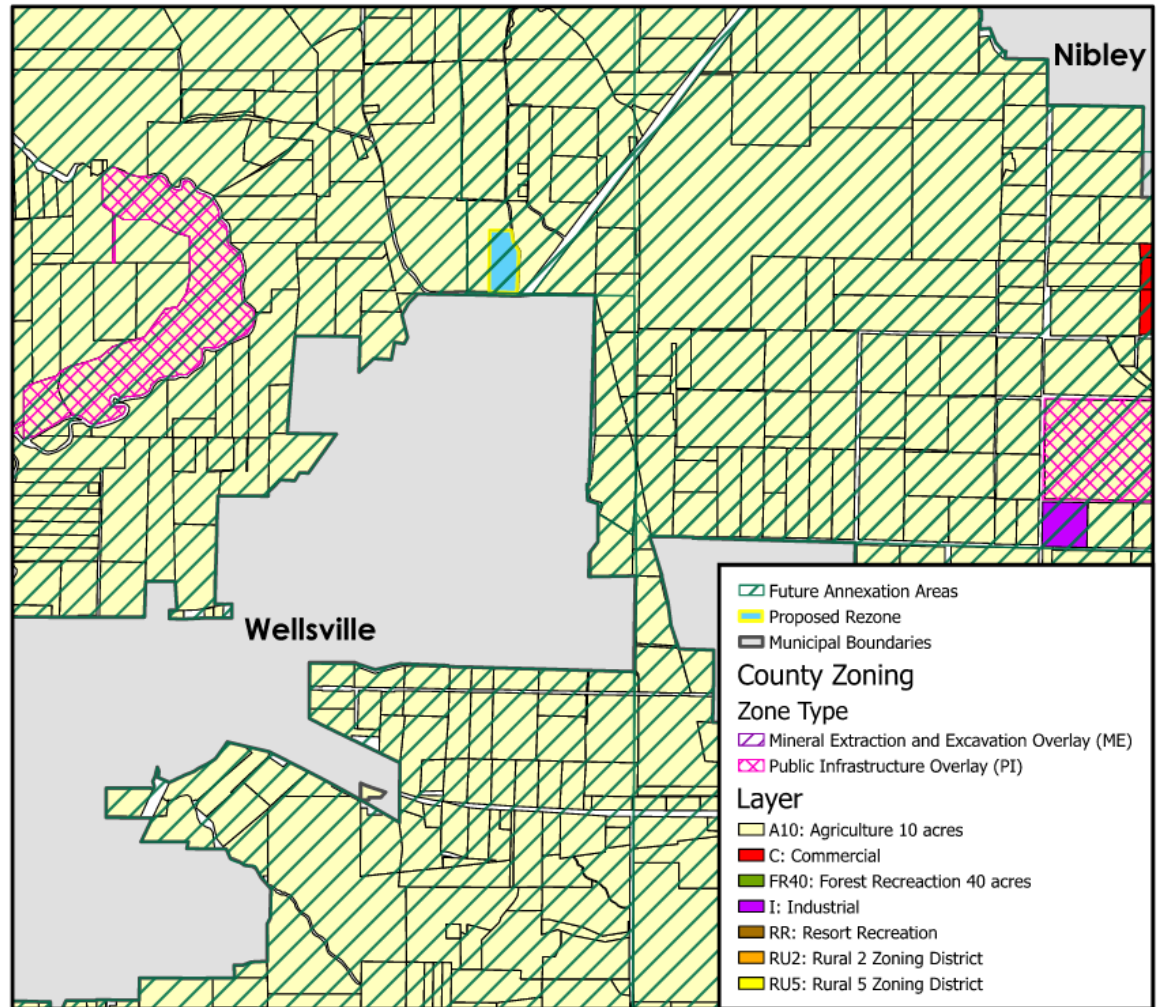
## Surrounding Context:

- Located off Hwy 89/91
- North of American West Heritage Center
- East of two Cache County owned parcels meant for future outdoor recreation use
- In a view corridor identified by COSAC
- South is the Wellsville City boundary, but access is off a County Road



## Surrounding Zoning

- Yellow = Agricultural (A10) - vast majority of surrounding property is zoned A10.
- Purple = Industrial - near Hyrum/JBS - rezoned in 2018.
- Red = Commercial - storage units near Nibley
- Green Lines = future annexation areas (Wellsville, Nibley, & Hyrum)



# Overview

## Rezone Request

- Rezone 8.00 acres from the Agricultural (A10) to the **Industrial (I) Zone**
  - Parcel # 11-059-0009
  - Industrial Zone would allow for:
    - Storage & Warehousing
    - Self Service Storage Facilities
    - Transport Services
    - General Vehicle Repair
    - Crematorium, etc.
-

# Planning Commission recommendation

Public Hearing - February 5, 2026

Planning Commission recommended denial of the rezone to the County Council on a 4, 2 vote.

Conclusions:

- Not consistent with the purpose of the Industrial (I) Zone and industrial uses are not consistent with surrounding land uses, which are agricultural.
- Inconsistent with the Cache County General Plan Future Land Use Map - "Agriculture & Ranching".
- Inconsistent with Wellsville's General Plan - "Residential - Farmland" - meant for primarily agricultural production areas.
- Nearest Industrial Zone is 1.60 miles to the southeast.
- Access is from a Minor Local Road - this classification of road does not allow for commercial or industrial development.



**CACHE COUNTY  
ORDINANCE NO. 2026 - 12**

**AN ORDINANCE ENACTING THE REQUIREMENT OF ONLINE PUBLICATION OF  
CACHE COUNTY COUNCIL LEGISLATION**

- (A) WHEREAS, Utah Code Ann. §§ 17-64-4 and 17-64-5 grant the Cache County Council the authority to "exercise all legislative powers, have all legislative duties, and perform all legislative functions of the county," and further authorize the Council to "pass ordinances," "pass resolutions," and adopt policies that conform with state and federal law; and
- (B) WHEREAS, Cache County Code § 2.12.120 gives the Cache County Council the authority to "enact ordinances and adopt resolutions necessary and appropriate to establish official policy"; and
- (C) WHEREAS, with the advent of the information age, it has become a common practice for local governments to publish the final legislative acts of local legislative bodies for the purposes of accessibility and transparency for members of the public; and
- (D) WHEREAS, the Cache County Clerk is the designated records officer for Cache County, and said designation includes the responsibility of being the repository of all finalized legislative acts of the Cache County Council; and
- (E) WHEREAS, explicitly detailing and designating the responsibility and assignment of online publication of the final legislative acts of the Cache County Council serves to standardize the publication process and ensure the consistent availability of official records to the public for increased transparency and accessibility;
- (F) WHEREAS, the Cache County Council Ordinance and Policy Review Committee recommended the passage of this ordinance by a vote of 3-0; and
- (G) WHEREAS, the Cache County Council finds that this ordinance is in the best interest of Cache County and its citizens;

NOW, THEREFORE, be it ordained by the County Council of Cache County, Utah, that:

**SECTION 1:**

Cache County Code § 2.12.185 is enacted to read as follows (with a redline version of the amendments to said code attached as "Exhibit A"):

**2.12.185: CLERK; ONLINE PUBLIC LEGISLATION INDEX AND VOTING TABLE**

- A. Subject to the provisions of the Government Data Privacy Act and associated county policy regarding personal data privacy the County Clerk, or the County Clerk's designee,



## ORDINANCE NO. 2026 – 12

shall ensure that an online public legislation index and an associated online voting table be kept in accordance with this part.

### B. Public Legislation Index:

1. Each ordinance, resolution, appointment, proclamation that has received a final vote of the County Council shall be published online within thirty (30) days of said vote in an online public legislation index.
  - a. In the event a measure is presented to the County Executive in accordance with County Code and the Cache County Optional Plan, and subsequently vetoed and returned with their objections to the County Council, the above thirty (30) day online publication window shall reset to the date of the County Council's reconsideration of the vetoed measure.

### C. Voting Table:

1. An online record of all final votes on all ordinances, resolutions, appointments, and proclamations shall be kept on the Cache County website. Such online record shall, at a minimum, include a table that specifies for each final voted on ordinance, resolution, appointment, proclamation:
  - a. Its title, including its numerical sequential numbering and title description;
  - b. The motion made on its final action (pass/fail/approve/deny/table indefinitely) with the final vote result totals;
  - c. Its date of final vote; and
  - d. If applicable, signature, veto, or non-veto by the Cache County Executive.

### D. The contents of the public legislation index and the associated voting table shall be displayed at an inconspicuous location on the Cache County website.

1. The public legislation index and voting table may be combined into one webpage publication, such that it meets the above criteria.

## SECTION 2:

This ordinance will take effect fifteen (15) days following its passage and approval by the County Council.



**ORDINANCE NO. 2026 – 12**

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_ DAY OF \_\_\_\_\_ 2026.

Council Member	In Favor	Against	Abstained	Absent
JoAnn Bennett				
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Total				
FINAL ACTION: _____ ADOPT _____ REJECT				

**CACHE COUNTY:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

**ATTEST:**

By: \_\_\_\_\_  
Bryson Behm, County Clerk



**ORDINANCE NO. 2026 – 12**

**ACTION OF THE COUNTY EXECUTIVE:**

Approved  
 Disapproved (written statement of objection attached)

By: \_\_\_\_\_  
N. George Daines, County Executive                      Date



ORDINANCE NO. 2026 – 12

**EXHIBIT A**

Cache County Code

**2.12.185: CLERK; ONLINE PUBLIC LEGISLATION INDEX AND VOTING TABLE**

- A. Subject to the provisions of the Government Data Privacy Act and associated county policy regarding personal data privacy the County Clerk, or the County Clerk's designee, shall ensure that an online public legislation index and an associated online voting table be kept in accordance with this part.
- B. Public Legislation Index:
  - 1. Each ordinance, resolution, appointment, proclamation that has received a final vote of the County Council shall be published online within thirty (30) days of said vote in an online public legislation index.
    - a. In the event a measure is presented to the County Executive in accordance with County Code and the Cache County Optional Plan, and subsequently vetoed and returned with their objections to the County Council, the above thirty (30) day online publication window shall reset to the date of the County Council's reconsideration of the vetoed measure.
- C. Voting Table:
  - 1. An online record of all final votes on all ordinances, resolutions, appointments, and proclamations shall be kept on the Cache County website. Such online record shall, at a minimum, include a table that specifies for each final voted on ordinance, resolution, appointment, proclamation:
    - a. Its title, including its numerical sequential numbering and title description;
    - b. The motion made on its final action (pass/fail/approve/deny/table indefinitely) with the final vote result totals;
    - c. Its date of final vote; and
    - d. If applicable, signature, veto, or non-veto by the Cache County Executive.
- D. The contents of the public legislation index and the associated voting table shall be displayed at an inconspicuous location on the Cache County website.
  - 1. The public legislation index and voting table may be combined into one webpage publication, such that it meets the above criteria.

## **PROPOSED AMENDMENT TO ORDINANCE 2026-12**

### **Submitted by:**

Andrew Erickson, Council Policy Analyst

### **Reasoning:**

The below proposed amendment to Ordinance 2026-12 moves the proposed County's legislative recording requirements from a centralized master table to a format focused on individual documents. This shift would address the practical challenges of manually maintaining a standalone record for over 1,000 pieces of legislation. Rather than relying on a separate tracking system, the Clerk would use a system currently under development that displays the final, recorded version of each legislation file, and each file already includes the recorded votes. In short the overall table requirement would be a logistic burden and effectively redundant.

Additionally, by requiring the search for each piece of legislation, end users would be more likely to see the context of the council legislation pieces before seeing the votes themselves.

**TLDR: The overall voting table would be a logistical burden and redundant.**

### **Proposed amendment to Ordinance 2026-12 text for Cache County Code**

#### **Enactment:**

#### **2.12.185: CLERK; ONLINE PUBLIC LEGISLATION INDEX AND VOTING TABLE**

- A. Subject to the provisions of the Government Data Privacy Act and associated county policy regarding personal data privacy the County Clerk, or the County Clerk's designee, shall ensure that an online public legislation index ~~and an associated online voting table~~ be kept in accordance with this ~~part~~[section](#).
- B. Public Legislation Index:
  1. Each ordinance, resolution, appointment, proclamation that has received a final vote of the County Council shall be published online within thirty (30) days of said vote in an online public legislation index.
    - a. In the event a measure is presented to the County Executive in accordance with County Code and the Cache County Optional Plan, and subsequently

**PROPOSED AMENDMENT TO ORDINANCE 2026-12**

vetoed and returned with their objections to the County Council, the above thirty (30) day online publication window shall reset to the date of the County Council's reconsideration of the vetoed measure.

- b. Each ordinance published online in the public legislation index shall include:
  - A. The result and final action (pass/fail/approve/deny/table indefinitely) with the final vote result totals delineating the vote of each member of the County Council;
  - B. Its date of final vote; and
  - C. If applicable, signature, veto, or non-veto by the Cache County Executive, and if applicable, all other legislative documents incidental to a veto by the Cache County Executive

~~C. Voting Table:~~

- ~~1. An online record of all final votes on all ordinances, resolutions, appointments, and proclamations shall be kept on the Cache County website. Such online record shall, at a minimum, include a table that specifies for each final voted on ordinance, resolution, appointment, proclamation:
  - a. Its title, including its numerical sequential numbering and title description;
  - b. The motion made on its final action (pass/fail/approve/deny/table indefinitely) with the final vote result totals;
  - c. Its date of final vote; and
  - d. If applicable, signature, veto, or non-veto by the Cache County Executive.~~
- D. The contents of the public legislation index ~~and the associated voting table~~ shall be displayed at an inconspicuous location on the Cache County website.
  - ~~1. The public legislation index and voting table may be combined into one webpage publication, such that it meets the above criteria.~~



# Ordinance 2026-12

March 24, 2026 Council Meeting

# Overview of Ordinance 2026-12

- Ordinance 2026-12 proposes an enactment to County Code:
  - Requiring the online publication of all County Council legislation given final consideration in a public legislation index. Any piece of Council legislation must be published online within 30 days after its final consideration.
  - Requiring an online public master/global tracking table of the voting results of all County Council legislation.






# Context

- The County currently does not have an official or centralized online location for the publication of County Council legislation given final consideration, or a method to show the voting results on said legislation beyond the search through County Council minutes.
- In the day of the information age, it is common practice for local governments in the United States to publish the legislative acts of local governing bodies (County Councils, Commissions, Boards of Supervisors, City Councils, etc.)

# Content of Ordinance 2026-12

- Ordinance 2026-12 proposes an enactment to County Code that:
  - Mandates a centralized online location for all final legislative acts.
  - Requires all legislation to be available online within 30 days of final consideration.
  - Requires an online public master/global tracking table of the voting results of all County Council legislation.
  - Designates the County Clerk's Office as the entity responsible for the publication and maintenance of this data.

# Example of Public Legislation Index

2026 ▲	5 documents
 26-01 Future Bookshop Rezone 404 Park Avenue.pdf	
 26-02 Fairgrounds North Rezone.pdf	
 26-03 Right of Way Vacation 900 North 1000 West.pdf	
 26-04 Electrical Easement Vacation Cache Valley Marketplace.pdf	
 26-05 Logan Crossroads Rezone 790 & 796 South Main.pdf	

Retrieved from the Logan, UT website:

[https://www.loganutah.gov/government/mayor\\_s\\_office/city\\_recorder/ordinances.php](https://www.loganutah.gov/government/mayor_s_office/city_recorder/ordinances.php)

# Example of Master/Global Voting Table

Washington City Council Voting Record						
Type of Action	Description of action items: 2026	Motion	Meeting Date	Belliston	Casperson	Coats
Ordinance	Annexation Petition known as Final Local Entity Plat - East Addition	Approve	01/14/2026	Y	Y	A
Ordinance	Easement Vacation located at Queensridge Phase 5	Approve	01/14/2026	Y	Y	Y
Conditional Use Permit	Evaporation Pond for Conditional Use Permit C-25-07	Approve	01/14/2026	Y	Y	N
Ordinance	Zone Change Z-25-24 from A-20 to PUD-C	Approve+	01/14/2026	Y	Y	Y
Ordinance	City Code Amendment Title 9-8A-8 - Detached Accessory Dwelling Unit	Approve+	01/14/2026	Y	N	Y
Ordinance	City Code Amendment Title 9-8B-7 - Detached Accessory Dwelling Unit	Approve+	01/14/2026	Y	N	Y

Retrieved from the Washington, UT website:

<https://washingtonutah.gov/government/mayorcouncil/VotingRecord>

# Proposed Amendment

- The proposed amendment to Ordinance 2026-12:
  1. Eliminates the requirement for the global voting record table.
  2. Mandates that every ordinance published in the online public legislation index contains its own dedicated data, including:
    - a) The final action (pass, fail, approve, deny, or table) and a breakdown of how each member of the County Council voted.
    - b) The date of final vote.
    - c) Documentation of signatures, vetoes, or non-vetoes by the Cache County Executive, along with all legislative documents incidental to a veto.

# Proposed Amendment

- Reasoning for the amendment:
  - Resolves the difficulty of manually maintaining a standalone record for over 1,000 pieces of legislation.
  - Removes redundant requirements by shifting to a format focused on individual documents already containing recorded votes. As such, this would decrease the chances that there would be clerical errors in the information duplicated to a master/global voting table.
  - Increases the odds that end users see the full context of Council legislation pieces before viewing the specific vote results.

# Proposed Amendment - Example

**CACHE COUNTY  
RESOLUTION NO. 2026 – 08**

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS 17 DAY OF February 2026.

Council Member	In Favor	Against	Abstained	Absent
JoAnn Bennett	X			
Kathryn Beus	X			
David Erickson	X			
Keegan Garrity	X			
Sandi Goodlander	X			
Nolan Gunnell	X			
Mark Hurd	X			
Total	7	-	-	-

FINAL ACTION: X ADOPT \_\_\_\_\_ REJECT

# Possible Actions: Ordinance 2026-12

1. Pass Ordinance 2026-12 as-is.
2. Amend and pass Ordinance 2026-12.
3. Return the Ordinance to the Council Ordinance and Policy Review Committee for further refinement.
4. Reject Ordinance 2026-12.



**CACHE COUNTY  
RESOLUTION NO. 2026 - 04**

**A RESOLUTION TO PROVIDING CONSENT TO ALLOW NIBLEY CITY TO ANNEX  
A PORTION OF UNINCORPORATED COUNTY LAND, THEREBY CREATING AN  
UNINCORPORATED PENINSULA WITHIN THE COUNTY**

- (A) WHEREAS, Utah Code Ann. §§ 17-64-4 and 17-64-5 grant the Cache County Council the authority to "exercise all legislative powers, have all legislative duties, and perform all legislative functions of the county," and further authorize the Council to "pass ordinances," "pass resolutions," and adopt policies that conform with state and federal law; and
- (B) WHEREAS, Utah Code 10-2-804(2)(c): An unincorporated area may not be annexed to a municipality if it will leave or create an unincorporated island or unincorporated peninsula; unless the county and municipality have otherwise agreed; and
- (C) WHEREAS, Nibley City has accepted the Hansen Annexation with final approval based on the County providing consent to creating an unincorporated peninsula; and
- (D) WHEREAS, the annexation plat includes the County Road, Hollow Road, along the frontage of the annexation and north where it connects to Nibley City boundaries; and
- (E) WHEREAS, the County Engineer has reviewed the annexation plat and had no additional comments or redlines; and
- (F) WHEREAS, the County Surveyor will review the annexation plat prior to recording as a final local entity plat in accordance with Utah Code Title 17, Chapter 23, Section 20.

NOW THEREFORE, be it resolved by the County Council of Cache County, Utah, as follows:

**SECTION 1:**

The creation of an unincorporated peninsula as part of the Hansen Annexation is hereby approved and agreed to.

**SECTION 2:**

Upon approval of this resolution, a signed copy shall be provided to the appropriate authority of Nibley City for the above annexation approval process.



**CACHE COUNTY  
RESOLUTION NO. 2026 - 04**

PASSED AND APPROVED BY THE COUNTY COUNCIL OF CACHE COUNTY, UTAH  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2026.

Council Member	In Favor	Against	Abstained	Absent
JoAnn Bennett				
Kathryn Beus				
David Erickson				
Keegan Garrity				
Sandi Goodlander				
Nolan Gunnell				
Mark Hurd				
Total				
FINAL ACTION: ____ ADOPT      ____ REJECT				

**CACHE COUNTY:**

**ATTEST:**

By: \_\_\_\_\_  
Sandi Goodlander, Chair

By: \_\_\_\_\_  
Bryson Behm, County Clerk

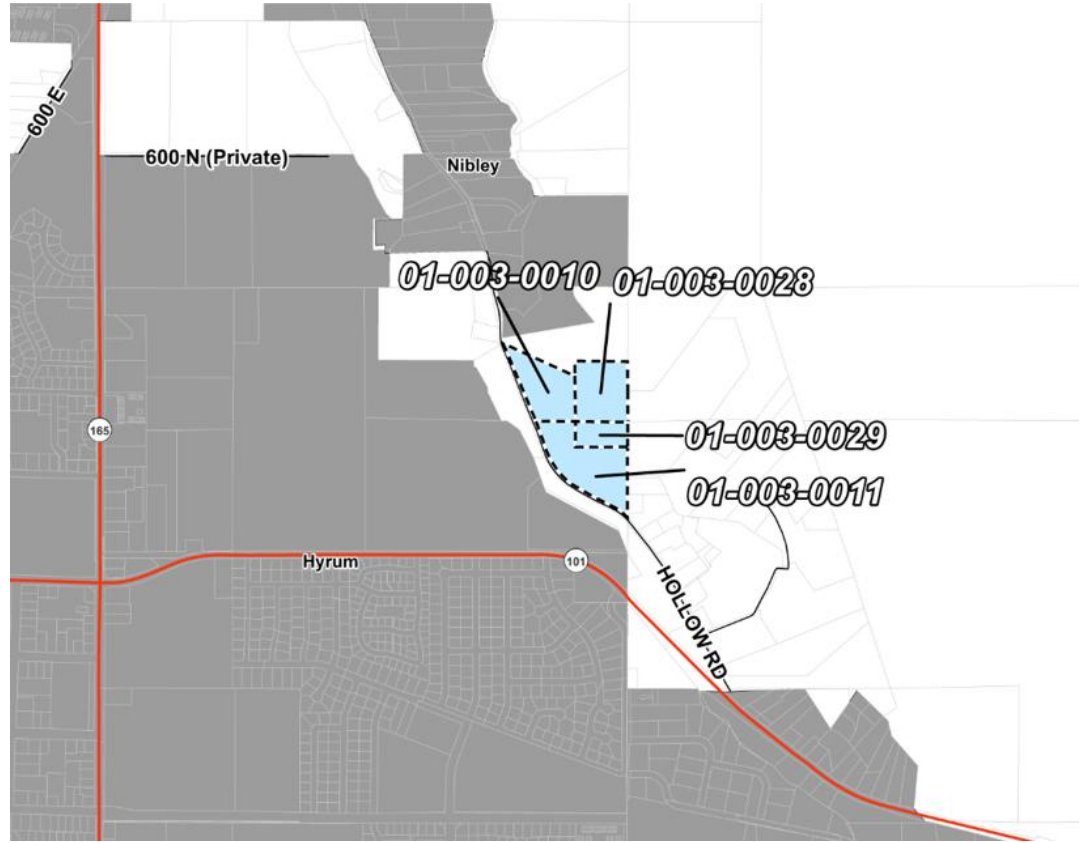
---

---

# Hansen Annexation: Nibley

---

# Vicinity Map



# Overview

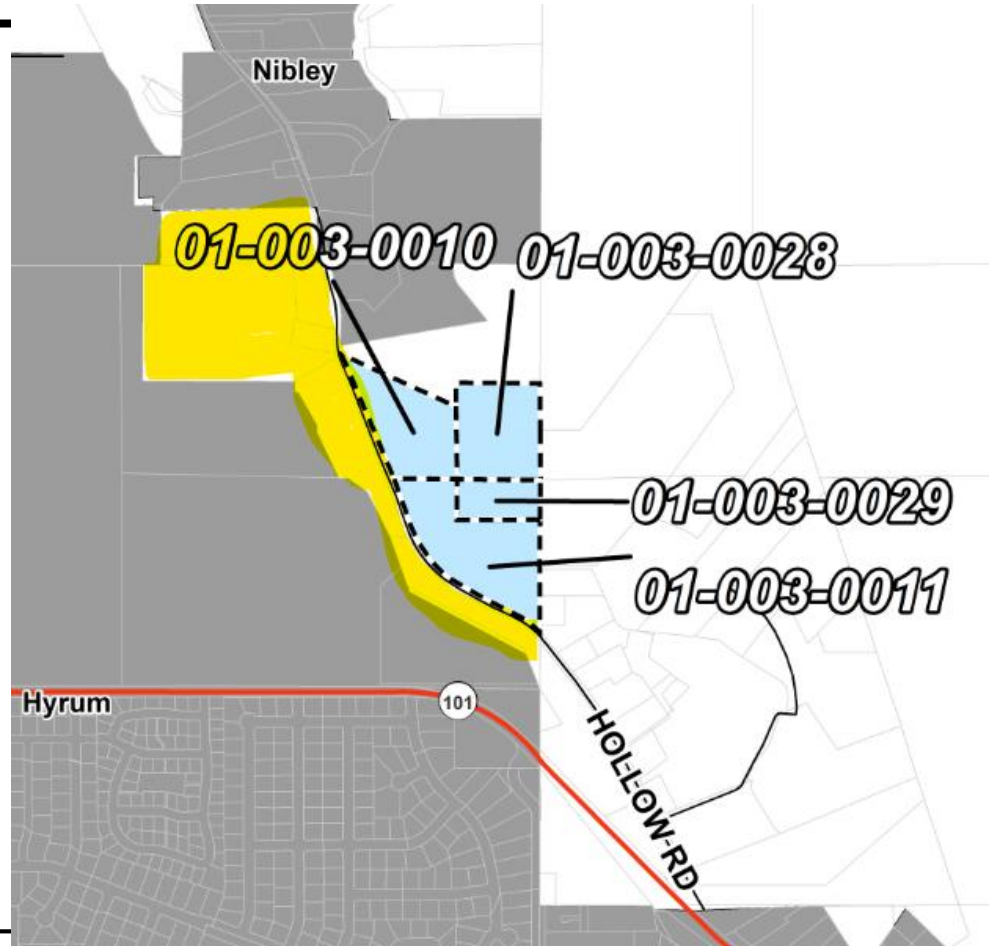
## Annexation Request

- 4 parcels totalling 28.19 acres on the east side of Hollow Road south of Nibley
- Includes 2.64 acres of Hollow Road ROW that provides the contiguous connection to Nibley
- Annexation will result in the full ROW of Hollow Road from the subject properties north to the Nibley City boundary
- Annexation will create an unincorporated peninsula on the west side of Hollow Road
- Staff received a petition opposed to \_\_\_\_\_the the annexation request.

**Blue:** parcels to be annexed

**Yellow:** resulting unincorporated peninsula

**Dark Gray:** Nibley City boundary to the north and Hyrum City to the west and south.



---

# Possible Actions

## Agree

- Agree to allow the annexation and create an unincorporated peninsula area

## Disagree

- Disagree with the annexation and the resultant unincorporated peninsula area and formally protest the annexation
-

## Introductory Training for County Officials 2026

---

### OPMA Training General Information

State Auditor Training Page: [training.auditor.utah.gov/courses/](https://training.auditor.utah.gov/courses/)

OPMA Training Link: [training.auditor.utah.gov/courses/courses/introductory-training-for-county-officials-2026](https://training.auditor.utah.gov/courses/courses/introductory-training-for-county-officials-2026)

- **Who must complete it:** All public governing body members
- **Time frame for completion:** Once every 4 years
- **Training Length:** ~45 minutes
- **Note:**
  - Completion of this training by all members of the County Council must occur to ensure the County's Fraud Risk Assessment score is as high as possible in order to demonstrate low risk of fraud.

### Steps to Access and Complete OPMA Training

- **Step #1:** Go to [training.auditor.utah.gov](https://training.auditor.utah.gov)
- **Step #2:** Click “**Sign-In**” in the upper right hand corner. Sign in if returning, click “**Create a new account**” if you need to. Once signed in, you will be redirected to a page showing all your completed courses.
- **Step #3:** Click on “**View more courses**”. Once redirected to the list of available courses, click on “**Introductory Training for County Officials 2026**”. You will again be redirected to a new page.
- **Step #4:** On the new page, click the blue button labeled “**Enroll for free**”.
- **Step #5:** Complete the course, and at the end, save/screenshot your certificate of completion and send it to the Council Chair, Council Staff, and the County Auditor. Also consider printing it for your own records.

# Introductory Training for County Officials 2026



## Course Description

# Introductory Training for County Officials 2026



## Course curriculum

- 1 **Welcome** 
  -  Disclaimer
  
- 2 **Introduction to Budgeting** 
  -  Introduction to Budgeting Video
  -  Introduction to Budgeting Evaluation
  
- 3 **Introduction to GRAMA** 
  -  Introduction to GRAMA Video
  -  Introduction to GRAMA Evaluation
  
- 4 **Introduction to Ethics and Nepotism Laws** 
  -  Ethics and Nepotism Laws Video
  -  Ethics Table - County
  -  Ethics and Nepotism Evaluation
  
- 5 **Hiring an Independent Auditor** 
  -  Hiring an Independent Auditor Video
  -  Hiring an Independent Auditor Evaluation

# Introductory Training for County Officials 2026



Hiring an Independent Auditor Evaluation

6 **Separation of Duties** ^

Separation of Duties: Clerk & Treasurer Video

Separation of Duties Evaluation

7 **The Fraud Triangle** ^

Fraud Triangle Video

The Fraud Triangle Evaluation

8 **Internal Audit Plan** ^

Internal Audit Plan Video

Internal Audit Plan Evaluation

9 **Fraud Risk Assessment Overview** ^

Fraud Risk Assessment Overview Video

Fraud Risk Assessment Overview Evaluation

10 **Feedback** ^

Feedback Survey